

**Committee Name and Date of Committee Meeting**

Improving Lives Select Commission – 08 March 2022

**Report Title**

Ofsted/ Care Quality Commission SEND Local Area Inspection – Written Statement of Action inclusive of update on SEND Sufficiency Phase 3

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Strategic Director Approving Submission of the Report**

Suzanne Joyner, Strategic Director of Children and Young People's Services

**Report Author(s)**

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**Ward(s) Affected**

Borough -Wide

**Report Summary**

Between 5 July 2021 and 9 July 2021, Ofsted, and the Care Quality Commission (CQC), conducted a joint inspection of the local area of Rotherham to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014 and the SEND (Special Education Needs and Disability) Code of Practice.

Following conclusion of the inspection it was judged that Rotherham local area should have a Written Statement of Action (WSOA), Rotherham WSoA, as a result of four areas of identified significance weakness.

Attached to report is a power point presentation which provides an update in relation to the implementation of the SEND Sufficiency Strategy Phase 3.

**Recommendations**

1. That the Committee note the presentation and associated updates in relation to Rotherham SEND Local Area Inspection and subsequent Written Statement of Action.
2. That ongoing updates are provided to the Commission on the SEND Local Area – Written Statement of Action and its progress.
3. Updates to SEND Sufficiency phase 3 and any further phases of the programme are provided to Improving Lives Select Commission.

**List of Appendices Included**

Appendix 1 Rotherham Written Statement of Action.

Appendix 2 Power point slides updating on SEND Sufficiency Phase 3

**Background Papers**

1. [Local area SEND inspection: framework - GOV.UK \(www.gov.uk\)](http://www.gov.uk)
2. <https://moderngov.rotherham.gov.uk/documents/g15315/Public%20reports%20pack%20Tuesday%2026-Oct-2021%2010.00%20Improving%20Lives%20Select%20Commission.pdf?T=10>

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

N/A

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Ofsted/ Care Quality Commission SEND Local Area Inspection – Written Statement of Action inclusive of update on SEND Sufficiency Phase 3**

### **1. Background**

- 1.1 Between 5 July 2021 and 9 July 2021, Ofsted, and the Care Quality Commission (CQC), conducted a joint inspection of the local area of Rotherham to judge the effectiveness of the area in implementing the disability and special educational needs reforms as set out in the Children and Families Act 2014 and the SEND Code of Practice.
- 1.2 Following conclusion of the inspection it was judged that Rotherham local area should have a Written Statement of Action (WSOA) – (Appendix 1), as a result of four main areas of identified significance weakness:
- The variability in the quality of EHC plans, including the contribution of health and social care partners.
  - 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 very valuable information included within the local offer

### **2. Key Issues**

- 2.1 Ofsted/CQC through the SEND Local Area Inspection framework determine that both the Local Authority and the Clinical Commissioning Group (CCG) are jointly responsible for submitting the written statement to Ofsted on 20 January 2022. This was submitted on time and the response received from Ofsted one week after submission, which was supportive of the actions identified.
- 2.2 Across the period following the local area inspection in Rotherham there has been significant focus on addressing the direction given. Senior leaders across Education, Social Care, Health and the CCG have met to ensure that processes are in place to address the delivery of Rotherham’s Written Statement of Action over the next calendar year. This includes the creation of a SEND Executive Group that includes RMBC Directors of Children’s/Adult Services/ Senior Leaders from across a range of health partners and other leaders across education/health. The Executive Group will be a key decision-making group addressing any identified challenges and support the subgroups for the four areas of identified weakness to make continued progress/improvements.
- 2.3 The SEND Strategic Partnership Board, jointly chaired by RMBC Director of Children’s services and CCG Executive Place Officer has met to address the outcome of the inspection and agreed that there should be four subgroups established each one of them leading on an area of weakness. The subgroups have been set up and have met at least once. Each

subgroup reflects the make-up of the Board and has representatives from each sector as well as from stakeholders and parent/carers. Two chairs for each group have been identified. It is essential that the WSOA developed is co-produced and owned by all partners including parent/carer groups. Extensive work including a range of listening events linked to all areas of our SEND partnership have been held to support the development of the WSOA for Rotherham.

