

IMPROVING LIVES SELECT COMMISSION
Tuesday 31 October 2023

Present:- Councillor Pitchley (in the Chair); Councillors Cooksey, Atkin, Baker-Rogers, Griffin, Haleem, Hughes, Khan, McNeely, Monk, Bennett-Sylvester, Wilson and Mills.

Apologies for absence:- Apologies were received from Councillors Z. Collingham.

The webcast of the Council Meeting can be viewed at:-
<https://rotherham.public-i.tv/core/portal/home>

119. MINUTES OF THE PREVIOUS MEETING HELD ON 12 SEPTEMBER 2023

Resolved: - That the Minutes of the meeting of the Improving Lives Select Commission, held on 12 September 2023 be approved as a correct record of proceedings.

120. DECLARATIONS OF INTEREST

There were no declarations of interest.

121. 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.

122. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

123. COMMUNICATIONS

The Chair advised that all the items regarding communication were covered on the agenda.

124. CORPORATE PARENTING PANEL - UPDATE

The Chair advised that the Corporate Parenting Panel met on 19th September and consideration was given to the following items during the meeting:

- A brief update was provided on the current position, regarding the recruitment and retention of foster carers.
- An update was provided on the Fostering Panel Review, which had been very positive and found that the Panel was very effective and well attended.
- A presentation was provided to the panel on the Independent Reviewing Officer Report.
- A presentation was provided to the panel on the Local Authority Designated Officer Report.
- A report was provided on Performance Monitoring for the period of quarter one, 2023/2024. The report provided a summary of performance for key indicators, a summary of service performance in comparison to the same period last year and trend data. It also included graphical analysis and the latest benchmarking data against national and statistical neighbour averages.

The next meeting would be held on 13 November 2023 and an update from that meeting would be provided to the Commission at the next meeting in December.

125. SAFEGUARDING ADULTS PARTNERSHIP BOARD ANNUAL REPORT

This agenda item considered an update from the Safeguarding Adults Partnership Board, regarding the March 2022 to March 2023 Annual Report.

The Chair welcomed to the meeting, Moira Wilson, the Independent Chair of the Rotherham Safeguarding Adults Board. The Chair invited Moira to introduce the report and give the presentation.

The presentation gave an overview of the following content:

- The Rotherham Safeguarding Adults Board had focused on three main priorities throughout the last year:
 - Going back to basics post-pandemic, by working with partners to ensure the six principles of safeguarding were embedded in practice and that making safeguarding personal was a part of everything the board did. The six principles focused on empowering people, protecting people, being proportionate, prevention, working in partnership and ensuring all organisations were held accountable for safeguarding within their organisations.
 - Systems, processes, and performance, ensuring that all services had appropriate systems and processes in place to support and safeguard adults effectively.
 - Strengthening the partnership, by ensuring that partners, organisations and communities worked together to prevent abuse from happening.
 - There was an action plan in place to monitor the progress of the three main priorities, this was monitored by the Safeguarding Adults Executive Group, which sat under the Safeguarding Adults Board.
- The Rotherham Safeguarding Adults Board completed the following actions throughout the period of March 2022 to March 2023:
 - A new Strategic Plan was developed for the period of 2022-2025, which set the plan for the next three years.
 - The Safeguarding Adults Board and the Childrens Safeguarding Partnership completed a second joint self-assessment with partners, in September 2022.
 - A Safeguarding Adults Review (Samantha) was completed and published in March 2023.
 - Safeguarding Awareness Week was successfully held across South Yorkshire in November 2022. Safeguarding teams from Adults and Children's Services combined,

delivered twenty-seven awareness sessions across the borough, with over six-hundred attendees.

