



**Torbay Council Safety Valve Summary Update Report  
Quarter Two 2023/2024**

Date Submitted:	15th September 2023
Data date:	31 <sup>st</sup> August 2023
Section 151 officer signature:	
Director of Children's Services signature:	
Linked document:	Safety Valve Agreement DSG Management Plan

This is the second progress report since the agreement of the Safety Valve in March 2023. The report sets out the progress made against each of the conditions of the grant, an overview of the budget position as of 31<sup>st</sup> August 2023 and the trajectory of the budget. The report also includes data that demonstrates the impact of our work to date.

Work continues to be implemented delivering the reform programme needed and setting the conditions for future and sustained change. Local scrutiny of performance remains considerable, the work of the safety valve continues to be overseen by the CEO through the executive transformation board and reviewed/driven by School Forum [Browse meetings - Schools Forum \(torbay.gov.uk\)](#). The interdependencies between the Safety Valve and Written Statement of Action for SEND and the implementation of our Family Hubs are understood, and further challenge is provided by the SEND Strategic Board and monitoring meetings. The Safety Valve was part of the new elected members induction and scheduled for review at Overview and Scrutiny.

Overall progress of our work to date can be seen in two key performance indicators.

**Number of Education Health and Care Plans**

In this quarter the number of plans within the Local Area have been consistent to our previous quarter, we have improved our position by 4 plans since our last submission. The number of plans

continues to be below our peak of plans at 1673 in August 2022. The reduction of plans is aligned to our DSG Management plan and Safety Valve agreement. Plans continue to be ceased as demonstrated below, however it should be noted that the identification of plans to cease is more difficult during the school/college holiday period. We have also issued a high number of plans in July 2023 as we recruited a full complement of staff, enabling us to improve delivery on our statutory 20 week timescale. We remain on track to make the reduction by March 2024. We have 29 plans that are in progress to cease that are not yet included in the figure and we recognise that the Autumn Term (quarter 3) supports the identification of young people that may select a different pathway into employment post the publication of their results.

	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23
EHCPS Start of Month	1612	1590	1588	1573	1572	1564	1568	1562
New Plans Issued	16	10	18	13	18	17	21	15
Transfers In	1	2	3	1	1	3	1	2
Reinstated via Tribunal	0	0	0	0	0	0	0	0
<b>EHCPS IN SUBTOTAL</b>	<b>17</b>	<b>12</b>	<b>21</b>	<b>14</b>	<b>19</b>	<b>20</b>	<b>22</b>	<b>17</b>
Ceased Plans	32	11	28	15	26	9	28	14
Moved Out	3	3	8	0	1	5	0	1
Made Inactive Deceased / Other	2	0	0	0	0	1	0	0
<b>EHCPS OUT SUBTOTAL</b>	<b>37</b>	<b>14</b>	<b>36</b>	<b>15</b>	<b>27</b>	<b>15</b>	<b>28</b>	<b>15</b>
Adjustment (+ / -)	2					1		
<b>Difference (EHCPS ins v outs)</b>	<b>22</b>	<b>2</b>	<b>15</b>	<b>1</b>	<b>8</b>	<b>-4</b>	<b>6</b>	<b>-2</b>
<b>Target</b>	<b>Average reduction required :</b>			<b>3.3</b>	<b>3.4</b>	<b>3.0</b>	<b>3.8</b>	<b>3.5</b>
<b>EHCPS Month To Date</b>	<b>1590</b>	<b>1588</b>	<b>1573</b>	<b>1572</b>	<b>1564</b>	<b>1568</b>	<b>1562</b>	<b>1564</b>

### Financial outturn position at August 2023

The projected DSG budget position remains aligned to the DSG management plan. The work to reduce spend continues to demonstrate that our financial position is improving. Dedicated Schools Grant (DSG) funded activities are currently forecast to **overspend by £1.037m**. This position is positive against the agreed budget **overspend of £1.263m** in the safety valve.