2.4 Through strong engagement in the development of the subgroups it has allowed a clear contribution to the WSoA to be developed, this includes agreeing on focus actions, impact measures and outcomes. This will support long term collective ownership of our improvement journey

2.5 Key partners including leaders from Genuine Partnerships and Guiding Voice's (SEND Young people) have also had the opportunity to contribute to the WSoA and will continue to do so in various ways. Our Parent Carer Forum plays an integral part throughout and it is vital the WSoA reflects both the language and practice model of the Four Cornerstones of co-production. All Sub – groups delivering the improvements of the WSOA have parental/carer representation. The Local Offer subgroup is jointly chaired by Rotherham Parent Carers forum leaders.

2.6 There have been opportunities to meet with the regional SEND leads from Department for Education (DfE) and National Health Service England Improvement (NHSEI) as part of the development of the WSOA. This allowed there to be scrutiny of a draft WSoA creating suggestions for adaptations ready for submission. Both the DfE and NHSEI will hold accountability for the delivery of our WSOA and Rotherham's SEND improvement journey.

2.7

As part of work with DfE/NHSEI additional support from external providers has already been triggered to support our improvement journey moving at pace. This includes;

- Whole School SEND (WSS) will deliver training to promote SEND as part of full school improvement and the implementation of the graduated response.
- The Council for Disabled Children will support with the quality of and involvement in the Education, Health, Care Plans planning process across key partners.
- The National Development Team for Inclusion (NDTi) will support work related to preparation for adulthood.

2.8

Rotherham will be revisited by Ofsted/CQC around June 2023 to allow inspectors to judge the Rotherham area on progress made against the four main areas of weakness. There will be a new inspection framework for local area SEND inspections and we have been advised that we will be inspected under the new framework.

2.9

Following the Ofsted approval of the Rotherham WSoA more detailed action plans have been developed and driven through each sub-group. Updates on progress related to each plan will be reported into the Executive Group, as well as the monitoring visits made by the DfE and NHSEI.

2.10

The finalised WSoA was signed off within the CCG governance arrangements in parallel to RMBC processes. The collective ownership of the SEND improvement journey across all key partners is essential to ensure that we collectively achieve the strong outcomes for children, young people, and young adults in the borough.

### **3. Options considered and recommended proposal**

3.1 N/A.

### **4. Consultation on proposal**

4.1 N/A

### **5. Timetable and Accountability for Implementing this Decision**

- 5.1
- February 2022 – the finalised Written Statement of Action is published on the Rotherham Local Offer and Clinical Commissioning Group Websites.
  - New inspection framework and outcomes from the national SEND review are due to be launched for consultation before July 2022
  - A review on progress against the Written Statement of Action is planned for June 2023. It is not yet confirmed if an official review will be carried out or if we will form part of a new inspection timetable in relation to the new framework.

### **6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)**

6.1 N/A

### **7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)**

7.1 N/A

### **8. Human Resources Advice and Implications**

8.1 N/A

## **9. Implications for Children and Young People and Vulnerable Adults**

9.1 Referenced within report and appendix 1.

## **10. Equalities and Human Rights Advice and Implications**

10.1 Referenced within report and appendix 1.

## **11. Implications for CO<sub>2</sub> Emissions and Climate Change**

11.1 All areas of SEND Sufficiency, Student placed planning, and educational placements have a direct environmental impact, consideration of this element is informed in provision development and provision enhancement in the borough due to direct impact this will have to limiting students travelling outside the borough. This would support reduced emissions of CO<sub>2</sub>.

11.2 Wider consideration of indirect implications or unintended consequence of work in this area has on CO<sub>2</sub> Emissions and Climate Change is considered across all partners as we are committed to long term targets to mitigate these areas of concern in the borough.

## **12. Implications for Partners**

12.1 Ongoing updates are provided to key stakeholders including Parent/carers forum, health leaders, school leaders, Schools Forum, and other associated stakeholders. The SEND executive and SEND Partnership board involve all Key Stakeholders and SEND is a Place Priority for Rotherham.

## **13. Risks and Mitigation**

13.1 All areas of SEND Written Statement of Action report to SEND Executive Board with all risks and mitigations accountable to the board. SEND is an also a Rotherham Place Board Priority.

### **Accountable Officer(s)**

Suzanne Joyner, Strategic Director, Children's Services

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