



Dedicated Schools Grant ‘Safety Valve’ Agreement: Torbay

1. This agreement is between the Department for Education and Torbay Council, and covers the financial years from 2022-23 to 2026-27.
2. The authority undertakes to reach a positive in-year balance on its Dedicated Schools Grant (DSG) account by the end of 2025-26 and in each subsequent year. The authority undertakes to control and reduce the cumulative deficit as follows, not including any contribution made by the department through this agreement:

Year	Forecast DSG Deficit Profile at year end £m
2022-23	£11.7m
2023-24	£13.0m
2024-25	£13.4m
2025-26	£12.9m
2026-27	£11.3m

3. The authority agrees to implement the DSG management plan that it has set out. This includes action to:
 - 3.1. Maintain existing special school numbers through increasing parental confidence and provision within mainstream settings;
 - 3.2. Create a culture change in Special Educational Needs and Disabilities (SEND) services, driving forward inclusive practice and workforce development;

- 3.3. Reform Torbay's graduated response and address multi-agency contributions to Education Health and Care Plans (EHCPs);
 - 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;
 - 3.5. Build confidence within the parental community on the level of provision that can be provided within special schools and enhanced resource bases;
 - 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;
 - 3.7. Develop an early years outreach team as part of the Family Hub, to deliver stronger inclusive practice and early intervention;
 - 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 and education provisions.
4. The authority also agrees to ongoing monitoring of its performance in fulfilling this agreement. The authority will:
 - 4.1. Report tri-annually (as a minimum) in writing to the Department (Funding Policy Unit) on its progress towards implementing the plan as per the conditions set out in paragraphs 2 and 3;
 - 4.2. The monitoring reports should include progress against the conditions of grant and a financial dashboard detailing various metrics relating to demand and cost. DfE will provide a template for this;
 - 4.3. Inform the Department (Funding Policy Unit) of any unforeseen difficulties or impacts of carrying out the agreement, or any significant risks to reaching the agreed financial position as soon as they arise;

- 4.4. Meet with the Department at any time when the Department deems it necessary to discuss progress towards the agreement.
5. The Department agrees to pay to the authority an additional **£5.16 million** of DSG before the end of the financial year 2022-23. In subsequent financial years, subject to compliance with the conditions set out in paragraph 3, the Department will pay DSG sums as follows. This funding will be provided in instalments and subject to continued satisfactory progress. Subject to full compliance, Torbay should therefore eliminate their cumulative deficit no later than 2026-27.

Year	The Department agrees to pay to the authority an additional £m of DSG by year end
2022-23	£5.16m
2023-24	£1.55m
2024-25	£1.55m
2025-26	£1.55m
2026-27	£3.10m

6. This agreement is subject to review at any time, for example as a result of the following events:
- 6.1. Higher or lower DSG formula funding levels for the authority in future financial years than those the authority has assumed;
- 6.2. Significant changes to national SEND policy which impact on elements of the plan;
- 6.3. Insufficient progress being made towards the authority reaching and sustaining an in-year balance on its DSG account as set out in the plan.

The review process will include an assessment of the impact of the change in circumstances.

On behalf of Torbay Council, signed by:

Anne-Marie Bond - LA Chief Executive



Martin Phillips - Chief Finance Officer (Section 151 Officer)



Nancy Meehan - Director of Children's Services



On behalf of the Department for Education, signed by:



Tom Goldman – Deputy Director, Funding Policy Unit