Budget Heading	Budget	Actuals to date	Projected Outturn	Over / (Under) Spend
Early Years 2, 3 & 4 yr old payments – PVI's & Academies	£6.229m	£2.684m	£6.229m	£0k
Early Years – ALFEY	£295k	£117k	£295k	£0k
1. Early Years – Pupil Premium & Disability Access Fund	£158k	£37k	£135k	(£23k)
2. Early Years – 5% retained element	£383k	£134k	£341k	(£42k)
3. Joint Funded Placements	£400k	£145k	£300k	(£100k)

4. Recovery of funding from schools for Excluded Pupils, Medical Tuition Service and Elective Home Education	(£175k)	(£52k)	(£125k)	£50k
5. Contribution from Health towards EHCP's	(£100k)	(£0k)	(£0k)	£100k
Independent Special School Fees including South Devon College	£3.330m	£664k	£3.330m	£0k
6. Other packages for EHCP pupils and SEND personal budgets	£1.610m	£648k	£1.810m	£200k
7. Payments to / recoupment from other authorities for mainstream and Special School places	(£128k)	(£165k)	(£228k)	(£100k)
8. Medical Tuition Service	£1.070m	£537k	£870k	(£200k)
9. Virtual School / Hospital Tuition / Vulnerable Students Team	£519k	£185k	£500k	(£19k)
8. Refund from Medical Tuition Service from underspend during 22/23		(£200k)	(£200k)	(£200k)
School contingencies (Planned pupil growth, NQT induction etc)	£70k	£61k	£70k	£0k
10. EHCP in-year adjustments	£539k	£495k	£619k	£80k
11. Special Schools / High Needs in-year adjustments	£400k	£360k	£500k	£100k
School Intervention / Commissioning	£48k	£13k	£48k	£0k
Business Support / Business Intelligence	£240k	£91k	£240k	£0k
12. Senior Management, Central Recharges, Admissions, EAL / Travellers, SACRE,	£611k	£363k	£561k	(£50k)
12. Visually impaired / Hearing impaired / Advisory Teachers	£166k	£50k	£144k	(£22k)
13. Deficit DSG budget set for 23/24	(£1.263m)			£1.263m
<b>Total – Forecast Outturn Position 23/24</b>				<b>£1.037m</b>

### Progress Update Reports for Each Agreement Condition

Agreement Condition	Assurance Level
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3.1 Maintain existing special school numbers through increasing parental confidence and provision within mainstream settings	Q1	Q2	Q3	Q4

Special School numbers continue to be maintained at our agreed commissioned levels. The following chart details our commissioned placements against our position in August 2023.

Special Schools	Commissioned Number	As at 15 <sup>th</sup> August 2023
Combe Pafford	265	270 (5 over, paying only the element 3 funding)
Mayfield	263	265
Brunel	56	56
Burton	55	44
Preston ASC ERP	16	16
Barton S&L ERP	10	10
St Margaret's Academy HI ERP	8	4
Brixham ASC ERP	22	21
The Spires HI ERP	8	2
The Spires ASC ERP	16	13
Paignton STEPS ERP	12	11
<b>TOTAL</b>	<b>731</b>	<b>712</b>

Our previous trajectory of growth within specialist provisions would have indicated that our unmitigated actions would have resulted in 42 additional placements within specialist provision by August 2023. Through careful management of admissions and prioritising need we have maintained our commissioned numbers aligned to our planning.

Our specialist provision at Combe Pafford School for MLD is in demand in our neighbouring local authority Devon for parental preference. This has resulted in 3 directions by the Tribunal to increase PAN. Although this results in no financial burden on Torbay, it is reflected within our growth and also the overall approach/cost to provision that is then needed to be provided to meet the needs of additional children.

Our Special School trajectory is in line with our agreed budget for 2023/2024. Our numbers are being managed carefully and no financial pressures are identified on this budget line.

Requests for specialist placements are higher at points of transition with parents historically feeling that needs could only be met within the specialist sector. To mitigate this a number of parent events were planned and have been hosted, these will now become part of an annual cycle of activity and support. The SEND Service alongside Secondary SENDCOs and SEND Family Voice will be delivering Dispelling the Myths about Secondary school next week. There are also two Primary Dispelling the Myths sessions in the beginning of September.

