

Improvement Notice

To: Torbay Council ('the council')
Town Hall
Castle Circus
Torquay
TQ1 3DR

This Improvement Notice is issued to Torbay Council on 01 October 2025 following the Ofsted and Care Quality Commission (CQC) Area SEND Inspection, published on 25 June 2025 and in response to the areas for priority action and improvement highlighted in the report.

1. This notice is given to address the 4 areas for priority action and 4 areas for improvement identified in the report of the inspection published on 25 June 2025.
2. To comply with this notice, the following actions are required of the Council, working with Devon Integrated Care Board (ICB) and its other local partners ("partners"), as set out in section 28 (2) of the Children and Families Act 2014.

Improvement plan

3. The Council's improvement plans working with the ICB, should deliver appropriate and sustainable improvement, taking account of the views of parents, children and young people, school and education leaders and wherever possible, putting co-production at the centre of improvement activity. The improvement plans will be set out in the Priority Action Plan and the updated Strategic Plan and must cover the areas for priority action and areas for improvement as specified in the Ofsted and CQC inspection report published on 25 June 2025:
 - a. The local area partnership must work together to urgently strengthen the systems that support partners' collaborative work at all levels. This includes the development and use of more effective governance arrangements to ensure improvements are made to SEND services in a timely manner.
 - b. The local area partnership must strengthen its commissioning arrangements to meet the identified needs of children and young people with SEND in Torbay. This includes strengthening the way that the joint strategic needs assessment is used to accurately identify and effectively manage risks when service gaps are identified across the partnership.
 - c. The local area partnership, including school leaders, must strengthen its multi-agency working to ensure that children and young people's needs are identified, assessed and met in a more efficient and timely manner through cohesive pathways across health, education and social care. This includes the following:
 - the effective use of the graduated response,

- EHC plans accurately reflecting need, next steps and provision for children and young people,
 - reducing levels of suspension and exclusion from secondary schools.
- d. Leaders must reduce waiting times across health services and strengthen the offer of support available to children and young people and their families while waiting for health assessments and diagnosis. This includes CAMHS, speech and language therapy, occupational therapy and community paediatrics.
 - e. Leaders across the partnership should consider ways to further improve and embed the way that co-production is used across the partnership.
 - f. The local area partnership should continue to build on the work that has already been started in improving working relationships with parents and carers.
 - g. Leaders across the partnership should improve oversight of the impact of its support for children and young people receiving SEN support who are not accessing full-time education, for example those who are placed in unregistered AP.
 - h. Leaders across the partnership should improve their oversight and strengthen joint working across services to support preparation for adulthood arrangements. This also includes improving the way that child and adult services are joined across all health services for children and young people with SEND so that the journey into adult health services is easier and more accessible.
4. The improvement plans should also include any further recommendations from the Department for Education as a result of ongoing support and intervention.
 5. The Department is also providing a SEND advisor to offer support and challenge to the Council on carrying out the necessary improvements. The Council should work with this advisor until some such time that the Department is satisfied this is no longer required.
 6. To ensure there is clear evidence of progression:
 - a. the Council must ensure there is an Improvement Board, with an Independent Chair, which is attended by key leaders across Education, Health and Care services, Parent/Carer Forum and appropriate Elected Members of the Council, to a timetable agreed with the Department. It is expected that the Chief Executives of the Council and the ICB, and the Children's Services and ICB Accountable Officers are held to account for the improvements required to be made through effective engagement with the Board and escalation/resolution of matters arising as the Board identifies;
 - b. the Improvement Board must have clearly assigned accountabilities for all actions agreed, along with clear and measurable targets covering the areas of priority action and areas for improvement identified in the Ofsted and CQC report and any actions recommended by DfE;

- c. those accountable for the actions in the improvement plans must keep the content up to date, with a risk register and mitigation plan updated in line with the meeting cycle and provided to the Improvement Board in advance;
 - d. reports to the Improvement Board should include data, analysis and evidence of the impact of improvements on the lived experience of children and families;
 - e. the Improvement Board should maintain an action and impact log which is updated at each meeting, highlighting objectives which are slow to progress and where contributions need to be strengthened.
7. Invitations to Improvement Board meetings must be sent on each occasion to the DfE appointed SEND advisor, NHS England advisor and to the Department's case lead as external attendees, rather than members of the board.

Improvement against the above measures will be assessed as follows:

8. The DfE appointed SEND advisor and NHS advisors will provide regular updates to the Department of progress or concern against the areas set out in this notice; improvement against the Ofsted and CQC requirements; and any other such information relevant to the improvement journey.

Department for Education Stocktake Reviews

9. Officials from the Department will undertake reviews of progress against the improvement plans at least every six months and more regularly where appropriate.
10. Reviews, including areas of priority action deep dives, may cover but are not exclusive to leadership; governance; co-production; quality of workforce training and support; multi-agency arrangements including joint commissioning, Education, Health, and Social Care provision; the timeliness and quality of Education, Health and Care plans; and engagement with children, young people, families and carers.
11. Prior to any reviews, the Council should provide to the Department its own assessment of improvement. This may include, but is not limited to:
- a. progress against improvement plan objectives;
 - b. feedback from parents, carers, children and young people;
 - c. clear information about local accountability and governance structures;
 - d. the documentary evidence used to plan, track and evaluate the impact of actions. This may include:
 - i. A progress update against each area of priority action, each area for improvement and DfE recommendations;

- ii. A dashboard of performance measures showing whether targets and milestones are being met in a timely manner; any slippage; evidence of impact and whether the local area is on track to meet the next set of milestones.
- iii. Evidence that key partners, including children and young people, families and schools are playing an active role in improving services.

12. From time to time, the Department may require that a diagnostic review or assessment is undertaken by a party agreed with the Department.

13. For any review or assessment, the Council must provide the person(s) conducting it with:
- a. access to, and time with, staff and leadership;
 - b. accurate and up to date data on performance and quality;
 - c. facilities to carry out the reviews; and
 - d. access to minutes of meetings or any other relevant information.

Timescales:

14. The Council should aim for the impact measures set out in the Improvement Plan to be evidenced by the agreed target dates. The Council should also aim for actions included in the improvement plans to be delivered by the end of September 2026. However, the Improvement Notice will not be stepped down until sufficient progress has been evidenced, and the Minister agrees.

Failure to comply with this Improvement Notice by the assessment dates or poor progress:

15. Should the Council be unwilling or unable to comply with this Improvement Notice or should the Secretary of State not be satisfied with the Council's progress at any stage, she may choose to invoke her statutory powers of intervention (s497A Education Act 1996) to direct the Council to take any further actions deemed necessary to secure the improvements required in SEND services.

Signed: Jessica Trahar

Date: 01 October 2025

Senior Civil Servant in Department for Education