

Committee Name and Date of Committee Meeting

Cabinet – 16 December 2024

Report Title

Cabinet Response to the Recommendations from the Scrutiny Review - Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND)

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

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Nicola Curley, Strategic Director of Children and Young People's Services
Ian Spicer, Strategic Director of Adult Care, Housing and Public Health

Report Author(s)

Helen Sweaton, Joint Assistant Director, Commissioning, Performance and Quality.
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Ward(s) Affected

Borough-Wide

Report Summary

To report on the response to the findings and recommendations of the Improving Lives Scrutiny Review - Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND.)

Recommendations

That Cabinet approve the response to the recommendations, as detailed in Appendix 1, and note the report.

List of Appendices Included

- Appendix 1 Cabinet's Response to Scrutiny Review -- Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND)
- Appendix 2 Initial Equality Screening Assessment Form
- Appendix 3 Equality Analysis Screening
- Appendix 4 Carbon Impact Assessment

Background Papers

[Agenda item - Scrutiny Review - Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities \(SEND\) - Rotherham Council Preparation for adulthood | Local Government Association](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Improving Lives Select Commission – 30 July 2024

Overview and Scrutiny Management Board – 10 September 2024

Cabinet – 14th October 2024

Council Approval Required

Yes

Exempt from the Press and Public

No

Cabinet Response to the Recommendations from the Scrutiny Review - Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND).

1. Background

- 1.1 Preparation for adulthood (also known as transition) is the process by which young people who need support or care, move from services provided exclusively for children, to services provided for those over the age of 18, aiming to ensure a seamless transition. The Local Government Association describes successful preparation for adulthood as “A successful transition from children’s and young people’s services to adult care services, needs the young person, their families, and professionals to work together with the young person at the centre of discussions. Legislation gives local authorities a legal responsibility to co-operate, and to ensure that all the correct people work together to get the transition right for a young person.” Preparation for Adulthood, LGA (Background Paper).
- 1.2 The support provided to children and young people assists with preparing for adult life and often includes the following aspects:
 - Education, Employment and Training.
 - Friends, Relationships, and the Community.
 - Health.
 - Independent Living.
- 1.3 Preparation for Adulthood has been an on-going area of interest for the Improving Lives Select Commission (ILSC) over recent years, following the SEND inspection in 2021. In discussions with the Improving Lives Select Commission, the Rotherham Parent Carers’ Forum highlighted that a greater focus was required to identify what was in place, to support successful preparation to adulthood for children and young people in Rotherham with SEND and consider whether there were any gaps in the available provision.
- 1.4 The Improving Lives Select Commission agreed to hold a spotlight review on preparation for adulthood which took place on 15th February 2024. Planning sessions were held in advance of the spotlight review meeting to determine the scope of the review. Briefing materials and resources were circulated in advance of the review session, to inform key lines of enquires (KLOEs).
- 1.5 The review itself took place over a single afternoon, with many partners present to provide a range of perspectives and information. This work enabled the sub-group to establish an understanding of the services that were being delivered in Rotherham to support preparation for adulthood.
- 1.6 The review group consisted of Councillor Lyndsay Pitchley (Chair), Councillor Wendy Cooksey (Vice-Chair), Councillor Tony Griffin, Councillor Maggi Clark, and Councillor Taiba Yasseen.
- 1.7 The recommendations from the sub-group were presented to Cabinet on 14 October 2024 and Cabinet agreed to provide a response.

2. Key Issues

2.1 The recommendations to Cabinet from the Scrutiny Review –Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND) were:

i. School Effectiveness:

- a) That the support pathways available for preparation for adulthood for children and young people with SEND in mainstream education, in both the early years and post sixteen settings is reviewed to identify any areas that may require further focus and developments.
- b) That education pathways relating to preparation for adulthood for children with SEND are reviewed, ensuring clear communication of the pathways to parents and carers.

ii. Inclusion and Communities:

- a) That information relating to the support available to parents and carers within communities is developed, enabling a seamless service that supports and empowers parent carers.
- b) That the feedback from the Autism Strategy Consultation is reflected in the support offer available, to ensure children and young people feel safe within their communities, at school and online.
- c) That there is a further focus on enhancing equality, diversity, and inclusion (EDI) in relation to this area of activity, with a particular focus on improving engagement levels with children and young people with SEND in communities, such as the Black Asian Minority Ethnic (BAME) and Roma-Slovak Communities.

iii. Communication:

- a) That established networks and partnerships, such as the Rotherham Parent Carers' Forum, are further embedded, to increase awareness raising and increase the number of SEND families that are engaged and reached in the Borough.
- b) That the process relating to Education, Health and Care Plans is reviewed to ensure the young person's voice is present throughout the process

3. Options considered and recommended proposal

3.1 The recommendation is that Cabinet approve the response to the recommendations, as detailed in Appendix 1, and note the report.

3.2 All of the recommendations have been accepted and Appendix 1 sets out further detail on how the recommendations have been or will be actioned.

4. Consultation on proposal

- 4.1 The Strategic Director – Children and Young People’s Services and the Strategic Director – Adult Social Care, Housing and Health have been consulted with regard to the response to the recommendations.
- 4.2 The Cabinet Member for Children and Young People and Cabinet Member for Adult Social Care and Health have been consulted with regarding the report and its recommendations.

5. Timetable and Accountability for Implementing this Decision

- 5.1 The timetable and accountability are detailed in Appendix 1 (Cabinet’s Response to Scrutiny Review – Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND))

6. Financial and Procurement Advice and Implications

- 6.1 There are no direct procurement implications arising from the recommendations detailed in this report. There are no direct financial implications arising from implementing the actions put forward (in the attached Appendix 1) in response to the Scrutiny Review - Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND).

