

Safety Valve Progress Report – March 2023 (SEND Data for Safety Valve)

This overview report shows work to date in relation to the Safety Valve Programme.

Torbay Funded Plans 2023	Target EHCPs = 1568												by 31st March 2023
31/03/2023	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	Sep-23	Oct-23	Nov-23	Dec-23	YEAR END Totals
EHCPs Start of Month	1612	1593	1590	0	0	0	0	0	0	0	0	0	0
New Plans Issued	16	10	17	0	0	0	0	0	0	0	0	0	43
Transfers In	2	2	3	0	0	0	0	0	0	0	0	0	7
EHCPs IN SUBTOTAL	18	12	20	0	0	0	0	0	0	0	0	0	50
Ceased Plans	32	11	28	0	0	0	0	0	0	0	0	0	71
Moved Out	3	4	12	0	0	0	0	0	0	0	0	0	19
Made Inactive/Deceased	2	0	0	0	0	0	0	0	0	0	0	0	2
EHCPs OUT SUBTOTAL	37	15	40	0	0	0	0	0	0	0	0	0	92
EHCPs Month To Date	1593	1590	1570	0	0	0	0	0	0	0	0	0	1570

Requests for statutory assessment (RSA) received.

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year Total
2019	25	38	33	25	37	34	17	7	25	26	24	28	319
2020	27	23	12	15	13	15	23	6	12	17	22	21	206
2021	21	27	58	23	31	26	27	7	11	16	35	27	309
2022	32	27	46	36	42	32	30	16	26	21	19	18	345
2023	30	34	-	-	-	-	-	-	-	-	-	-	64

RSAs – Data compared to last year (2021)

- Requests for statutory assessment have increased by 11.7 % in 2022, compared to last year. In 2021 the total number of requests for statutory assessment was 309, compared to the 345 requests received in 2022.
- Average RSAs first half of 2022 the average was 35.6 per month. For the second half of 2022 the average per month is 21.6. RSA data has begun to dip from October 2022. We are now meeting our specified WSoA target of 20 RSAs per month. This target decreases to 15 RSAs per month in July 2023.
- In 2023, we have so far received a greater number of RSAs than our target number. This is understood as the Graduated Response has not yet been rolled out but will be in the Summer term. This is also understood in that the support for mental health and wellbeing and speech and language is not yet accessible as part of the graduated response.

RSA - Refusal rates, year on year

- 2019 97/316 31%
- 2020 51/206 25%
- 2021 89/309 29%
- 2022 119/340 35%
- January 2023 we had a refusal rate of 40%
- Year to date *until 29/03/2023* we have 95 RSAs and have refused 24. Currently 25%, however this will change as and when RSAs are processed.

The new co-produced Graduated Response pilot which has just begun, and the Next steps meetings (which support multi agency planning for decisions not to assess) support the

growing understanding of meeting needs at SEND support and without an EHCP and encourage parental confidence in SEND support plans.

The refusal to assess rate is increasing due to numbers of RSA's which aren't evidencing a robust implementation of the Graduated Response. The latter part of 2022 shows a reduction RSA submission which brings our data in line with the WSOA target but this has not been sustained into 2023.

New EHCPs issued

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year Total
2019	14	8	10	12	8	9	20	10	28	30	26	16	191
2020	16	9	11	17	17	31	17	8	12	9	10	9	166
2021	6	9	25	14	11	36	29	14	22	18	18	6	208
2022	5	13	19	20	23	22	23	14	20	17	14	14	204
2023	16	10	-	-	-	-	-	-	-	-	-	-	26

Compared to last year

- There has been a decrease of 2% of final EHC plans being issued, from 2021 to 2022.
- Average final plans being issued in the first half of 2022 was 17 per month. For the second half of 2022 the average per month is also 17.
- The number of plans issued in 2022 is lower than in 2021, which was deemed to be a Covid recovery period with SENCO's submitting RSA's which would have been submitted the year before (2020). From August 2022 there has been a reduction in the number of EHCP's issued per month, this will be continued to be monitored through Safety Valve work into the new year which an expectation for this to remain low.

EHCPs 'made inactive' (ceased/moved away)

	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Year Total
2019	15	10	24	4	6	19	24	47	51	32	6	7	245
2020	19	15	17	5	9	6	4	3	9	47	10	13	157
2021	6	13	6	5	10	9	8	15	33	4	16	8	133
2022	7	6	23	11	15	5	21	7	28	17	47	45	232
2023	37	15	-	-	-	-	-	-	-	-	-	-	52

Compared to last year

- Comparing the first two months, year on year; there has been a 300% increase in cessation.
- Made inactive plans have increased by 65% from 2021 to 2022.
- A further 25 + 41 (dual) are currently ceasing in progress.
- A significant 74% increase in ceasing plans, from 2021 to 2022
- 2 cared for pupil's EHC plans have been ceased, as their outcomes were achieved, and another pupil secured paid employment
- 8 care experienced pupil's EHC plans have been ceased, for numerous reasons including employment/outcomes achieved/no longer wishes to engage in education
- There is one child that is cared for EHCP ceasing in progress
- There are two children who were care experienced EHCPs ceasing in progress

The table below illustrates that targeted ceasing activity is taking place in the age categories.

