

IMPROVING LIVES SELECT COMMISSION
Tuesday 3 December 2024

Present:- Councillor Knight (in the Chair); Councillors Baggaley, Bower, Brent, Elliott, Fisher, Foster, Garnett, Harper, Monk, Ryalls and Sutton.

Apologies for Absence:- Apologies were received from Councillors Pitchley and Hughes.

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

41. MINUTES OF THE PREVIOUS MEETING

Resolved: - That the Minutes of the meeting of the Improving Lives Select Commission, held on 29 October 2024, be approved as a correct record of proceedings.

42. DECLARATIONS OF INTEREST

There were no declarations of interest.

43. 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.

44. QUESTIONS FROM MEMBERS OF THE PUBLIC AND THE PRESS

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

45. SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) STRATEGY UPDATE

The agenda item provided an update on the draft SEND Strategy and included a high-level overview of the strategy consultation response, following the public consultation on the proposed strategy.

The Chair welcomed Cary- Anne Sykes to the meeting, who was the Head of Service for Special Educational Needs and Disabilities (SEND).

The Chair invited the Head of Service for Special Educational Needs and Disabilities to introduce the item and present the update, during which the following was noted:

- The consultation had gone very well; however, the consultation period was disrupted by a three week SEND Ofsted Inspection.
- The SEND Ofsted Inspection graded the Local Authority at a One, which was the highest grade. The Local Authority would be

inspected again in five years' time.

Overview of the proposed SEND Strategy, My Life, My Rights 2024-2028:

- The Strategy, "My Life, My Rights", set out the vision for children and young people with Special Educational Needs and Disabilities (SEND) in Rotherham.
- It would drive forward the improvements that had already started across the local area and would help services in education, health, and social care, to work together to make the required changes, to ensure children and young people in Rotherham would achieve the very best outcomes.
- The proposed SEND Strategy had been approved for consultation.

Consultation:

- Consultations took place via an online consultation form, face to face and over Microsoft Teams, to ensure the engagement of a wide range of people.
- Consultations included children and young people, parents and carers, Social Care and Early Help, Health and Therapy Services, education professionals, schools, partner agencies and members of the Improving Lives Select Commission.
- There had been cohorts of people who were harder to reach and did not want to attend any sessions in person or over Microsoft Teams. In these instances, the Head of Service for SEND briefed the leaders of community groups, who then shared the information with those cohorts. An example was provided of Ferham Primary School's parents coffee morning, the group did not feel it would be appropriate for a local authority officer to attend the coffee morning and present, therefore the school shared the information with the group on the local authority's behalf in a relaxed environment.
- 152 responses were received from online consultation forms and 13 consultation group sessions were held, with 137 people attending the sessions in total.

Consultation Feedback:

- Four people opposed the way that the strategy was written in the voice of the child and/or young person. It was advised by the service that the young people wanted the strategy to be written in that way, in their voice. Everyone else who provided consultation feedback had strongly agreed with the way that the strategy had been written in the young person's voice.
- Overall, the feedback on the draft strategy was very positive and included the following:
 - *"All positive, brilliant use of inclusion with the strategy and the wording Ambition, Inclusion and Equity"*.
 - *"The SEND strategy is beacon of hope for outstanding SEND services in Rotherham"*.
 - *"I like the priorities; they feel young person centred and aspirational for supporting young people to achieve high quality lifelong skills"*.

- *“I like the way it is expressed through ‘I have and I am...’”.*
- *“It is clear and concise”.*
- *“Would like to see evidence of the SEND Co-ordinators gaining permission from young people (over the age of sixteen) prior to speaking or emailing their parents/carers who may act on their behalf to ensure that they are aware. I would also like to see all students from a minimum of Y9 having access to the Hub. Where young people have assumed capacity”.*

Amendments to the draft strategy following the consultation:

- The Vision would remain the same and no changes would be made to the outcomes of the draft strategy.
- The health key performance indicators listed below, were adjusted following the consultation, to ensure the measures could be measured against regional partners and national data.
 - The percentage of children receiving the checks, to show good coverage.
 - The percentage of children achieving the expected level in communication skills at 2 - 2 and a half years, as anyone who did not achieve this would be referred for support.

