

Meeting: Cabinet

Date: 9 June 2026

Wards affected: All wards

Report Title: Local Special Educational Needs and Disabilities (SEND) Reform Plan

When does the decision need to be implemented? Immediate

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1. Purpose of Report

- 1.1. The purpose of this report is to provide Cabinet with a summary of the national guidance for the Local Area SEND Reform Plan (March 2026), setting out the requirements for local area partnerships ahead of submission to the Department for Education (DfE) and NHS England by 19 June 2026.
- 1.2. We request delegated authority for the Director of Children's Services (DCS) to administer the SEND Reform Plan, including the High Needs Stability Grant which will be awarded pending the successful approval of this plan
- 1.3. The report provides an overview of the draft reform plan, outlines the key expectations, structure, and content of the plan, and seeks endorsement of the approach to developing and submitting a compliant and deliverable Local SEND Reform Plan.
- 1.4. To meet the required DfE deadline and in line with DfE expectations, sign off on the final plan must be by the Local Authority Chief Executive (CEO), the Integrated Care Board (ICB) Chief Executive, the Local Authority DCS, the Integrated Care Board NHS Place Director, and the Local Authority Chief Financial Officer (CFO/Section 151 Officer). The SEND Local Area Improvement Partnership (SLAIP) Board must also approve the final submission.

2. Reason for Proposal and its benefits

- 2.1. The proposals in this report help us to deliver our vision of a healthy, happy, and prosperous Torbay by strengthening the local SEND system so that children and young people receive earlier, more consistent, and higher-quality support. This will improve

educational outcomes, promote inclusion, and support children to lead healthier, more independent lives.

- 2.2. The reasons for the proposal, and need for the decision are that all local area partnerships have been formally commissioned by government to produce a Local SEND Reform Plan, setting out how they will deliver systemic improvement and respond to national SEND reform expectations.
- 2.3. The benefits for residents include:
 - Earlier identification and support, reducing escalation of needs and crisis intervention.
 - More inclusive mainstream provision, enabling more children to be supported locally.
 - Improved joined up working across education, health, and care services.
 - Greater clarity and consistency in support available to families.
 - Strengthened accountability and oversight, ensuring ongoing improvement and transparency.
- 2.4. The Plan is also linked to access to national support and funding, including the High Needs Stability Grant, which is dependent on plan approval.

3. Recommendation(s) / Proposed Decision

- 3.1. That the SEND Reform Plan set out at Appendix 3 be approved and delegated authority be given to the Director of Children's Services to implement the Plan, including the high needs stability grant, once approval for the Plan is approved.
- 3.2. That Cabinet note the requirements and expectations of the Local Area SEND Reform Plan guidance.
- 3.3. That the Cabinet endorse the development of a Local SEND Reform Plan in line with national guidance and system partnership expectations.
- 3.4. That the Cabinet approve the submission of the Local SEND Reform Plan to the Department for Education (DfE) and NHS England by 19 June 2026.
- 3.5. That the Director of Children's Services, in consultation with the Cabinet Member for Children's Services, be given delegated authority to finalise the Plan prior to submission to the DfE and NHS.

4. Appendices

Appendix 1: The commissioning letter from the DfE and DHSC

Appendix 2: The Local SEND Reform Plan Guidance

Appendix 3: Torbay's DRAFT Local Area SEND Reform Plan (*This version is the initial draft submitted to the DfE and NHS Advisors on the 19th of May 2026 for initial review and feedback*)

5. Background Documents

- [Every child achieving and thriving \(HTML version\) - GOV.UK](#)
- [Explanatory note on the government's approach Dedicated Schools Grant deficits - GOV.UK](#)