- The board hosted a Local Government Association Peer Review in July 23.
- The activities completed by the board during the period of 2022-2023, were as follows:
 - 3666 Safeguarding concerns were received in 2022-2023, this was an increase on the previous year.
 - 559 (15%) of the above concerns progressed to a safeguarding enquiry.
 - 634 safeguarding enquiries were completed in 2022-2023.
 - Of the completed enquires, 430 (68%) people expressed their views and wishes and 417 (97%) people had their outcomes met or partially met.
- Future activities the board had planned for the upcoming year, were as follows:
 - The board would hold a Board Development Day, taking forward the recommendations made by the Peer Review in July 23.
 - The board would develop a multi-agency learning approach, to ensure Safeguarding Adults Reviews were embedded.
 - The board would hold Safeguarding Awareness Week which would take place between the period of 20th November to the 24th November. Rotherham would host the Regional Launch Event.
 - The board would continue to develop joint working with Community Safety Teams and the Children's Partnership, to share learning and training.

The Chair thanked the relevant officer for the presentation and invited questions, this led to the following points being raised during discussions:

- Under the Care Act, a safeguarding concern was described as anything that an individual may be concerned about. A high

proportion of concerns were raised by the Care Sector and the Police, however not all concerns raised progressed to safeguarding enquiries.

- There were training and development opportunities provided to many agencies, to ensure thresholds for safeguarding were understood and that concerns raised were appropriate.
- In the report, the number regarding 'no abuse type recorded' had increased, this was due to changes to the safeguarding system within the local authority. Reassurance was provided that a process had been put into place to mitigate this and as a result employees were unable to close the system until the abuse type was recorded in the system.
- The Peer Review highlighted the positivity of the Safeguarding Champions Network throughout the local authority.
- The Safeguarding Childrens Partnership were focusing on so called honour-based violence, female genital mutilation, and domestic abuse.
- Assurance was provided that the joint self-assessment was very comprehensive across both children's and adult's services. The Board worked with individual organisations to look at what systems were in place within organisations, to ensure that employees were trained correctly. This was monitored through the Performance and Quality Sub-Group. A stronger line of sight between individual organisations and the Safeguarding Adults Board was also being developed.
- The previous report was developed during the pandemic, the increasing number of safeguarding concerns was because of the impact of the pandemic and an increase in awareness raising.
- Adults with capacity had the right to refuse safeguarding support, however, this could be mitigated by building trust with individuals. Mental Capacity Act Assessments were completed in situations where it was felt that an individual may not have had capacity.
- The Board worked with people who did in some situations, have

complex needs and the board promoted a Vulnerable Adults Risk Management Approach (VARM). This was a multi-agency panel that focused on appropriate intervention, where required.

- A multi-agency training and development approach was important, to ensure that there would be a high level of confidence that there was consistency around mental capacity. Working with residential care homes was important, to ensure all employees were trained in all issues regarding capacity.
- A new training organisation had been procured to deliver all training agreed by the Training and Workforce Development Sub-Group. Individual organisations had a responsibility to ensure they had their own workforce training programmes in place.
- The board worked closely with the Police in matters of criminal activity and there was Police representation on the board. There were multi-agency systems in place to ensure criminal activity was reported to the police when required.
- It was noted that there was a good level of participation and engagement with the relevant Cabinet Member and the Safeguarding Adults Board.
- It was emphasised that safeguarding was everybody's business and responsibility. Safeguarding Awareness Week would be a good opportunity for the board to promote safeguarding across the Borough.

Resolved: - That

- 1) The Improving Lives Select Commission accept the report and note the progress made.
- 2) The Peer Review Report be shared with the Commission once it is in the public domain.
- 3) Invitations to the Safeguarding Awareness Week be circulated to the Commission.
- 4) A further briefing be circulated, with an analysis of data regarding outcomes partially or fully met.

126. ELECTIVE HOME EDUCATION PRESENTATION

This agenda item considered a presentation on Elective Home Education.

The Chair welcomed to the meeting, Pam Ward, Head of Service for Education, Sarah Whitby, Head of Access to Education and Rebecca Braithwaite, Officer for Home Education and Children Missing from Education. The Chair invited Sarah to introduce the report and give the presentation.

