

**Committee Name and Date of Committee Meeting**

Cabinet – 09 February 2026

**Report Title**

Special Educational Need and Disability (SEND) Sufficiency Strategy 2026-2029

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

Yes

**Executive Director Approving Submission of the Report**

Nicola Curley, Executive Director of Children & Young Peoples Service

**Report Author(s)**

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**Ward(s) Affected**

Borough-Wide

**Report Summary**

This report provides a review of performance against the current Special Educational Need and Disability (SEND) Sufficiency Strategy as set out in the Local Authority's Safety Valve Agreement (2021-2026). It establishes that the actions set out within the Safety Valve agreement have been achieved, contributing to the Council's wider ambition that children and young people achieve their potential.

The report outlines the key activity undertaken in developing the new Strategy, including a comprehensive needs analysis, engagement, and consultation.

The report seeks approval of the SEND Sufficiency Strategy 2026 – 2029 and outlines the timeline for implementation of the SEND Sufficiency delivery plan to address the 7 priorities identified.

## **Recommendations**

That Cabinet:

1. Note the performance and progress to date on SEND Sufficiency in line with the commitments within the Safety Valve Agreement.
2. Approve the SEND Sufficiency Strategy 2026-2029 (Appendix 1) for implementation from April 2026.

## **List of Appendices Included**

Appendix 1 SEND Sufficiency Strategy 2026-2029  
Appendix 2 SEND Sufficiency Strategy Year 1 Delivery Plan  
Appendix 3 Initial Equality Screening – Part A  
Appendix 4 Equality Analysis – Part B  
Appendix 5 Climate Impact Assessment

## **Background Papers**

[Rotherham SEND Strategy – My Life, My Rights](#)  
[SEND Sufficiency Phase 4 update report – 19<sup>th</sup> June 2023](#)  
[Safety Valve Cabinet annual update report - 24<sup>th</sup> April 2023](#)  
[SEND Sufficiency Phase 4 Cabinet paper - October 2022](#)  
[SEND Sufficiency Phase 3 Cabinet Report - November 2020](#)  
[SEND Sufficiency Phase 2 Cabinet Report May 2019](#)  
[SEND Sufficiency Phase 1 Cabinet Report – February 2018](#)

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**  
None

**Council Approval Required**  
No

**Exempt from the Press and Public**  
No

## **Special Educational Need and Disability (SEND) Sufficiency Strategy 2026**

### **1. Background**

#### **1.1 Purpose of the report**

##### **1.1.1 The purpose of the report is to:**

- Review the performance against the Safety Valve Agreement (the current SEND Sufficiency Strategy).
- Summarise key achievements and challenges.
- Seek approval for the new SEND Sufficiency Strategy and identified priorities for action for 2026 to 2029.

#### **1.2 Statutory Duty and Local Responsibility**

##### **1.2.1 Under Section 14 of the Education Act 1996 the Council has a general duty to secure sufficient schools to provide primary and secondary education in their area and should have particular regard to securing special education provision.**

##### **1.2.2 Under the Children and Families Act 2014, the Council also has a responsibility for working with parents, young people and providers and commissioning and reviewing services for children and young people with Special Educational Needs and/or Disability (SEND) to ensure improvements in the standard, quality, and/or range of educational provision for children with SEND.**

#### **1.3 Rotherham Context**

##### **1.3.1 In Rotherham 17.1% of pupils are receiving SEND support with 6.2% of pupils having a statutory plan for SEND known as an Education, Health and Care Plan (EHCP). Nationally 14.2% of young people are receiving SEND support with 5.3% having an EHCP. In order that the educational needs of children and young people in the Borough with SEND can continue to be met, the Council has a responsibility to create a sufficiency of education provision to meet the needs of all pupils.**

#### **1.4 The current SEND Sufficiency Strategy (Safety Valve Agreement)**

##### **1.4.1 The current SEND Sufficiency Strategy is set out in the Rotherham Safety Valve Agreement (2022 – 2026). This replaced the previous SEND Sufficiency Strategy 2019 – 2022 which had increased the number of specialist places available in the Borough under SEND Sufficiency phases 1, 2 and 3.**

