

**IMPROVING LIVES SELECT COMMISSION
Tuesday 6 September 2022**

Present:- Councillor Pitchley (in the Chair); Councillors Cooksey, Andrews, Aveyard, Bacon, Bennett-Sylvester, Z. Collingham, Griffin, Haleem, Hughes, Jones, McNeely and Mills.

Apologies for absence:- Apologies were received from Councillors Jones, Atkin, Barley, Elliott and Thompson.

The webcast of the Council Meeting can be viewed at:-

<https://rotherham.public-i.tv/core/portal/home>

23. MINUTES OF THE PREVIOUS MEETING HELD ON 14 JUNE AND 26 JULY 2022

Resolved: - That the Minutes of the meeting of the Improving Lives Select Commission, held on 14 June and 26 July 2022 be approved as a correct record of proceedings.

24. DECLARATIONS OF INTEREST

There were no declarations of interest.

25. EXCLUSION OF THE PRESS AND PUBLIC

There were no items of business on the agenda that required the exclusion of the press and public from the meeting

26. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

There were no questions from members of the public or press.

27. COMMUNICATIONS

The Chair welcomed attendees to the meeting and those watching virtually. She also welcomed Mr Dick Madden, a Local Government Association Peer who was observing the meeting. Mr Madden was facilitating the forthcoming development sessions "Effective Scrutiny of Children Services"

The Senior Governance Advisor outlined that further details of the sessions would be circulated by email.

28. CORPORATE PARENTING PANEL - UPDATE

The Chair provided an update of a recent event to celebrate the achievements of looked after children which she and the Cabinet Member for Children and Young People attended.

The Chair confirmed that the next meeting of Corporate Parenting Panel was to take place on 20 September 2022. An update would be provided to the next meeting.

29. ROTHERHAM LOCAL AREA SPECIAL EDUCATION NEEDS AND DISABILITY - WRITTEN STATEMENT OF ACTION UPDATE.

The Chair welcomed the Cabinet Member for Children and Young People to the meeting. Also in attendance were Nathan Heath, Assistant Director for Education and Inclusion, Helen Sweaton, Joint Assistant Director for Commissioning, Performance and Quality (representing the Integrated Care Partnership), Julie Day (Head of Service) and Ms Kayleigh Harrison from the Rotherham Parents Carers Forum (RPCF).

Councillor Cusworth introduced the report, highlighting the progress made since the 2021 joint inspection of Special Educational Needs and Disability Services. This inspection was carried out by Ofsted and the Quality Care Commission and identified areas requiring significant improvement to be addressed through a written statement of action (WSoA).

The WSoA was considered by this body in March 2022. This report provides an update on actions as of August 2022.

To oversee the WSoA delivery and accountability, a SEND Executive Board was established, which was jointly chaired by RMBC Director of Children's and Young People's Services and Integrated Care Board (ICB) Deputy Place Director, Rotherham. The Cabinet Member highlighted that a strong partnership approach had been adopted including the Integrated Care Partnership, school and college leaders, RPCF and other key stakeholders to deliver SEND improvements across the borough. Subgroups had been established in each of the areas identified for improvement which were as follows:

- The variability in the quality of Education, Health and Care Plans (EHCP),
- The effectiveness of the graduated response to identify and meet children and young people's needs, especially in key stages 1 and 2;
- The quality of provision for children and young people's preparation for and transition to, adulthood;
- Communication with all parents and carers of children and young people with SEND about the local offer, and the accessibility of the information included within the local offer.

The Cabinet Member referred to Appendix 1 which outlined the Rotherham local area WSoA and Appendix 2 which gave an overview of performance against each area of improvement. The governance and audit process for monitoring progress and evidencing impact was noted.

The Assistant Director for Education and Inclusion outlined that the WSoA was a live document which was constantly updated. He noted that external oversight and support in Rotherham was overseen by the Department for Education (DfE) and National Health Service England Improvement (NHSEI) on a quarterly basis.

It was stressed that the authority was not working alone in its improvement journey and good practice from other local authorities was shared through its relationship with the DfE lead. The Assistant Director reiterated the commitment to co-production across all key areas, noting the engagement of young people in service design and improvement.

The Assistant Director outlined risks and challenges within the SEND system. It was noted that there were anticipated changes to how SEND will work on a national, local and individual level. It was noted that RPCF had contributed to the authority's response to the recent Government Green Paper on SEND reorganisation. It was also highlighted that RPCF was part of a national working party on SEND reforms to ensure that parent's voices were heard and reflected in reforms. It highlighted that the reforms may require recalibration of current provision and operating models.