Supporting Information

6. Introduction

- 6.1. On 9 March 2026, the Government wrote to local authorities formally commissioning the development and implementation of Local SEND Reform Plan. The expectation is for the Plan to clearly set out the actions that Torbay will take to drive system reform locally. The letter came jointly from the DfE and the Department for Health & Social Care.
- 6.2. **Introduction to the Plan:** The Local SEND Reform Plan is a nationally mandated requirement forming part of a wider programme to reform the SEND system across England. The guidance sets out how local area partnerships, led by the local authority as system convener, must work collaboratively with ICBs, schools, trusts, and other stakeholders to design and deliver a comprehensive improvement plan.
- 6.3. The reforms respond to significant and sustained pressures within the SEND system, including rising demand, inconsistent provision, delays in accessing support, and unsustainable financial pressures.
- 6.4. The Plan has been co-written by the SEND Local Area Partnership, including schools and settings, and influenced by the input of children, young people with SEND and their families through engagement and co-design sessions.
- 6.5. The Plan incorporates Torbay's Priority Impact Plan, which is the improvement plan in response to the Torbay's 2025 SEND Local Area Inspection.
- 6.6. **Requirements of the Plan:** Local SEND Reform Plans must:
 - Be co-produced across the partnership, with shared ownership and accountability.
 - Set out a clear vision and outcomes for children and young people aged 0–25 with SEND.
 - Include a detailed delivery plan with actions, milestones, and measurable outcomes.
 - Demonstrate how services will shift towards early intervention and inclusive mainstream provision.
 - Embed the “Experts at Hand” offer, improving access to specialist advice for mainstream settings.
 - Provide a robust approach to governance, leadership, and system accountability.
 - Include monitoring and evaluation arrangements, including performance metrics and ongoing review.
 - Address financial sustainability, including use of funding and demand management.
- 6.7. The Plan must follow a standard template (Annex A)
 - Vision and goals

- Strategy
- Monitoring and evaluation
- Governance
- Central government support

6.8. **Submission, Review and Monitoring:** Plans must be submitted by 19 June 2026 and will be assessed by the DfE and NHS England. Following submission:

- Plans will then be subject to formal review and final approval by the Secretary of State for Education.
- Local areas will receive ongoing support and challenge from government advisers.
- Delivery will be monitored through performance reporting and oversight arrangements.
- Areas with insufficient progress may be subject to increased scrutiny or intervention.

6.9. Approval of the Plan is also linked to eligibility for additional funding, reinforcing the importance of a credible and deliverable submission.

6.10. **Transformation and Experts at Hand Offer:** Local Inclusion Partnership Grant funding is provided to local authorities, working in partnership with ICBs and wider system partners, to develop and deliver a new “Experts at Hand” offer, aimed at improving access to specialist advice and support for early years settings, mainstream schools and further education providers.

6.11. This includes investment in additional specialist capacity, such as educational psychologists, specialist teachers, and health professionals, to strengthen inclusive practice and enable earlier intervention without reliance on statutory processes.

6.12. Alongside this, a transformation element of the fund supports local authorities to design and implement their Local SEND Reform Plans, including strategic planning, service redesign, and improved use of data.

6.13. Overall, the funding aims to build system capacity, improve mainstream inclusion, and ensure children and young people with SEND receive timely, coordinated support across education, health and care.

6.14. **Governance:** Torbay’s SLAIP Board will provide strategic system leadership, oversight, and assurance for the delivery of the Local Area SEND Reform Plan and the priority actions set out in the 2025–26 Priority Impact Plan.

7. Options under consideration

7.1. No other options have been considered as this is a DfE requirement.

8. Financial Opportunities and Implications

- 8.1. **High Needs Stability Grant:** The Government's updated approach to Dedicated Schools Grant (DSG) deficits, published in February 2026, represents a significant change in how local authority SEND-related deficits are managed.
- 8.2. The new arrangements introduce a High Needs Stability Grant, through which up to 90% of a local authority's verified DSG deficit as of 31 March 2026 may be funded by central government, subject to conditions and Plan approval.
- 8.3. This replaces previous arrangements, including the closure of the Safety Valve programme, reflecting a move to a more consistent national framework. The approach also clarifies how deficits are calculated, based on the overall DSG position held in unusable reserves, with scrutiny applied to exclude ineligible spend before grant allocation.
- 8.4. In addition, the statutory override has been extended to March 2028, allowing councils to continue holding DSG deficits off their main revenue budget while reforms are implemented and providing short-term financial stability.
- 8.5. Torbay's cumulative deficit at the end of 25/26 was £8.22m. Torbay should receive a £7.4m grant, which represents 90% of the accrued deficit.
- 8.6. The local authority would still be liable for the remaining 10% of the accrued deficit, which would be £822k.
- 8.7. As part of the 2026/27 budget setting process, £1.7m has been placed in reserve to meet these costs over the next few years.
- 8.8. This grant will be paid subject to each local authority securing the Secretary of State for Education's approval of their local area's Local SEND Reform Plan.
- 8.9. Payments will be made in Autumn 2026 for local authorities whose Plans are approved.
- 8.10. Local authorities whose Plans do not meet the threshold for approval will be required to revise their plans to ensure they meet the required threshold, with appropriate support.
- 8.11. Local authorities whose Plans are subsequently approved will receive the grant payment in Spring 2027.
- 8.12. Local authorities will not receive any payments until successful approval of their local area's Local SEND Reform Plan.
- 8.13. **Local Inclusion Partnership Grant:** £429 million funding has been allocated to local authorities in the financial year 2026 to 2027, the first year of this grant. Over the course of the 3-year spending review period the overall grant provides:
 - £1.8 billion in Experts at Hand (EAH) funding.
 - A share of £200 million in transformation funding.