##### **1.4.2 The key strategic aim of the Safety Valve Agreement is to enhance mainstream and specialist SEND capacity within the Borough to meet a wider level of need across all schools, promote inclusive practice and mitigate the need for children, young people, and young adults to be educated in settings outside the Borough.**

- 1.4.3 To achieve the aim of enhanced SEND capacity within the Borough the current strategy includes implementation of the schools' Accessibility Funding Framework across mainstream and special schools.
- 1.4.4 Reports to Cabinet in July 2024 and December 2024 have given approval for additional increases in places as part of the continued development of Elements Academy (SEMH Special School) since its opening in September 2023. Approval was also granted for capital investment to address sufficiency challenges at Newman School and Aspire Pupil Referral Unit. The capital programme to create sufficiency of provision locally across the Safety Valve period has resulted in an increase of 336 special school places and 144 resource provision places from 2021/22 to November 2025. A resource provision is attached to a mainstream school providing specialist therapeutic input and support for pupils with a specific SEND need type. Pupils access support from the resource provision based on their individual need whilst also accessing mainstream classes and curriculum.
- 1.4.5 The creation of additional in borough provision has resulted in more pupils being educated locally with peers, with a phased reduction in young people in Independent Non-Maintained Special School (INMSS) and Independent Specialist Provision (ISP) placements.

## **1.5 Performance Review**

- 1.5.1 The report demonstrates that the actions set out within the 2022-2026 Safety Valve Agreement, and the associated phases of SEND Sufficiency delivery, have been achieved, contributing to the Council's wider ambition that children and young people achieve their potential.
- 1.5.2 The capital programme has been supported with a number of initiatives to improve the consistency of the Graduated Approach in mainstream. The Graduated Approach is a four-stage cycle used to identify and support children and young people with Special Educational Needs and Disabilities (SEND). Required by the UK's SEND Code of Practice; it ensures that support is increasingly personalised and specialist based on a child's progress.
- 1.5.3 Local developments have included the implementation of a SEND School Improvement offer which has provided increased quality assurance and support for improvement across mainstream schools. Specialist Outreach Services across a range of primary need types have also been implemented providing additional training and support as part of the mainstream offer. Development in this area has supported a 5.4 percentage point increase in the proportion of pupils with an EHCP being educated in mainstream from April 2021 (30.4%) to November 2025 (35.8%).
- 1.5.4 Quarterly monitoring to the Department for Education (DfE) has been provided on Safety Valve progress, this has included a range of performance measures developed as part of the Safety Valve Dashboard. Data includes local SEND demand indicators, sufficiency information including where pupils are placed and financial analysis. Comparison to national data sets is

referenced to support understanding where local progress is being made and areas for continued development.

## **1.6 Proposed next steps**

- 1.6.1 Approval is sought for the new SEND Sufficiency Strategy 2026 – 2029. This will ensure continued progress towards the priorities set out in the Strategy, supporting the Council to fulfil the statutory sufficiency duty and improving outcomes for children and young people with SEND.

## **2. Key Issues**

### **2.1 Review of the Safety Valve Agreement**

- 2.1.1 The Safety Valve Agreement provided a clear and ambitious framework for developing enhanced inclusive provision to meet children's SEND across the Borough with progress against the 9 conditions listed below:

- 1. Reduce use of independent specialist provision outside of the LA by creating appropriate capacity within Rotherham's high needs system, with a focus on ensuring provision is high quality and value for money;**

In October 2022 Cabinet approved SEND Sufficiency Phase 4 in line with the Safety Valve agreement. An update to Cabinet in June 2023 approved the creation of 10 additional SEND resource provisions in mainstream education and thus created a minimum of 100 additional mainstream SEND places. A resource provision is attached to a mainstream school providing specialist therapeutic input and support for pupils with a specific SEND need type. Pupils access support from the resource provision based on their individual need whilst also accessing mainstream classes and curriculum. An updated provision map detailing the number of resource provisions, special schools and special school satellites is included as an appendix to this Strategy.

Further reports to Cabinet in July 2024 and December 2024 have given approval for additional increases in places as part of the continued development of Elements Academy (Social Emotional and Mental Health special school) since its opening in September 2023. Approval was also granted for capital investment to address sufficiency challenges at Newman School and Aspire Pupil Referral Unit.