It was noted that the OFSTED inspection framework was changing and the next inspection would focus on the lived experience of children, young people, young adults, and parent/carers with SEND.

It was noted that Rotherham was one of five local authorities currently engaged of the DfE Safety Valve financial agreement. It was outlined that there was a direct correlation between the WSOA and the Safety Valve, as both were subject to direct oversight from DfE and addressed the long-term financial sustainability of high needs funding. Rotherham's engagement with safety valve arrangements meant that Rotherham was well placed to adopt many of the reforms suggested in the Green Paper.

Prior to taking questions from the meeting, the Chair invited the RPCF representative to give her perspective on what was working well and key challenges.

Ms Harrison outlined that RPCF had been involved from the initial inspection and had been consulted on key issues arising from it. She noted that the forum was involved in each of the four areas for improvement and there were further opportunities for engagement and involvement. The forum was also working nationally to ensure that Rotherham parents' voices were heard and recognised. It was observed that there was a good level of co-production and that the forum was an equal partner in the improvement journey.

Clarification was sought about how impact of the improvement plan was captured and how this was presented evidentially so that there was

confidence that actions were making a difference. It was outlined that the information outlined in the report was determined by the submission cycle to the DfE so may not fully capture progress to date. However, progress was reflected in performance scorecards which were submitted to scrutiny on a regular basis. It was also highlighted that there was an agreed reporting schedule to the DfE which would detail progress against each of the metrics. These updates could be circulated. Details of operational monitoring arrangements were shared to give assurance that robust oversight was in place.

Details of Health Partners' commitment to the WSoA was outlined and their contribution to service developments and sharing good practice. It was noted that there had been no changes to key personnel during the transition to the new Integrated Care Partnership arrangements. Further, it was outlined that operational arrangements had been strengthened to develop educational practice, provide links to therapeutic services and improve support and advice to professional who were working with children going through EHCP assessments.

It was noted that waiting lists for therapeutic services was currently at 18 weeks. Assurance was given that significant investment had been made to ensure that no-one was waiting excessively and information and resources were offered once a referral had been made. It was noted that a future meeting of the Health Select Commission would be scrutinising Child and Adolescent Mental Health Services in more depth.

Clarification was sought on the delays in the improvement measures linked to training. In response, it was highlighted that there were no significant risks attached the delay which were due to changes in contractual arrangements. Assurance was given that the Council had fulfilled necessary milestones in the implementation stage. However, ensuring that the continuous professional development elements were delivered were critical to the next stage and progress was being made.

In response to a question if there was any difference in relations between maintained and academised schools, it was outlined that there was a good, consistent relationship across the piece. It was observed that there were differences in practices, with primary schools often having more inclusive, flexible offers, however, work was underway with schools to ensure that their offer was communicated.

In response to a question relating to audit processes in place to track progress, it was outlined that an event had been planned for mid-September involving key stakeholders (including parents and carers). The purpose of the event was to take stock of the current position, to quality assure progress and outcomes and to audit a sample of EHCPs. A database was being developed and discussions were underway with schools regarding the provision required. Further assurance was given that parents and parents were actively involved in the oversight process, with the Cabinet Member having monthly meetings with the forum.

It was noted by a Committee Member that not all local groups were captured on the website and was there a risk that local provision or gaps in provision may not be fully reflected. Work was underway to map local services, although it was recognised that groups which may not be linked to formal provision may not appear. Further work had been undertaken to help parents navigate the website and simplify the information. The Assistant Director committed to looking at mapping and welcomed any information that Members may have about local provision.

Further details were sought on the nature of discussions with the DfE and NHSEI to ensure that the work undertaken by this Commission complemented this activity. It was outlined that the meetings were held on a formal basis with similar challenge being posed about the impact measures and understanding what this means for the lived experience of children and their parents/carers. It was explained that the process whilst supportive, involved rigorous scrutiny of actions with the authority and partners being held to account for delivery of improvements. The authority would be sent written updates outlining areas requiring attention or where progress had been made.