The presentation gave an overview of the following content:

- The associated legislation and statutory guidelines for elective home education were as follows:
 - The Elective Home Education Departmental Guidance for Local Authorities produced in April 2019, this was non-statutory for local authorities.
 - The Education Act 1996, inserted by the Education and Inspections Act 2006.
 - The Human Rights Act 1998, Protocol 1, Article 2, concerning the right to education.
 - The United Nations Convention on the Rights of the Child, Article 28, concerning the right to education.
- The Education Act 1996, inserted by the Education and Inspections Act 2006 stated at 436a “to make arrangements to enable them to establish the identities, so far as it is possible to do so, of children in their area who are not receiving a suitable education”. And at 437, “If it appears to a local education authority that a child of compulsory school age in their area is not receiving suitable education, either by regular attendance at school or otherwise, they shall serve a notice in writing on the parent requiring him to satisfy them within the period specified in the notice that the child is receiving such education.”

- An "efficient" and "suitable" education was not defined in the Education Act 1996. However, "efficient" had been broadly described in case law as an education that "achieves that which it sets out to achieve". A "suitable" education was described as one that "primarily equips a child for life within the community of which he/she is a member, rather than the way of life in the country as a whole, as long as it does not foreclose the child's options in later years to adopt some other form of life if he/she wishes to do so".
- The Elective Home Education Departmental Guidance for Local Authorities provided the following guidance:
 - That a named contact was provided to parents.
 - That the service should have ordinarily contacted home educated parents on at least an annual basis, so the authority could reasonably inform itself of the current suitability of the education provided.
 - That in all cases where it was not clear as to whether home education was suitable (including situations where there was no information available at all), the authority should initially attempt to resolve those doubts through informal contact and enquiries.
 - The guidance did not allow for officers to require entry to homes, right of access to children or place any obligation on parents to provide copies of work completed by children.
- The core work completed by the Elective Home Education Team in Rotherham consisted of the following:
 - Providing advice and guidance around the implications and expectations of elective home education.
 - Signposting to other universal services where necessary.
 - Determining whether efficient and suitable education was being received by the child, on the basis of information presented by the parent, this included consideration of the educational provision being received, progress being made, the environment where this was being delivered and any

known safeguarding concerns.

- To support a return to school through school Admissions procedures or Fair Access Protocol where required. Initiate legal enforcement procedures followed where parents refused to accept a secured school place and home education was unsuitable.
- Where there was a safeguarding concern, Social Care processes were followed.
- There was a lot of good work being completed by the team and the following examples were provided:
 - Working with families who were considering elective home education, to ensure that any decisions made were fully informed and that the next steps to remain in school were explored, where elective home education was not a preferred route.
 - Maintaining strong governance of elective home education in Rotherham through the Elective Home Education Multi-Agency Governance Group, including Social Care, Early Help, Health and Education.
 - Working on an individual and needs led basis with children and families through an enhanced offer where this was requested.
 - Ensuring strong and established relationships with school leaders, which enabled concerns about patterns of deregistration from schools to be explored and supported with the school.
 - Access for the elective home education community to educational events, such as the author events as part of Rotherham Loves Reading.
 - Promotion of NHS services through close collaboration to ensure that all parents and carers who home educated, had an awareness of health services and routine vaccinations available for their children.

- Referral to year 11 support, to ensure that children who were electively home educated received advice and guidance aimed at increasing their chances of continuing in education, training and employment. In 2021-2022 only 3 year 11 leavers went on to not be in education, training or employment.
- Future areas of focus for the team were as follows:
 - Further exploration of what suitable and efficient education would mean in Rotherham, through the Elective Home Education Governance Group.
 - Engagement with Rotherham Parent Carers Forum, to explore the reasons why parents of children with an education, health and care plan and special educational needs and disabilities, elected to home educate.
 - Further work by the team to capture the reasons that parents were electing to home educate in Rotherham.
 - Ongoing work with colleagues in Early Help, to progress through an enforcement process in a timely manner where required.
 - Further information sharing sessions and/or briefings with Social Care and Early Help colleagues, to ensure a shared understanding between all staff, of the implications of a parental decision to elect to home educate.

The Chair thanked the relevant officer for the presentation and invited questions, this led to the following points being raised during discussions:

- The School's Bill would have made provision for the development of a 'children not in school register' for all Local Authorities, this would have provided more powers to engage parents and escalate in situations where there was no parental engagement. It had been confirmed that this bill would not progress any further.
- The service was focused on ensuring an understanding behind the parental reasons for deciding to elect to home educate. The

number of parental reasons provided as 'unknown' were a concern of the service, this information was collected robustly during annual visits.