The capital programme to create sufficiency of provision locally across the Safety Valve period has resulted in an increase of 336 special school places and 144 resource provision places from 2021/22 to November 2025. This has resulted in more pupils being educated locally with peers, with a phased reduction in young people in Independent Non-Maintained Special School and Independent Specialist Provision placements.

The position and trajectory in 2024/25 is that Independent Non-Maintained Special (INMSS) and Independent Specialist provision (ISP) intake has

slowed (as an overall percentage of SEND placements). However, it has not reduced in line with the development of new in-Borough provision.

Strong oversight continues across these placements, which supports quality assurance and challenge to providers as part of business as usual commissioning activity.

**2.1.2 2. Improve Rotherham's early intervention strategy, including through investment in outreach work;**

The SEND graduated response, SEND Toolkit and SEND Local Offer have been developed in partnership with parents/ carers, providers, and education practitioners. The Local Offer is a mandatory online resource from UK local authorities that details all services and support available for children and young people (aged 0-25) with Special Educational Needs and Disabilities (SEND) in their area, covering education, health, and social care, to help families find tailored help. The online SEND toolkit aims to provide easy access to consistent, high quality information, practical ideas and resources for school staff in Rotherham who are supporting children with special educational needs and disabilities (SEND).

Social Emotional Mental Health (SEMH) Outreach and Communication and Interaction Secondary Outreach have been implemented. A review of impact highlighted that the SEMH outreach has supported some schools to stabilise their suspensions and exclusions whilst supporting Aspire Pupil Referral Unit (PRU) to operate a more intervention-based model. The Primary and Secondary SEMH Outreach contract with Aspire PRU has been extended for a further academic year.

**2.1.3 3. Ensure appropriate use of provision and avoid escalation of children and young people's needs by, among other things, improving the governance around placement decisions;**

Robust decision-making processes are in place for all placement decisions via the multi-agency Education Health and Care Panel with a weekly escalation panel to oversee placement decisions relating to exceptional packages, Out of Area provision and Independent Specialist Provision.

**2.1.4 4. Review support services in Rotherham to ensure value for money is achieved;**

Efficient use of public resources is considered as part of every decision. The Head of Finance for Children and Young People's Services provides regular reporting to the Rotherham Audit Committee.

**2.1.5 5. Increase the outreach offer for Social Emotional and Mental Health needs at primary and secondary;**

The SEMH Free School Elements Academy has operated from September 2022.

A formal feasibility study identified a requirement to develop a provision for Emotionally Based School Avoidant young people who require support in a smaller setting. The provision provides a maximum of 30 places operating as a second site of Elements Academy. Forty SEMH resource provision places have been created split across mainstream primary and secondary schools.

**2.1.6 6. Increase the outreach offer for specialist SEND;**

The Specialist Inclusion Team includes a universal outreach offer to all primary and secondary schools in the Borough in addition to their traded offer.

A number of Primary Special Enhanced provisions opened in 2025 where schools have identified pupils who could maintain mainstream provision but with additional support (e.g. specialist classrooms). Schools have been supported with appropriate curriculum planning, capital funding through the mainstream accessibility programme and outreach services to support the implementation of the provisions. Currently 29 young people are accessing the provisions across Rotherham with schools showing an increased confidence to meet the needs of complex SEND students in key stage 1.

**2.1.7 7. Develop local sufficiency arrangements, including for Rotherham's Looked After Children;**

The Rotherham Children in Care Sufficiency programme has successfully developed in-house residential children's homes providing additional homes for children in care in the Borough.

**2.1.8 8. Drive mainstream schools to adopt inclusive practice to enable more children and young people to remain in mainstream settings where appropriate;**

The Pupil Referral Unit operates as an intervention, and pupils return to mainstream.

In Spring 2023 capacity assessment work was completed by an external consultant across all special schools in Rotherham. This identified any current capacity gaps across the SEND estate which could be mitigated through Accessibility Funding. In June 2023 Cabinet approved the Schools' Accessibility Strategy and Accessibility Capital Funding Framework. The Accessibility Funding Strategy and funding framework provided £3 million of capital funding to support both mainstream and special schools to meet a wider level of SEND need. This has encompassed a small grant programme for mainstream schools, capital funding to support adaptations for individual pupils and support to improve access to the curriculum through the development of off-site special school provision.

