

Record of Officer Decision

Allocation of Higher Needs Provision Capital Allocation 2025/26

Decision Taker and Date Decision Taken:

Director of Children's Services on 21 August 2025

Summary of Matter or Issue Requiring Decision:

Approval to allocate £370,000 to South Devon College to expand their NEST provision to support additional EBSA High Needs learners, including transition/outreach from home.

The current SDC NEST provision is designed to support 16-18-year-olds with SEND, SEMH, and Emotionally Based School Avoidance (EBSA) through a curriculum that balances academic learning with therapeutic support. By offering a combination of core subjects, vocational training, life skills, and emotional well-being support, the programme prepares students for the next steps in education, training, or employment.

The project involves the repurposing and refurbishment of existing parts of their Estate to provide a bespoke NEST provision that would support a cohort of up to 75 students (growth over 2-3 years). The capital investment required is £740,000 with Devon County Council funding 50% of the cost and Torbay Council funding 50%.

The Council has received Higher Needs Provision Capital Allocations (HNCPA) directly from central government specifically for special educational provision within Torbay. HNCPA is allocated to Local Authorities (LAs) proportionally, based on the estimated share of future growth in the children and young people in each LA who may require High Needs provision as a percentage of the national total.

This project would meet the grant criteria and eligibility for funding and is in line with the Children's Services Torbay Special Educational Needs and Disability (SEND) Programme.

Decision Taken:

That the allocation of £370,000 from the Local Authority's Higher Needs Provision Capital Allocations (HNCPA) be approved for the expansion of The Nest at South Devon College.

Summary of Reason(s) for Decision Taken:

- The Local Authority (LA) has a balance of approximately £2m uncommitted in its 5 year HNCPA allocation.
- The Education Act 1996 sets out a statutory duty on LAs to secure sufficient school places for children and young people with special educational needs and disabilities (SEND) as well as those requiring Alternative Provision (AP). This includes post 16 education.
- To meet the capital costs associated with the provision of new places or improvement of existing provision for:
 - Children and young people with complex needs, who have Education, Health and Care plans (EHCPs), and where appropriate other children and young people with SEND who do not have an EHCP.
 - Pupils who require alternative provision (including children in AP settings without an EHCP).

- To mitigate against the ongoing costs and the needs of children and young people with EHCPs, SEND or requiring Alternative Provision.

Summary of Alternatives or Options considered and rejected and Background Papers:

Not proceeding – the LA has a to secure sufficient school places for children and young people with SEND as well as those requiring Alternative Provision. This includes post 16 provision.

There is not an option to spend this funding on any other Council priorities; the funding is ring fenced specially for developing SEND provision. If the funding is not utilised by the LA or is spent in a manner that does not meet the terms and conditions of the allocation, it would be clawed back by central Government.

Details of any conflict of interest and dispensation granted to the Officer taking the decision or by any Member of the Council in delegating responsibility for any specific express delegation:

None.

Implementation:

September 2025 – April 2026

A copy of this decision and any supporting documentation considered by the Officer taking this decision may also be available for inspection by the public at the Council's officers or posted upon payment of any copying and postage charges. Any member of the public wishing to take up either of these options is asked to please ring (01803) 207087 or email governance.support@torbay.gov.uk

Signed: _____ Date: 21 August 2025
Director of Children's Services