- Where there were safeguarding concerns for a child who was electively home educated, there was a multi-agency approach to provide any required support. There was a wealth of joint work completed with health partners, Early Help, Social Care and voluntary sector organisations.
- In some instances, parents were making decisions to elect to home educate, as they felt that their child was not equipped to deal with the rigour of the Key Stage Four curriculum, or the transition to secondary school.
- There was a focus on electively home educated children that had special education needs and disabilities (SEND), to ensure that the decision to elect to home educate was not as a result of needs being unmet in school. The development of the Early Years Education Strategy would ensure that any SEND need would be identified at the earliest opportunity and that schools would provide a graduated response where required.
- There was no financial support provided to parents who made the decision to elect to home educate. However, in situations where extra support was required, the team would refer the family to Early Help, with parental consent.
- There was a robust policy and process in place in Rotherham, which was supported by national regulations that schools were required to adhere to. The school was required to notify the local authority at the earliest point possible, when they were made aware that the parents of child were intending to elect to home educate. Therefore, the team were being made aware of children leaving school and were recording the notification as required. This ensured that the appropriate level of follow up action was completed, in line with the agreed policy. In relation to children who had never attended school, the team worked closely with partners

to ensure that they made the team aware of any home educated children, that the service may not already be aware of.

- Current guidance did not provide any requirements for parents or carers who decided to elect to home educate, to hold specific qualifications or vocations.
- There was no requirement on parents or carers who home educated, to provide a specific syllabus or entry to examinations. The team provided information to parents and carers who elected to home educate, on exam centres and how to register as an external candidate. The team also provided advice throughout the journey, of potential cost implications and logistical implications.
- The government was reviewing the Elective Home Education Departmental Guidance for Local Authorities provided in 2019 and had made proposals for amendments to the guidance. The team could ensure that concerns raised regarding safeguarding implications were fed back into the consultation response. Within the current guidance there was the requirement that any education that was received by a child, could not conflict with British values.

Resolved: - That

- 1) The Improving Lives Select Commission accept the presentation and note the progress made.
- 2) A session is arranged to capture views on the consultation and for this to be reflected in the response.
- 3) Concerns about safeguarding implications be fed back in the consultation response.
- 4) Information be circulated on receipt if it's a material factor in elective home education.
- 5) The Cabinet member raises with the commission if anything significant changes.

127. WORK PROGRAMME

The Committee considered its Work Programme, and the Chair provided the following update:

- There was an addition to the work programme, following Cabinet's recommendation for an update on the Family Hubs Programme to be provided to the commission, this was scheduled for March 2024.

Resolved: - That the Work Programme for 2021/22 be approved.

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

The Chair provided a progress report on sub and project group activity which included the following:

- A visit to the MASH Hub was arranged and would take place on the 22nd November between 10:00-11:00am, at Riverside House.
- A workshop focusing on the Early Years Strategy was arranged for the 27th November between 11:30 – 1:30pm and would take place at the Town Hall.
- An additional meeting was arranged for the Rotherham Parent Carers Forum to present their Annual Report. This would take place on the 11th December between 10:00-12:00pm at the Town Hall.
- An additional meeting for the Rotherham Safeguarding Childrens Partnership to present their Three-Year Plan was arranged for the 22nd January between 1:00-3:00pm. This would take place virtually over Microsoft Teams.
- Invitations had been sent out to all members of the Commission, for all additional meetings and further information would follow in due course.
- Members were reminded that there was a member session on

Trauma Matters, scheduled for the 29th of November between 11:00-1:00pm at the Town Hall.

Resolved: - That the update be noted.

129. URGENT BUSINESS

There was no urgent business.

130. DATE AND TIME OF THE NEXT MEETING

The Chair advised that the next meeting of the Improving Lives Select Commission would take place on 5 December 2023 commencing at 10am in Rotherham Town Hall.

Resolved:- That the next meeting of the Improving Lives Select Commission take place on 5 December 2023 commencing at 10am in Rotherham Town Hall.