As a local area partnership, we are robustly applying thresholds and ensuring consistency in our decision making to ensure that specialist placement and EHCP's are issued in line with assessed need. As a result, we have seen an increase in the number of Tribunals and Appeals.

Registered cases by calendar year	2018	2019	2020	2021	2022	2023
Tribunals	6	9	7	9	17	20
Mediations	2	0	6	2	19	26

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. We are using both formal mediation and global mediation to manage demand and management of specialist provision numbers. We have Tribunals lodged for a variety of disputes including Section I, Section F, refusal to issue and cessation.

Agreement Condition	Assurance Level			
	Q1	Q2	Q3	Q4
3.2 Create a culture change in Special Educational Needs and Disabilities (SEND) services, driving forward inclusive practice and workforce development				

The SEND Strategy for Torbay has been re-written. The SEND Strategy [SEND Local Area Strategy Appendix 1.pdf \(torbay.gov.uk\)](#) has been co-produced directly with families and young people and demonstrates the change that is required within the lived experience of our service users. The SEND Strategy is the guiding document for change and has been widely consulted upon. The detailed action plans set our direction of travel across the multi agency partnership and have been co-produced with families. The SEND Strategy and it's delivery is monitored through a range of KPI's these are the focus of review for November 2023 Overview and Scrutiny with all agencies and parents attending to present and review impact.

We are the first Local Authority Childrens Services to be registered as a restorative organisation by the Restorative Justice Council. This is underpinning our work to change culture and bring

about confidence in the system for inclusion. We are leading the partnership to become relational in our approach and are taking forward training across the local area.

We continue to embed the SEND Pledge which sets out the behaviours and principles that children want to see from the interactions they have with professionals. The SEND Pledge can be found at [Our pledge - Torbay Council](#) There is evidence from our recent participation survey and direct participation work conducted with children that they are starting to see some improvements in the adaptations made for them within their schools.

Below are some direct quotes from our children and young people:-

*“I go to College – I’ve gone from nothing to having everything, I am supported”*

*“Having the same one (teaching assistant), I’m happy and proud”*

*“Having provision with Play Torbay as they understand me”*

*“I am allowed to come down to lower school and talk quietly to friends. I leave lessons early so I am not caught in the crowds and noise”.*

*“They ask me questions that help figure out what I need help with”*

*“I have had support making friends and I like to help others too. They understand what I’ve been through and what I need”*

Workforce development is a key component to change, to drive inclusive practice we have:-

- Six weekly SEND Forums planned across the academic year with multi agency attendance and input.
- Commissioned NASEN training for schools
- Sourced AET training for Secondary providers, dates booked for all schools to receive training between July to December 2023
- SEND service are working with Learning Academy to host an annual calendar of statutory training on i.e annual review process, consultation responses.
- Graduated Response roadshow planned and will be delivered until December 2023, visiting every school and the college.
- SEND and the Safety Valve continues to be a focus at the Whole Children’s Services Workforce events and training which was attended by approx 180 people for each event. There have been two events in this quarter.

Agreement Condition	Assurance Level			
3.3. Reform Torbay’s graduated response and address multi-agency contributions to Education Health and Care Plans (EHCPs);	Q1	Q2	Q3	Q4

Torbay Graduated Response has been re-written and co-produced with parents/carers, schools and multi-agency partners. Following a period of significant consultation and piloting the launch of the graduated response was brought forward from September to June 2023. The new graduated response can be found at [Graduated Response - Torbay Council](#). Work over June and July focused on ensuring that the SENDCO's and Senior Leaders were aware of the Toolkits and were taking steps to ensure that they could be adopted from September 2023. The focus of our work with SENDCO's was to consider the workforce reform required to ensure that the Graduated Response is understood at all levels. This consultation process has informed our workforce plan for delivery during 2023 – 2024.

The work to ensure that there is a consistent understanding of the graduated response will take time to embed and as such the Requests for Statutory assessments continue to be higher than we would like at this point of our improvement journey. However, it remains that not all requests for statutory assessment result in a plan being issued. Through rigorous processes and ensuring consistency of the offer against our graduated response the refusal rate continues to be high demonstrating our challenge and robust decision making back to the system. Detailed work has been conducted to understand where individual schools/agencies are submitting requests against the refusal rates. This has been used to target our work in Autumn 2023.