Four Cornerstones:

- The service would continue to embed the Four Cornerstones.
- The service recognised that when the values of the cornerstones were achieved and integrated into practice, trust would be developed and progress in achieving outcomes for children and young people would be made. Without trust systems, partnerships, organisations, and families could not work together effectively and meaningful partnership work could not be achieved.

The Working Group:

- There would be four working groups which would monitor the action plan that would sit alongside the strategy, the working groups would be:
 - **Health and Wellbeing Working Group**, led by the Designated Clinical Officer and a Principal Psychologist. In the first six months the group would focus on waiting well and emotional based school avoidance. Start and finish groups would be developed to embed the work across schools and services.
 - **Voice and Participation Working Group**, led by the Voice and Participation Educational Psychologist and the Operational Manager at the Rotherham Parent Carers Forum. The focus of the group would be person centred planning and accessibility of information.

- **Inclusion Working Group**, led by the Head of Service for SEND and the Education, Health and Care Plan (EHCP) SEND Manager. The group would focus on the threshold of need, to provide an understanding of what provision is available, from ordinarily available provision in the classroom, to the most complex special school provision, across all SEND.
- **Independence Working Group** led by a SEND Governance Lead and the Service Lead for Inclusion Support Services. The group would focus on transitions within each phase of school. For example, early years to Key Stage One, Key Stage One to Key Stage Two and Key Stage Two to Key Stage Three. The group would also focus on independence in life and learning.

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

- The working groups would have key focused pieces of work, to ensure a focus on engagement with communities, young people and families.
- Stakeholder engagement had been completed and all feedback had been received, which was very positive.
- The service was also working on a new SEND Sufficiency Plan and SEND Sufficiency Strategy. Robust work was in place relating to sufficiency, all available data was used to monitor the level of exclusions and all support packages in place, this was reported into available provisions.
- Nationally SEND provision was a challenge, however, Rotherham had a good level of provision in comparison to national figures.
- The next steps detailed within the presentation and report, would be amended to include any potential changes that may be required in future as a result of statutory or national changes in the area of SEND, to ensure the service would respond to any changes when required.

Resolved: That the Improving Lives Select Commission considered the report and update.

46. ABSENCES FROM EDUCATION UPDATE

The agenda item considered an update on all types of absences from education.

The Chair welcomed to the meeting Councillor Cusworth, Cabinet Member for Childrens and Young Peoples Services, Sarah Whitby, Head of Access to Education and Rebecca Braithwaite, Senior Officer for Home Education and Children Missing from Education.

The Chair invited the Head of Access to Education to introduce the report and give the presentation, during which the following was noted:

- The report provided an update on elective home education across Rotherham and the elective home education dashboard provided figures on the cohort of children and young people who were electively home educated across Rotherham in the 2023-2024 academic year. The report also provided an update on children who were not accessing their full entitlement of school, this included children missing education, children missing out on education and children educated otherwise than at school. All the types of absences from education listed within the report were a key focus for the service.

Children Missing Education:

- Children missing education were children of statutory school age who were not on a school roll and were not being educated otherwise.
- The Education Act 1996 S436a was the relevant legislation and stated the following, "*Duty on the LA to make arrangements to enable them to establish (so far as it is possible to do so) the identities of children in their area who are of compulsory school age but are not registered pupils at a school and are not receiving suitable education otherwise than at a school*". This was also outlined in the Department of Education Children Missing Education Statutory Guidance in 2024.
- Rotherham had a Children Missing Education Policy which was updated in September 2024, the policy was updated to reflect changes to national attendance guidance. The service had ensured that all schools and partners were aware of the relevant updates and associated referral processes into the Council.
- There was a Children Missing Education Officer, located in the Access to Education Team.
- There was process assurance through the Elective Home Education and Children Missing Education Governance Group, this was Council managed and included partners across several services. The group met on a regular basis to review the current picture of elective home education within the borough, to raise any potential concerns and any changes required in ways of working.
- There was performance assurance via the Childrens and Young Peoples Services performance scorecard. The service also reported on a termly basis to the Department of Education, this was a statutory requirement to provide data on children missing education and children who were electively home educated, this information was available to access publicly.
- It was noted that Rotherham had a high transiency of families moving in and out of the borough, the days out of education for children missing education was a key performance indicator, which had reduced from 36.6% to 26.9% between the period of the