It was noted that some of actions linked to the WSoA were also influenced by other factors such as challenges in the school system and demand pressures. However, the key measure was that children and their families received the right support at the right time. It was acknowledged that post-pandemic recovery provided significant challenges particularly in respect of exclusions and children entering education. It was hoped that by having continuous personal development and system wide approaches that improvements would be seen during the academic year. It was reported that there was also activity taking place outside of the WSoA to drive inclusion. It was acknowledged that the WSoA also provided opportunities for focussed activity to develop pathways and improve joint working.

Clarification was sought about the readiness of educational settings to identify children with additional needs. It was highlighted that this was a key challenge within the education system at this time of year. An example was given of a school querying why a child who had transitioned to secondary school without an assessment. It was highlighted that the primary offer was different. The authority was challenging schools to ask them to consider how transition could look like in the future. Work was taking place with primary and secondary schools to see what can be done to ensure the right information and systems were in place to support smooth transition.

Clarification was sought that given current financial and recruitment challenges that the improvements were sustainable. It was outlined that it was anticipated that SEND budgets would not be affected significantly although inflation, pay awards and the cost-of-living crisis have been flagged as pressures. There was a clear legal expectation for schools to

provide appropriate support for SEND however there may be schools reporting budgetary pressures in the future. It was noted that the Green Paper had consulted on whether SEND budgets should be ringfenced in the future on a similar basis to the Pupil Premium.

The Chair thanked those attending for their contributions.

Resolved:

1. That Improving Lives Select Commission notes the update of the progress of Rotherham's Written Statement of Action and all associated information linked to SEND Improvement across the borough.
2. Continued updates on the progression and overview of the Rotherham Written Statement of Action are provided to Improving Lives Select Commission, including a further detail on how the impact of interventions are measured.
3. That performance information relating to Rotherham's Written Statement of Action and SEND Improvement across the borough is provided in updates on a regular basis, including feedback from the Department for Education and NHS improvement agency as appropriate.
4. That work is undertaken to map local provision and ensure that this is shared on the website in an easy to access format
5. That Members of the Improving Lives Select Commission are invited to future listening events and engages with Rotherham Parent Carers Association to better understand the lived experiences of children and young people with special educational needs and disabilities and their families.
6. That a request is made to the Chair of the Health Select Commission that members of Improving Lives Select Commission are invited to the meeting focusing on Child and Adolescent Mental Health Services

30. LOOKED AFTER CHILDREN AND CARE LEAVERS SUFFICIENCY STRATEGY 2023 - 2027

The Chair noted that this item has come before the committee to scrutinise and comment on the draft strategy prior to the final version being considered by Cabinet.

She welcomed the Cabinet Member for Children and Young People to the meeting, along with Helen Sweatton, the Joint Assistant Director for Commissioning, Performance and Quality and Andrew Dyson, Senior Auditor.

The Cabinet Member introduced the report and outlined that it gave an overview of the delivery of the previous strategy and the development of the new one. She gave an overview of listening events, core group meetings and benchmarking against best practice which had informed its

content. The draft strategy provided latest data trends, priorities and delivery plans. The Cabinet Member welcomed any comments and feedback on its content and direction.

The Joint Assistant Director gave a short powerpoint presentation. It was noted that local authorities had a duty to provide or procure placements for children looked after by the local authority. The legislation and guidance included Children Act 1989, Sufficiency Statutory Guidance 2010, Care Planning, Placement and Case Review Regulations 2011). The contents of the Sufficiency Strategy were informed by statutory guidance and regulated by Ofsted.

It was noted that whilst there was a duty to procure 'placements', the strategy referred to these as 'homes' as this was the stated preference of looked after children. The presentation highlighted progress made since the previous strategy was introduced and noted that some of the aspirations articulated in the previous iteration would be reflected in the update.

It was outlined that reliance on Independent Fostering Agencies had reduced but further work was needed to recruit more in-house foster carers. This aspiration was to be continued in the refreshed strategy/delivery plan. Progress had also been made to develop local residential provision and secure block-bookings for Rotherham children to achieve best value. Work was to be continued to explore opportunities for regional collaborative working arrangements. A review of Rotherham Fostering Framework had been undertaken to ensure that it continued to deliver high quality placements and value for money. A dynamic purchasing framework had been implemented to ensure that sufficiency was achieved for Rotherham care leavers. Partnership working had also been undertaken with Adult Care and Housing to ensure that sufficiency was achieved for vulnerable 16- and 17-year-olds.

