

Meeting of the Council, Thursday, 11 September 2025
Public Question Under Standing Order A24

Public Question 1

Shaan Ellor to the Cabinet Member for Children's Services (Councillor Bye)

Earlier this year, OFSTED found that “too many children and young people with Special Educational Needs and Disabilities (SEND) in Torbay have poor experiences and outcomes due to the lack of access to the right provision and support at the right time.”

Families hoped this would be a turning point, that it would lead to real action and improvements. Instead, to the shock of many, provision has actually deteriorated further since the inspection.

A new Education Other Than at School (EOTAS) Pathway was introduced this September. It moves children away from their individualised alternative provisions onto a standardised timetable of alternative provisions.

Families in the group ‘Mums Supporting Better Futures’ have raised the following serious concerns about the new EOTAS Pathway.

First: there was no genuine consultation with children and families.

A consultation meeting held, in October 2024, was attended by just four parents and did not include the parent carer forum SFVT or SENDIASS, the local SEND information advice and support service. It was about “what works well” and “what could be better.” The details of the proposed pathway were not presented. Parents were told that if changes did happen, existing provision would not be removed unless families agreed, especially where it was working well. Yet that is exactly what has happened.

Second: communication has been extremely poor. Some parents were left off mailing lists altogether. They only found out about the new arrangements from caseworkers or current providers, as late as June and July of this year. Timetables were sent out at half past three on the very last day of term, leaving no time for questions or support. Families were told that the new timetables were “subject to change,” and indeed they were, with more amendments issued over the summer. Some timetables were still not confirmed a week before term began.

Third: the new timetables are not individualised. This directly breaches the law. Emergency EHCP reviews were not offered. Some families who requested one were refused or ignored. As a result, many children have started September with an EHCP that does not match their current provision. This does not comply with the SEND Code of Practice, which clearly states that provision must be detailed, specific, and quantified. To make matters worse, health provisions that educate or train, which children are legally entitled to are not included in their timetable at all.

Fourth: families are being pushed into applying for personal budgets. When timetables offered don't meet needs, parents have been told they need to apply for personal budgets and arrange their own provision. Many families have found this overwhelming. For some applications for personal budgets have been rejected. Others are stuck in appeals. The result is delay, crisis, and huge stress for families already under strain.

Fifth: there has been no meaningful transition. Children were moved from one provision to another without proper planning or handover. This is deeply concerning, especially for children who struggle with change and rely on trusted relationships. Minimal transition plans were promised over the summer but often never happened. Some parents have now been told this may happen across the autumn term, but again, with no clear plan.

And finally: provision outside of Torbay. Some of the provisions included in new timetables are not even in Torbay. The only core curriculum provider is based in Totnes. Families cannot understand why local services were not prioritised, not only for accessibility, but also to support the local economy and reduce transport costs. In some cases, timetables require travel between Newton Abbot in the morning and Totnes in the afternoon, a clear example of impractical planning.

Taken together, you can see that this is yet another example of changes being imposed on children and families rather than being developed with children and families. Additionally, these issues show that the new EOTAS Pathway has not been introduced to give children the right support at the right time. Families can only conclude that the real aim is to reduce costs. But the law is clear: a local authority cannot use financial pressures as a reason to deny a child appropriate education.

So, I end with How does Torbay Council justify these actions, and what urgent steps will be taken to rebuild trust, improve communication, and ensure children receive the individualised support they are legally entitled to? How will Torbay Council measure the educational attainment and wellbeing of children on the EOTAS Pathway and will this evidence be used to review and, if necessary, change the way the pathway operates in the future?