8.14. To aid local authorities in delivering this support and writing their local area Plan, the Government are providing an indicative funding profile. We expect the approximate scale of funding to be around:

- £750 million in 2027 to 2028.
- £850 million in 2028 to 2029.

8.15. Using these assumptions below sets out the funding confirmed for 2026-7 and the anticipated funding for 2027-29.

26/27 (based on our % of the overall funding of £429m)

Experts at Hand direct delivery – 80%	£777,597
Admin / Transformation costs – 20%	£194,399
Total	£971,996

27/28 (based on our % of the overall funding of £750m)

Experts at Hand direct delivery – 80%	£1,358,490
Admin / Transformation costs – 20%	£339,623
Total	£1,698,113

28/29 (based on our % of the overall funding of £850m)

Experts at Hand direct delivery – 80%	£1,539,622
Admin / Transformation costs – 20%	£384,906
Total	£1,924,528

8.16. Permitted use of the funding:

- At least 80% of funding must be spent on EAH direct delivery for all settings, staff and their children and young people.
- No more than 10% of funding can be spent on admin costs for delivering the EAH offer.
- No more than 10% of funding can be spent on local authority transformation costs, including staff or other associated costs.

9. Legal Implications

- 9.1. The Local SEND Reform Plan is a nationally mandated requirement by Government, forming part of a wider programme to reform the SEND system across England. There are wider legal implications, where the loss or withholding of funding, including the transformation grant, High Needs Stability Grant and Capital funding, impacts service delivery and Consultation
- 9.2. A range of engagement and co-design sessions have taken place throughout April and May 2026. A Partnership Engagement Day, Education Conference and workshops to date have informed the development of this plan. These events have been attended by children and young people, parent carers and practitioners from across health, education, social care and the voluntary and community sector.
- 9.3. Key messages highlighted the importance of early help, prevention and clear pathways; the critical role of workforce capacity and confidence; and the need for flexible, personalised support, including accessible alternative provision.
- 9.4. Our local area partnership will adopt a structured, inclusive and transparent approach to engaging system partners and stakeholders in both the development and implementation of the SEND Reform Plan.
- 9.5. Engagement will be ongoing, inclusive and impact-focused, underpinned by early involvement, accessible communication and clear feedback loops.

10. Procurement Implications

- 10.1. No specific details on procurement to include at this stage.

11. Protecting our naturally inspiring Bay and tackling Climate Change

- 11.1. None

12. Associated Risks

- 12.1. The Local SEND Reform Plan is a DfE requirement for every Local Authority and Local Area Partnership. Failure to follow the submission requirements would likely result in increased Government intervention as this would be interpreted as lack of engagement with the national reform.
- 12.2. Non-submission would result in loss or withholding of funding, including the transformation grant, High Needs Stability Grant and Capital funding.
- 13.3 Failure to deliver a robust SEND Reform Plan or to secure the SEND stability funding, would ultimately impact on the quality of support and services for children and young people with SEND in Torbay.

13. Equality Impact Assessment

As this is a government consultation presently, we attach the government Equality Impact Assessment on the SEND Reform Plan which outlines all the aspects which may be affected should this consultation be taken forward in its current state:

https://assets.publishing.service.gov.uk/media/69985b33047739fe61889ebd/SEND_reform_equalities_impact_assessment_.pdf

14. Cumulative Council Impact

14.1. None

15. Cumulative Community Impacts

15.1. None