The Senior Auditor outlined that based upon the results of the audit, substantial assurance could be provided that the controls articulated in the strategy were operating effectively. This opinion contributed to the production of the Council's Annual Governance Statement. The audit report made two recommendations which were accepted. In summary these were to ensure that the outcomes of the 2019-22 LAC Strategy were included in the refreshed document and to ensure the monitoring arrangements were included.

The Chair invited Members of the Commission to ask questions.

It was noted that the anticipated reduction in LAC number would provide an opportunity to look improve the quality of support. Clarification was sought on how outcome measures and aspirations related to the delivery plan, how they would be achieved and by what date. It was outlined that the measures of success could be aligned to the delivery plan. In response to a question on LAC pathways to mental health support, it was

noted that this was not currently reported on. It was suggested that the Corporate Parenting Panel could consider this further.

Details were sought if any foster carers had left the independent sector to join the authority's fostering service. It was noted that there had been limited success in doing this. Work was underway to change perceptions about the range of support available to foster carers. It was noted that this was a national issue.

Clarification was sought if consideration had been given to increasing payments to foster carers. It was confirmed that options were being developed to ensure that placements were sustainable, including consideration of Special Guardianship Orders where appropriate. It was outlined that fostering support workers worked closely with families to identify if additional support, including financial assistance, was required. The Chair requested that case studies were provided to illustrate how foster carers may access support.

It was noted that a major pillar of the strategy was the recruitment and retention of foster carers although it was recognised that this was an ongoing challenge. It was highlighted that a commitment had been made to ensuring that LAC had local homes. Recruitment and retention of foster carers had to be central to the strategy as in-house provision was the best and most cost-efficient way to help those children locally. It was noted that prospective carers were progressing to become foster carers and work was underway to retain the current cohort.

Clarification was sought on the acquisition of children's home. Market inflation around building costs had made it difficult to secure appropriate properties. Assurance was given that the authority was working at speed and with due diligence to secure properties however, market fluctuations have presented difficulties. It was noted that the current provision was 'getting it right' and had received recognition from Ofsted.

Further details were sought regarding publicising the foster care offer widely in Rotherham and if consideration had been given to recruiting more carers from ethnic minority communities. It was confirmed that this was the case, however it was noted that more needed to be done to publicise different fostering offers such as respite care or day care if people could not commit to being full-time carers. It was noted that elected members had a role in publicising the in-house foster care offer across their networks.

Clarification was sought on safeguarding concerns particularly in relation to criminal exploitation and children missing from care and services for young people with sexually harmful behaviour. It was noted that because there were very small numbers affected by these issues it was difficult to provide data. However, assurance was given that consideration was given to these factors in the service specification for children's homes and other commissioned or fostering provision.

Clarification was sought on how looked after children and care leavers views were sought to inform the strategy. It was outlined that the Assistant Director was engaging with the LAC Council shortly and their views would be incorporated prior to the submission to Cabinet. There was an ongoing dialogue with the LAC Council which was used to inform service developments.

Assurance was sought on the criteria for benchmarking arrangements. It was noted that the authorities identified as part of audit activity were sought on the basis of the challenges faced within their areas and how recently they had refreshed their strategies.

Resolved:

1. Members of the Improving Lives Select Commission note and inform the development of the new Strategy.
2. Members of the Improving Lives Select Commission note and endorse the governance arrangements for delivery of the Strategy
3. That further work is undertaken to ensure that the impact measures referenced in the Strategy and accompanying action plan are aligned to the aspirations.
4. That the in-house foster carer offer is explicitly referenced in the Strategy.
5. That the outcomes of engagement with looked after children and care leavers on the draft strategy is shared with the committee.
6. That further consideration is given to the role of elected members in promoting foster carer recruitment and how details of the foster-care offer is shared with different communities across Rotherham, including minority ethnic communities.

31. WORK PROGRAMME

The Committee considered its Work Programme.

Resolved: - That the Work Programme for 2022/23 be approved.

32. IMPROVING LIVES SELECT COMMISSION - SUB AND PROJECT GROUP UPDATES

The Senior Governance Adviser provided an update on future activity including the forthcoming informal session to consider the draft Early Help Strategy to be held on September 21, 2022.

Resolved: - That the update be noted.

33. URGENT BUSINESS

There was no urgent business.

34. DATE AND TIME OF THE NEXT MEETING

Resolved:-

That the next meeting of the Improving Lives Select Commission take place on Tuesday, 25 October 2022, commencing at 10am at Rotherham Town Hall.

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