RSA requests	2019	2020	2021	2022	2023
	319	206	309	345	244 (January to August year to date)

Early Years Setting	% of RSAs	Parental request	% of RSAs	School	% of RSAs	Student Request	% of RSAs	Total of sources
36	15%	50	21%	140	58%	9	4%	244

Refusal Rates	2019	2020	2021	2022	Jan 23	Feb 23	Mar 23	Apr 23	May 23	Jun 23	Jul 23
	97/316 (31%)	51/206 (25%)	89/309 (29%)	119/340 (35%)	39%	33%	50%	53%	36%	28%	31%

*Important. The refusal rate is only valid for the month once all RSAs have passed the received and assessment stages. The above refusal rates include all refusals, which can occur at different stages of the statutory process.*

- For July 2023 there has been an RSA refusal rate decrease of 8%, from the 39% in January.
- Historically in 2021 the total number of requests for statutory assessment was 309, compared to the 340 requests received in 2022.
- Average RSAs for the first half of 2022 was 35.6 per month. For the second half of 2022 the average per month is 21.6.
- Average RSAs for the first half of 2023 is 32.8 per month.
- Average refusal rate in 2023 so far, is 38.57%
- We are working to meet our required WSOA target of 15 RSA's per month
- Schools are the highest requesters of EHCP's, with the highest age group being 11-15

Source	2017	2018	2019	2020	2021	2022	2023
Early Years Setting		12%	10%	16%	15%	16%	16%
Parental request		20%	25%	26%	22%	28%	21%

School	63%	62%	54%	59%	59%	52%	58%
Student Request	5%	3%	4%	3%	3%	3%	4%
<b>Grand Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>

### RSAs by Age Group

Age 0-4	41
Age 5-10	90
Age 11-15	91
Age 16-19	22
Age 20-25	0
<b>Total</b>	<b>244</b>

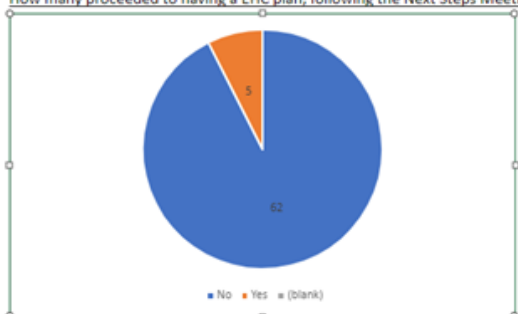
Rigorous processes are in place to ensure that plans are not issued where needs can be met through the effective implementation of the graduated response. To drive forward this change we continue to deliver 'Next Steps' meetings with schools, parents and SEND caseworkers. These meetings discuss the rationale for the decision and support the agreement of a plan that can be delivered under SEN (K).

Between June to August 2023 there have been 24 next steps meetings held. Our tracking of data shows that 17 (71%) have led to no appeal and an agreed plan with multi agency participation. Seven have remained with the intent to appeal the decision which will be further mitigated through our mediations processes.

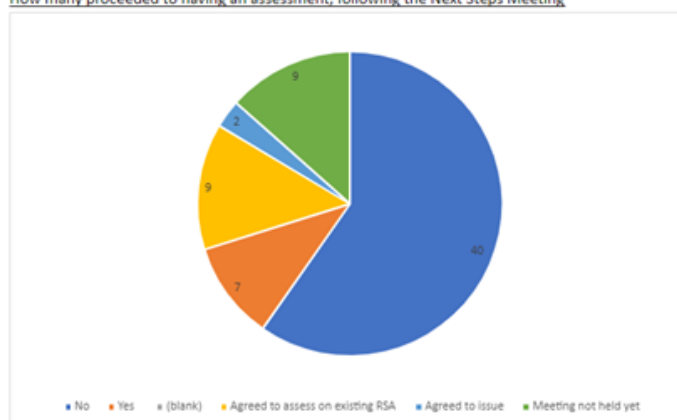
The overarching data from 22-23 for Next Steps meetings shows the impact they are having with just 5 out of 67 Next steps meetings leading to an EHCP within 6 months of the meeting:

#### Next Steps Meetings

How many proceeded to having a EHC plan, following the Next Steps Meeting



How many proceeded to having an assessment, following the Next Steps Meeting



This process is also building confidence between the parent and school whilst also providing a learning opportunity for schools to become further aware of the expectations of the graduated response toolkit.