AGE GROUPS (2022 / February 2023)	Made Inactive	Ceasing in Prog Total
Age 0-4	0	0
Age 5-10	4	8
Age 11-15	5	24
Age 16-19	28	19
Age 20-25	15	3
Total number of EHCPs by Age Group	52	54

March year to date (as at 29/03/2023) there have been 69 EHC plans made inactive and with 66 ceasing in progress.

In 2022 there has been a significant increase from 2020/2021 in the number of plans ceased in the 16-25 category because of the robust Safety Valve work and monitoring of and reengagement of those young people that are NEET. In the next quarter there will be an increase in the ceasing of EHCP's pre 16 where outcomes of those children/young people have been met.

In 2023 we will be aiming to meet Phase transfer for Year 6 and Year 11 and (new for 2023) Year 2 which will improve the quality of our EHCP's and ensure that outcomes are robust and able to be met.

SEND are moving to a new way of working for Phase Transfer with a consistent worker for Secondary and Post 16 transition to see if we can promote consistency and parity of approach.

Tribunals and Appeals

Registered cases by calendar year	2018	2019	2020	2021	2022	2023
Tribunals	6	9	7	9	17	4
Mediations	2	0	6	2	19	3

Tribunals and appeals have increased significantly since our November 2021 inspection. It is evidence that where Tribunal and Appeal is deemed necessary that pathways are understood.

Torbay have been successful in two Tribunals on refusal to issue, based on our assessment process.

Torbay Head of SEND improvement feels that the decisions made are sufficiently robust to attend Tribunal with a strong chance of the Tribunal not allowing the appeal. This will be enhanced by our Education, health and care management board.

Torbay conduct Informal mediations (started in 2021) and Next Steps meetings (started September 22) There have been 49 Next Steps meetings, 14 moved to assessment – 3 issued, 1 declined, 10 undergoing assessment.

9 awaiting mediation applications or further contact. 20 completed with no further action required. 2 moved to Section 19 action. 3 possible RSA's pending. 1 appeal on no to issue pending.

We are going to need to commission more Global Mediations to meet the increased demand.

Health

The contribution of health funding required has been identified. The work with Health partners to ensure that a budget and process is created has escalated and is understood at a strategic level, The Chief Nurse, ICB Board and NHS Commissioner are all engaged in the conversations and bringing forward an agreed process.

Detailed work has been conducted on the ASQ3 data and the outcomes being achieved by children at age 2-3 in Speech Language and Communication. The data at this stage demonstrates that the majority of children are reaching their developmental milestones, leading to no additional support or intervention being provided. The data on entry to school for the same group and the requests for statutory assessment for SLCN does not match the profile of needs being seen within our SEND population. This work continues to be analysed in depth to form our response to early intervention and pathways of support to improve outcomes without the escalation to an EHCP.

Every new RSA for a child under 5 and every Educational Psychology report will include this data to ensure comparative data and feedback of anomalies.

Next steps

- Health to identify a budget for the contribution of Health funding into EHCP plans.
- Joint working with our Sector Led Improvement Partner to consider best practice from their own JAP panels
- Communication to go out to parents and carers about the new integration pathways
- Co-production of the pathway from application to decision making process.
- Continue to deep dive our ASQ3 information to inform next steps around SLCN and preventative work.
- To take forward action planning from EHCP and Annual Review quality assurance

Front loading – Resource and Capacity

We have brought in extra capacity to support our programme

- Consultant support with expertise in the SEND, WSOA And Special education need – joint funded with health
- An additional SEND monitoring officer in place to support the AR process and cessation of the plans
- Full time FTC – Project Manager (2 year to be reviewed) – joint funded with health
- SEND helpline officer full time in recruitment
- Head of Service for SEND and Inclusion in situ

- Recruitment request for a SEND service manager
- We have built into our base budget £300k for on-going SEND improvement work, ensuring that we can continue to target our resources and capacity to deliver the ambitions within the plan.

Next steps:

- The Graduated response launch is being rolled out to all schools during the Summer term following the pilot feedback and necessary amendments. This is being brought forward to ensure that the impact across the system can be felt and lived experiences start to change.
- The roll out of the Family Hubs, uniting the Early Help, SALT and home learning environments and the configuration of early identification and early support through this model.
- The creating of a pooled budget for workforce development plan that builds and challenges our collective culture and knowledge. This plan will include the commissioning of external and accredited training and consultancy for schools.
- Business case for addressing Amendments backlog is being discussed
- Recruitment is under way for vacancies
- There is a health audit being completed to look at funding which should be provided from health for children's needs