Autumn Term 2023 and Summer Term 2024. During this period there were changes to process relating to how schools worked with the service when children were removed from a school roll due to moving out of the borough with their families, this had supported an improvement in process and resulted in the minimisation of days in which children were missing education.

Children Missing Out on Education:

- Children missing out on education were children of Statutory School age who were on a school roll and were not accessing their full educational entitlement, for reasons of poor attendance, part time timetable or alternative provision.
- The Education Act 1996 was the relevant legislation and stated the following, “Provides that all children, regardless of their circumstances, are entitled to an efficient, full-time education which is suitable to their age, ability, aptitude and any special educational needs they may have”.
- There was national framework of the Working Together to Improve School Attendance 2024 guidance.
- The Local Authority had a Rotherham School Attendance Matters Pathway, Rotherham Inclusion Pathway which provided the framework to support schools to work with children who were at risk of not being included fully within their education and a Rotherham Alternative Provision Strategy which was in development and aligned with the SEND Strategy.
- There was a School Attendance Team located in Early Help which monitored children missing out on education, it was planned for the Team to move to the Access to Education Service. There was a Strategic Lead for Inclusion and Alternative Provision, located in the Access to Education Service.
- Children missing out on education continued to be an area of focus in Rotherham and the movement of the Attendance Service to Access to Education would align with education processes.
- There was process assurance through the Early Help Steering Group, Local Authority School Attendance Panel who provided support and enforcement in situations where parents were not ensuring a child’s attendance at school and the Alternative Provision and Inclusion Steering Group, which was driving the Alternative Provision Strategy.
- There was also performance assurance through Childrens and Young Peoples Services performance scorecard. The OFSTED Inspection also provided assurances.
- There was revised reporting and follow up for children who were offered part-time provision or alternative provision by school, during the recent SEND Inspection assurance was provided to Ofsted on the revised reporting and Ofsted advised that the service was working in a way which aligned with the Ofsted Framework within this area. An online form was provided to schools which cited all relevant advice and guidance for schools in one place, this resulted in more timely data being provided from schools to the service,

relating to children who were not accessing their full education entitlement but were on a school roll. This change allowed the service to provide advice, support and challenge where needed and in a timely manner.

Education Otherwise Than at School (ETOS):

- Education Otherwise Than at School were children who could not attend school due to illness, because they had been permanently excluded or for another appropriate reason, such as a small number of children on an Education Health and Care Plan, who were unable to attend school as that was defined within their plan.
- The Education Act 1996, S19 was the relevant legislation and stated the following, "Duty on the LA to make arrangements for the provision of suitable education at school or otherwise than at school for those children of compulsory school age who, by reason of illness, exclusion from school or otherwise, may not for any period receive suitable education unless such arrangements are made for them".
- The Service had a Rotherham Education Health Care Plan, Education Otherwise Than at School Pathway, a Rotherham Medical Home Tuition Pathway which was shared with schools, in situations where there was a child on a school roll who was unable to attend for reasons of illness, and a Rotherham process for provision of education from day six of permanent exclusion.
- There was an Education Health Care Plan, Education Otherwise Than at School Co-ordinator located in the Special Educational Needs and Disabilities Service (SEND).
- The Strategic Lead for Inclusion and Alternative Provision was in the Access to Education Service, there was tutors available within this service who could provide tuition to children who were unable to access school for a period of time.
- There was an Aspire Pupil Referral Unit and Exclusions Team, located in Access to Education. The local authority had a statutory responsibility to provide education for all children permanently excluded from day 6 of exclusion, an offer of education was made for all permanently excluded children in Rotherham via Aspire Pupil Referral Unit. The Exclusions Team, the Strategic Lead for Inclusion and Alternative Provision and employees from Aspire, ensured that children had access to the offer and attended that offer, or that they attended an alternative arranged by the parents.
- There was process assurance through the SEND Panels, Annual Review's, Medical Home Tuition Reviews which took place on a termly basis, and work was completed with the General Practise's Group to oversee the Medical Home Tuition shared pathway and guidance.
- Performance assurance was provided through the Childrens and Young Peoples Services performance scorecard and OFSTED Inspection assurance through the SEND channels, which was in addition to the Pupil Referral Unit Inspection through the school inspection framework. There had been a recent positive inspection