During the June to August period we have developed a SEND Van with the slogan of SEND is Everyone's Business being the key message. The van was used at our SEND Fair Play Day attended by around 2000 families and children to share the key the messages of inclusion. The van will be used to host our Graduated Response Roadshow which is beginning in September 2023. We will be visiting all schools and colleges to promote the SEND support and provision toolkits. Representation will be there to speak to staff and parent/carers from education, health and care to talk through how needs can be met at the right place, right time with the right support.

As part of our improvement work, we continue to tackle the quality of advice and information to inform decision making and provision within an EHCP and the review and monitoring of information. The Quality of Education Health and Care Plans remains too variable. A Quality Assurance process is in place within the Torbay Learning Academy with two SEND Auditors conducting the reviews and implementation of associated actions plans. The SEND Board continue to review the audit findings are taking forward actions to improve both the timeliness and quality of contributions. The SEND Board including all multi agency partners have agreed the mechanisms for receiving and taking forward learning across the system. The data below demonstrates the current timeliness of appendix returns from all agencies.

	August 2023	Year to date
Health Advice	50%	54%
Social Care Advice	62%	75%
Education Psychology	50%	46%

<b>Finals on time as %</b>	27%	42%
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Torbay has received its first Ombudsman direction to pay a financial penalty as a result of a delay in issuing a plan, the failure to issue the plan was due to the lack of assessment being provided by Health. The current direction from the Ombudsman, despite the failings being within the Health system, is for the Local Authority (Higher Needs Block) to pay the compensation. The LA is challenging the individual decision and making representation on the wider change within the directions being given.

We also continue to challenge the financial contributions from our health partners. Although it has been identified that there has been no health funding for the last two years for our children with EHCP. We are still not able to gain a response from the ICB regarding the lack of direct health funding. Although we have clearly evidenced the need and provided this to Chief Executive at the NHS Trust there has been no forthcoming resolution. The level of health funding to support our children has not been provided this continues to be tracked by the Local Authority. The work with Health partners to ensure that a budget and process is created continues to be escalated and is understood at a strategic level within the Council, The Chief Nurse, ICB Board, DCS and NHS Commissioner are all engaged in the conversations. Despite the escalations there is no identified budget within the ICB to contribute. This remains a key strategic risk.

Not only is there a financial challenge, but there is also a gap in service provision at the level required to meet needs. This results in the local authority making provision through the high needs block. This is a focus for School Forum and ICB on the 12<sup>th</sup> October 2023 with ICB representation in attendance.

	<b>August 2023</b>	<b>Year to date</b>
<b>Health Advice</b>	50%	54%
<b>Social Care Advice</b>	62%	75%
<b>Education Psychology</b>	50%	46%
<b>Finals on time as %</b>	27%	42%

The overall performance for August 2023 has decreased and remains a concern and is being monitored consistently through the SEND Board. The Head of Service for SEND and Inclusion has requested Action plans from health and care services be brought to SEND Strategic Board in October 2023 to ascertain how partners are going to increase their timeliness and what mitigations and rationales there are for the decline in performance.

Agreement Condition	Assurance Level			
	Q1	Q2	Q3	Q4
3.4. Implement the Independent Placement Overview Panel to ensure that decision making on awarding EHCPs and placements is rigorous and appropriate for children and young people;				

The number of young people in specialist independent placements remains low and consistent with our plan. As demonstrated by our financial position in August 2023.

At the end of August 2023 we had 38 children who attend an independent specialist placement, this is an increase from 35 children in the previous academic year. There are multiple reasons for the increase, our deep dive into young people attending independent provisions indicated that the highest needs being met were SEMH and ASC. We have made a decision to ensure that some children who were previously supported through an EOTAS package have been moved to an Independent Placement as they had made sufficient progress to be able to access provision within a group based offer.