7. Legal Advice and Implications

- 7.1 As set out within the body of the report the recommendations have already been accepted and the purpose of this report is to ask that Cabinet approve the response to those recommendations as set out within Appendix 1.
- 7.2 The Primary Legislation which sets out a wide range of duties is the Children and Families Act 2014 and associated regulations. Chapter 8 of the SEND Code of Practice specifically deals with preparing for adulthood from the earliest years. The Code of Practice is Statutory Guidance and therefore the Council must have regard to the Code of Practice and cannot ignore it.
- 7.3 Paragraph 8.3 of the Code of Practice sets out the range of duties imposed upon Local Authorities which are particularly relevant to preparing for adulthood from the earliest years. The overview of these duties is set out below [taken directly from the Code of Practice]:
- when carrying out their functions, to support and involve the child and his or her parent, or the young person, and to have regard to their views, wishes and feelings (see Chapter 1, Principles). This includes their aspirations for adult life.
 - to offer advice and information directly to children and young people (see Chapter 2, Impartial information, advice, and support). This includes information and advice which supports children and young people to prepare for adult life.

- together with health services, to make joint commissioning arrangements about the education, health and care provision of children and young people to secure positive adult outcomes for young people with SEN (see Chapter 3, Working together across Education, Health, and Care for joint outcomes).
- to keep education and care provision under review including the duty to consult young people directly, and to consult schools, colleges, and other post-16 providers (see Chapter 3, Working together across Education, Health, and Care for joint outcomes).
- to co-operate with FE colleges, sixth-form colleges, 16-19 academies and independent specialist colleges approved under Section 41 of the Children and Families Act 2014.
- to include in the Local Offer provision which will help children and young people prepare for adulthood and independent living, to consult children and young people directly about the Local Offer and to publish those comments including details of any actions to be taken (Chapter 4, The Local Offer).
- to consider the need for EHC needs assessments, prepare EHC plans where needed, and maintain and review them, including the duty to ensure that all reviews of EHC plans from Year 9 (age 13-14) onwards include a focus on preparing for adulthood and, for 19-25 year olds, to have regard to whether educational or training outcomes specified in the EHC plan have been achieved.
- to make young people aware through their Local Offer of the kind of support available to them in higher education and, where a higher education place has been confirmed for a young person with an EHC plan, to pass a copy of the EHC plan to the relevant institution and to the assessor for Disabled Students Allowance with the young person's permission.

7.4 The response at Appendix 1 clearly sets out the actions required to meet the recommendations already approved and accountability for those actions. In approving the response there is a clear and detailed plan in place to ensure that the recommendations approved are met. This will not only ensure that the Council continues to meet its Statutory Duties, it also demonstrates the Council's commitment to providing a high level service to support children, young people and their families in preparing for adulthood. The scrutiny provided is valued and the recommendations welcomed.

7.5 Should the Local Authority fail to comply with their duties and/or be able to evidence that they have given regard to the Code of Practice in its decision making, process and policies, then the risk of legal challenge is significant and there are various avenues available for such challenge. These include appealing to the First-Tier Tribunal [SEND], Judicial Review and complaints to the Local Government and Social Care Ombudsman.

8. Human Resources Advice and Implications

8.1 There are no direct Human Resources implications.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The implications for Children, Young People and Vulnerable Adults are set out in the attached Cabinet Report: Scrutiny Review - Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND) (background paper) and in the attached Cabinet's Response to Scrutiny Review – Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND) (appendix 1).

10. Equalities and Human Rights Advice and Implications

10.1 Members of the Improving Lives Select Commission review group have due regard to equalities and human rights in developing recommendations.

10.2 In relation to equalities, the review group identified the requirement for further workforce training to be completed with a focus on Equalities, Diversity and Inclusion, to ensure targeted work could be completed within communities and to improve engagement levels with communities. The review group recommended that there should be a further focus on enhancing equalities, diversity and inclusion in relation to the area of preparation for adulthood, which a particular focus on improving engagement levels with children and young people with SEND in communities, such as the BAME and Roma Slovak communities. The action plan (Appendix 1) addresses these issues.

10.3 In relation to human rights advice and implications, the review group identified the requirement for progress relating to children and young people with SEND feeling unsafe in general within communities, online and at school. The review group recommended that the feedback from the Autism Strategy Consultation should be reflected in the support offer available. The action plan addresses this issue.

10.4 An equality analysis screening and form are attached as Appendices 2 and 3.

11. Implications for CO2 Emissions and Climate Change

11.1 There are no implications for CO2 emissions and climate change directly arising from this report.

11.2 The Carbon Impact Assessment is attached as Appendix 4.

12. Implications for Partners

12.1 The implications for partners are described in attached Cabinet's Response to Scrutiny Review – Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND) (appendix 1). Implementation of any recommendation is at the discretion of the relevant partner organisation. The recommendations contained in this report are

offered acknowledging the contributions that have been made by each of the partner organisations.

13. Risks and Mitigation

- 13.1 Failure to provide adequate support for preparation for adulthood presents a risk to the achievement of outcomes for children and young people with SEND.
- 13.2 The mitigations are described in attached Cabinet’s Response to Scrutiny Review – Preparation for Adulthood for Children and Young People with Special Educational Needs and Disabilities (SEND) (appendix 1).

14. Accountable Officers

Helen Sweaton, Assistant Director Commissioning, CYPS

Kirsty-Louise Littlewood, Assistant Director, Adult Care, and Integration, ACPHH

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	02/12/2024
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	22/11/2024
Assistant Director, Legal Services (Monitoring Officer)	Philip Horsfield	15/11/2024

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