of the Aspire Pupil Referral Unit.

Elective Home Education:

- Rotherham's Elective Home Education Policy was due for review. The service was awaiting changes to the national guidance on elective home education, a recent direction of travel had been announced and the service were awaiting a timeframe. The service had made the decision due to the announcement, to review the Elective Home Education Policy in the New Year. The national direction of travel would be monitored closely, and the policy would be adapted to align with any changes to national guidance as required.
- Stakeholder engagement for the policy review would begin in January and would include engaging with children, young people and families who were involved in elective home education, engagement would also take place with schools, partners in health and social care and elected members. A period of public consultation would take place after the initial stages of engagement.
- Once completed, the policy revision would be presented back into the Improving Lives Select Commission, before being presented to Cabinet in July 2025, provided that there would be no major changes to the national guidance.
- The Elective Home Education Team was located in the Access to Education Service. The Team aligned to national guidance and offered an annual contact to all families who were electively home educating children in Rotherham.
- In situations where parents had de-registered children from school, the team would offer an initial contact to talk through the decision, followed by a home visit. This would either provide the service with the assurance required of the suitability of the home education offered to the child, or if the service was not satisfied, statutory guidance would be followed via a formal set of proceedings. Further information would be requested to satisfy the service of a level of suitable education, or the children would be required to return to school.
- There had been an increase in the number of situations where the formal pathway had been initiated, it was noted that some of the situations related to parents who had made a quick decision to home educate, without a full understanding of what electively home educating required. Other situations related to understanding what would constitute a suitable education, it was advised that there had been recent case law that supported the 2019 guidance and provided a clear pathway for local authorities to act within and a robust set of guidance.
- The service worked closely with the Early Help Service and a new dedicated school attendance pathway was developed, this wasn't shared with schools and ensured that the service could act in a timelier manner where required.
- There was process assurance through the Elective Home

Education and Children Missing Education Governance Group and the Safeguarding in Education Delivery Group.

- There was performance assurance through the Childrens and Young Peoples Services Performance Scorecard, and OFSTED Inspection assurance through the SEND Inspection. The service also reported on a termly basis to the Department of Education.
- The rate of elective home education on the Census Data for the 2023-2024 Autumn Term was as follows:
 - England- 1.1%
 - Yorkshire and the Humber- 1.0%
 - Rotherham- 1.0%.
- This showed that Rotherham as a borough was lower than the national rate and similar to other neighbouring local authorities. The service attributed this to work that the Elective Home Education Team did, to support parents understanding of what elective home education was and what it meant for parents and children. The team provided early support and intervention where possible and encouraged parents to get in touch with the team if they were considering elective home education. The team asked schools to put the service in touch with parents when required and the team would attend schools for meetings with parents before they made the formal choice to home educate. As a result of this intervention, in the context of rising numbers of children who were electively home educated nationally and locally, 248 children remained on a school roll in Rotherham because of intervention and support from the Team. This was an increase of 93 from the previous year.

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

- It was clarified that the term 'suitable' which was referenced across the report and PowerPoint had the same definition when referring to all types of absences from education.
- In relation to the term 'suitable' education, the guidance for elective home education stated that the education provided must suit a child's age, ability and considering any special educational needs or disabilities. Suitable education did not have to mirror a school-based curriculum.
- The performance scorecard monitored high-level performance across children's and young people's services. If the service identified any exceptions to tolerance levels, focused work would be completed. The service also completed detailed in depth reporting within teams on an on-going basis. There was also an Assurance and Performance Board which reviewed and interpreted extensive data.
- There had been an impact of children returning to school nationally following the pandemic and a rise in parents who felt aggrieved with schools, the Elective Home Education Team worked with schools and parents to mediate and maintain good relationships. A

written response would be provided to the Commission detailing further information on the themes and trends of elective home education.