	August 2021	August 2022	August 2023
Number of Independent Specialist Placements	31	35	38

The budget for independent placements remains in line with our financial plan. We have projected costings on all placements to the end of the academic year.

Agreement Condition	Assurance Level			
	Q1	Q2	Q3	Q4
3.5. Build confidence within the parental community on the level of provision that can be provided within special schools and enhanced resource bases;				

The level of confidence that parents have within the offer of special schools continues to be strong. This is demonstrated through the high number of requests that are received each year for consideration of a special school placement. The ability of our special schools to meet needs and maintain parental confidence is supporting us to manage the requests for independent specialist placements and meet need within local provision.

The continued focus on the development of the enhanced resource bases within mainstream education has enabled parental confidence to be maintained. Enhanced resource provisions for Autism remain well regarded by parents. Further work has taken place with The Steps provision to ensure that the staffing structure and curriculum offer further meets needs, this has enhanced the confidence of both the young people and parents. Additional work has been conducted to ensure that children needs are further matched to the resource base to promote a positive outcome.

As parents are demonstrating confidence in the special school offers, we are using special school outreach to promote the development of shared approaches for children into other provisions including mainstream.

Our focus has widened to building parental confidence in the SEND system across all provisions. We are working directly with SEND Family Voice Torbay, our parent carer forum, to co-produce and design information and forums which support the sharing of information and provide opportunities to explore myths and overcome concerns. To date the following events have taken place for parents and carers:

- Dispelling the Myths about Secondary School for SEND
- Torbay SEND Virtual Drop in (January, March)
- Preparing for Adulthood
- Torbay SEND Graduated Response – Cognition and Learning Needs

- Torbay SEND Graduated Response – Physical and Sensory Needs
- Torbay SEND Graduated Response – Social, Emotional and Mental Health
- Torbay SEND Graduated Response – Neurodiversity Needs
- Torbay SEND Graduated Response – Speech, Language and Communication Needs
- QA on the mental capacity act and lasting power of attorney
- What to do if your child or young person has SEND
- Dispelling the Myths about mainstream primary school

In addition, we are also working with Send Family Voice Torbay to co-produce and deliver an accredited Autism Education Trust Leadership Programme to all Torbay secondary schools. This is led by parents and 100% of Torbay schools have signed up to receive this training (July to Nov 2023). The design of this programme will enable greater parental and school collaboration and build further confidence.

In Autumn 2023 we are delivering our Dispelling the Myths sessions for both Primary and Secondary school and are preparing sessions of training on the Graduated Response toolkits.

We are taking forward action to consider the location and resources available within The Steps Provision at Paignton Academy. As a result of a full options appraisal we are relocating the provision to the main site further allowing young people to have full curriculum and integration with peers. This building work is being jointly funded by the LA and Thinking Schools Academy Trust who are investing £500k in the relocation and improvement works. This is a good indication of a Trust’s commitment to provide a high quality ERP for the local area.

Agreement Condition	Assurance Level			
	Q1	Q2	Q3	Q4
3.6. Implement a Transitions Panel to ensure timely and effective post-16 planning from an earlier age, including targeted employment and education support, and cessation of Post-16 EHCPs where needs have been met;				

Torbay continues to have a transitions panel in place that considers children from the age of 14 years.

We understand in granular detail the young people with an EHCP and the reasons for them to be NEET. We continue to use the Council opportunities for young people with SEND to gain meaningful work experience opportunities. This is being co-ordinated through our HR teams with young people accessing work either for a week or a longer period of time to gain experience. Internal work on reviewing apprenticeship opportunities and prioritising care experienced and/or SEND young people is in place.

	<b>Total</b>
NEET - Available, Not Ready	6
NEET - Available	9
NEET - Not Available, health prevents engagement	8
NEET - re-engagement	13
Apprenticeship	7

We are proactively working with young people rather than placing them into provisions which they will not attend. This is ensuring that we do not commit funding to unfilled placements but work directly on re-engagement and a suitable offer aligned to the young person's needs.

Significant work continues to be undertaken with South Devon College (the single FE provider for Torbay). This work includes: -

- We are continuing to use the annual review process to recognise when outcomes have been achieved and bringing forward activity to conduct the review to impact on ceasing plans.
- In July we reviewed 10 plans through an element 3 pilot meeting, this demonstrated that funding could be removed from plans aligned to need. This pilot and its wider implementation is being presented to School Forum in October 2023.
- Continue to review the funding attached to existing plans and the step down of bespoke learner packages when not required, this included ensuring that the LA set the funding rate for all transition young people entering college in September 2023.
- Greater challenge and oversight of consults and decision making regarding the entry of learners.
- Use of directions to take when necessary.
- Implementation of a formal contract management process and the start of greater contractual SLA's for bespoke provisions.
- Linking our College with the SLIP Partner College to share best practice, including funding arrangements.

As a result of our direct work, we have increased the ceasing activity to celebrate the achievements of young people and reduce the EHCP's in line with assessed need. The following data demonstrates the plans that have been ceased/made inactive.

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

<b>2023</b>	37	14	36	15	27	15	28	15	-	-	-	-	187
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The following data demonstrates the average number made inactive (ceasing, moved out of area, passed away). This demonstrates we continue to improve on our trajectory each month.

<b>Average - Jan - Aug</b>	
<b>2019</b>	19
<b>2020</b>	10
<b>2021</b>	9
<b>2022</b>	12
<b>2023</b>	23

A further 29 are currently ceasing in progress.

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

<b>AGE GROUPS</b>	<b>Ceased/Made Inactive</b>	<b>Ceasing in Prog Total</b>
Age 0-4	1	0
Age 5-10	22	1
Age 11-15	25	2
Age 16-19	97	15
Age 20-25	42	11
<b>Total number of EHCPs by Age Group</b>	<b>187</b>	<b>29</b>

By August year to date there have been 187 EHC plans made inactive and with a further 29 that are 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.

Our Sector Led Improvement Partner Islington has conducted a detailed mapping of our post 16 pathways. This information is being shared with our newly formed " Becoming an Adult" steering group. This is led by our Deputy Director of Adults Services who is taking forward actions to revise the offer for young people including what is available through the Voluntary and Community Organisations to support the stepping down of plans. Terms of Reference for this group are attached as an appendix.

Agreement Condition	Assurance Level			
	Q1	Q2	Q3	Q4
3.7. Develop an early years outreach team as part of the Family Hub, to deliver stronger inclusive practice and early intervention;				

Within this quarter a Home Learning Environment Outreach worker has been appointed to work alongside the existing teams within the 0 – 19 services. The Outreach worker has delivered direct intervention to families through home visits and groups delivered in the community. This has included the provision of resource packs that are provided to families to create learning opportunities and build parental confidence in supporting early development.

Alongside the direct work there has also been the development of the digital offer through the creation of the Family Hubs website that provides links to advice, resources and guidance. We have moved our local offer to this website alongside our graduated response framework to ensure that this can be accessed by parents and carers. The website has been co-produced with parents and is accessible in the information that can be retrieved.

A train the trainer model on Chat Play and Read has been provided to the community champions delivering early years groups within the community. They have been empowered with the knowledge and skill base to inform others of early development with the view that this is cascaded through the groups to help develop speech language and communication skills and early parental attachments.

We have revised our Section 23 process to ensure that a process for identifying needs leads to support and advice at the earliest opportunity. This process is now within Family Hubs and in the next quarter we will be tracking and measuring the impact of the interventions and support with a view to further refining our offer.

We have been actively engaged in the SLCN Game Changer project and are creating pathways that better align for children to have access to support. This work will continue alongside our Early Years Graduated Response Framework.

The Portage Service are delivering direct family groups in the Family Hubs, this is providing advice to parents regarding first steps, development support and demonstration of early communication tools directly with children. In the next quarter this will be further enhanced by making Education Psychology time available within the Hubs.

Our Family Hubs have piloted the OFSTED/CQC Inspection Thematic Review. This was reported to be positive by inspectors with positive progress being noted in all workstreams including the Early Years home learning offer.