- The service had no concerns of any schools that were suggesting to parents to electively home educate, the service had good relationships with all schools in Rotherham and the Ofsted Inspection did not find any concerns relating to this.
- All types of absences from education were on the rise nationally prior to the pandemic.
- The Cabinet Member was concerned with school uniform and behaviour policies and the rising numbers of elective home education and would welcome a further focus by scrutiny in this particular area.
- The Local Government Association requested a national register of children who were electively home educated, the newly formed government agreed to develop this.
- The service worked closely with partners across the borough such as Health, Social Care, Early Help and the voluntary sector. The service provided all partners with good information that they would distribute if they encountered parents who were considering electively home educating, this encouraged parents to get in touch with the Service for support, advice and guidance.
- Academy Trusts could determine their curriculum and way of teaching, the local authority did not have any power to influence that process. However, the service monitored data closely and ensured good relationships were maintained with all schools in the borough, the service would support and challenge a school if any concerns were identified. The service was also in regular contact with the Department for Education and if required concerns would be raised there also.
- The Regional Schools Director could be invited to Scrutiny at the request of the Commission.
- The service encouraged anyone with concerns relating to a child receiving or accessing education to contact the team, this would ensure appropriate actions could be taken by the service.
- The 2019 guidance for local authorities on elective home education was non-statutory guidance, it suggested that the local authority make contact with parents who home educated on an annual basis. Statutory pathways would be implemented if there were any concerns that a child was missing education. The government were looking at making the non-statutory guidance statutory and putting in place further safeguards for children subject to child protection planning who were electively home educated.
- Managed moves were considered in the data provided on exclusions.
- There were Integrated Working Leads within Early Help who were aligned to schools and Early Help managers across the locality who held termly meetings with schools.
- The service would make a positive contact to each child who was

electively home educated to discuss post sixteen opportunities, access to exams and preparation for adulthood. Not in Education, Employment or Training (NEET) was gathered, the number of electively home educated children not in education, employment, or training post sixteen was extremely low.

- If the parents of child in receipt of an Educational Health and Care Plan (EHCP) decided to electively home educate, the request would be submitted to the EHCP panel to be scrutinised, the panel would either refuse or accept the request. If the Panel agreed and the child was home educated, the funding would cease. The EHCP would be monitored and tracked, and an annual review process would be completed.
- There were 75 children whose parents did not consent to a home visit and the service could only communicate with them via writing. The service acknowledged that it could be more difficult to determine whether the education offer was suitable on written information alone, however the service would challenge where concerns were identified around the information provided.
- The Fair Access Process was highly effective in returning children to school where required, the process was participated in by all schools across the borough.
- The service would provide a written response to the data requested relating to NEET's that enter employment and then leave employment.

Resolved:- That members of the Improving Lives Select Commission:

- 1) Consider the content of the report.
- 2) Request that an additional session be arranged on the upcoming review of the Elective Home Education Policy.
- 3) Request the service to provide a written response to the questions raised relating to specific trends and themes for elective home education and the data around NEETs and employment.
- 4) Request that the service reports back into the Commission if there are any significant changes.

47. WORK PROGRAMME

The Committee considered its Work Programme, and the following was noted:

- The work programme was included in the agenda pack.
- The suggested items for January's meeting were the Family Help Proposal and the SEND Ofsted Inspection Outcomes.
- An off-agenda briefing would be circulated via email to members of the Commission, following the changes to the Rotherham Safeguarding Children's Partnership presented to Cabinet in November 2024.

Resolved: - That the Work Programme for 2024/2025 be approved.

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

The Chair provided a progress report on sub and project group activity.

Resolved: - That the update be noted.

49. URGENT BUSINESS

There was no urgent business.