Agreement Condition	Assurance Level			
3.8. Implement the co-produced new graduated response for Social Emotional and Mental Health (SEMH), led by the commissioner for mental health services, working with early help	Q1	Q2	Q3	Q4

and education provisions.

The Graduated Response for Social and Emotional Mental Health was launched in June 2023. The commissioner for mental health services is leading a Mental Health and Well Being Group (TOR attached) that includes health, education, social care and the voluntary and community sector to take forward work on pathways of support and identification of services. Our Children's Continuous Improvement Board has a focus on Mental Health services and the deliver and timeliness of interventions. This is helping to take forward priority actions with good governance.

Ensuring that there is a clear offer of how children and families can be supported by Early Help without the need for an EHCP has remained a key priority. This has been evidenced by an increase in requests for SEMH into the early help service, identification of attendance issues at an early opportunity and we are re-considering what is education neglect. This definition will be adopted by Torbay Safeguarding Partnership and will form the basis of decision making for partner agencies. This will provide an agreed framework of support which historically may have been provided through an escalation into an RSA process.

The work in this area can be evidenced by the reduction in the number of EHCP plans with the primary area of need of Social Emotional and Mental Health.

EHCP Primary Area of Need	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Jul-23	Aug-23	DSG Management Plan Target
									End of 22/23
SEMH	430	418	405	398	393	390	389	395	455

Since (September 2022) our targeted work on ceasing, we have reviewed and ceased 99 plans with the primary area of need of SEMH through celebrating achieved outcomes and meeting needs through a more progressive response.

#### Emerging risks:

- The current rate of pace in addressing the gap in Health Funding is a significant risk and although there are strategic discussions this has not led to an agreed resolution.
- The SENDIASS service provides a vital link between parents and our local SEND system, often working to support meeting needs at the earliest point rather than escalation. Arrangements are currently being made on the future delivery of this service, the health contribution being provided will not meet the demands or requirements of the service.
- The reduction in funding to schools through the rigorous process of issuing and reviewing plans will lead to a deficit position for many schools at the time of increased costs. This limits the ability of some schools to provide services that could result in greater escalation, this continues to require careful monitoring and support.
- The continued extensive lengthy waiting times for SALT, OT, Autism, CAHMS services continues to mean that children and young people do not have up to date assessments to best inform planning around their needs. This can lead to escalation from schools that are trying to meet need in isolation.



- New unfunded attendance duties will have an impact on the number of children and young people that are identified with unmet needs. Early work indicates that this could have an impact on SEMH and Section 19 requests which could create additional pressures within the higher needs budget.
- There is currently a significant risk that the rise in Tribunals from Devon and subsequent directions to our specialist provisions will impact on delivery of our specialist placements and commissioned numbers. This has been escalated by the DCS in Torbay to their counterpart Devon but we have not received a response.
- There has been a number of EHCP transferred into the local area where a specialist placement is already provided or named.
- There is an emerging risk following the request from Devon to change financial regulations for children in care, which is proposed to be implemented without consultation.

Any support required:

- Continued work with Islington our Sector Led Improvement Partner and support to ensure this continues beyond September 2023.
- Region's Group Involvement on the culture change needed within schools.
- Support from the NHS England to support in addressing the identification of ICB Budget
- DFE support to Devon to mitigate impact on Torbay Authority.

## Summary of Appendices

- School Forum Minutes [Browse meetings - Schools Forum \(torbay.gov.uk\)](https://www.torbay.gov.uk)
- SEND Strategy [SEND Local Area Strategy Appendix 1.pdf \(torbay.gov.uk\)](https://www.torbay.gov.uk)
- SEND Pledge [Our pledge - Torbay Council](https://www.torbay.gov.uk)
- [Graduated Response - Torbay Council](https://www.torbay.gov.uk)
- TOR Becoming an Adult [BAA Terms of Reference v1.5 25May23 FINAL VERSION.docx](https://www.torbay.gov.uk)
- TOR Emotional Health and Well Being Group [CYP EHWB Terms of Reference v1.3 18May23.doc](https://www.torbay.gov.uk)
- Family Hub Website [Family Hub \(torbayfamilyhub.org.uk\)](https://www.torbayfamilyhub.org.uk)

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