The capital programme has been supported with a number of initiatives to improve the consistency of the Graduated Approach in mainstream. This has included the implementation of a SEND School Improvement offer which has

provided increased quality assurance across mainstream schools. Specialist Outreach Services across a range of primary need types have also been implemented providing additional training and support as part of the mainstream offer. Development in this area has supported a 5.4% increase in the number of pupils with an EHCP being educated in mainstream across the Safety Valve period.

2.1.9 **9. Maintain engagement with stakeholders through strong and collaborative governance arrangements, such as ISOS partnership work, Schools Forum High Needs subgroup, primary and secondary head teacher.**

A review of Schools Forum membership and terms of reference is now embedded and has led to improved oversight of SEND Sufficiency planning with this now being a standing agenda item.

Both the Borough SEND Executive and SEND Partnership Board are engaged fully. Both groups have recently reviewed and updated membership and terms of reference. Regular update reports are provided to Cabinet and Improving Lives Select Commission to fully inform elected members.

Clear, detailed updates are provided to Schools Forum, Secondary and Primary heads, wider SEND stakeholders including Health, Parent and Carers forums, Adult/Children's Social Care.

**2.2 Local Context and Future Strategy - SEND Sufficiency Strategy 2026-2029**

2.2.1 The current SEND Sufficiency Strategy aligned to Safety Valve runs until the end of 2025/2026. A new SEND Sufficiency Strategy is required so the Council can fulfil its statutory sufficiency duty and improve outcomes for children and young people with SEND.

2.2.2 Planning for the new SEND Sufficiency Strategy has included key activities over the past 12 months, including stakeholder consultation and engagement, needs analysis, comparison to national datasets and policy and a review of the resources available locally. The Strategy has been developed alongside the Rotherham SEND Strategy (My Life, My Rights 2024-2028). The plan aligns to the increased focus on Inclusion in mainstream schools as outlined in the refreshed Ofsted Inspection Framework (November 2025).

2.2.3 The Sufficiency Strategy has been developed in line with the principles of the Rotherham Charter (Four Cornerstones): 1. Welcome and care 2. Value and include 3. Communicate 4. Work in partnership.

2.2.4 Analysis of local need indicates the most prevalent primary needs for children and young people in Rotherham with EHCPs are Autistic Spectrum Disorder (ASD) (35%), Social Emotional and Mental Health (23%), Speech,



Language and Communication Needs (17%) and Moderate Learning Difficulties (12.7%).

2.2.5 The number of children with EHCPs continues to increase which means that more SEN places will be needed in mainstream schools, special schools, and post 16 provision.

2.2.6 Based on the analysis of local need, the following ambitions are identified for the period of the Strategy. The ambitions over the next three years are to ensure:

- More young people are able to be educated locally, in their communities with mainstream peers.
- More young people are able to start their education journey successfully with a plan for their next phase of education.
- Working with the network of special schools to identify gaps in current provision and make best use of the places available across our special schools.
- Mainstream Schools are able to access a range of support and best practice guidance to create a more consistent offer to SEND pupils.
- Mainstream and special schools are more accessible places for SEND learners.
- More young people benefit from additional support to improve outcomes at post 16 and access employment.
- Ensuring that the network of local specialist provision is utilised to its fullest and continues to deliver good outcomes.

2.2.7 It is proposed that a delivery plan for the SEND Sufficiency Strategy 2026-2029 will be developed with clear milestones and performance metrics for the key ambitions documented. Progress against the delivery plan will be reported to Improving Lives Select Commission and Cabinet as part of annual updates throughout the duration of the Strategy. The delivery plan is included as Appendix 2.

2.2.8 Progress against the Strategy will be monitored by the established SEND Sufficiency Project Board. Regular updates will be provided to the SEND Executive Group, SEND and Alternative Provision (AP) Partnership and Schools Forum.

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

3.1 **Option 1:** Consideration has been given to not developing a SEND Sufficiency Strategy. This option of doing nothing would create a risk that the Council does not meet the sufficiency duty and would place a significant financial risk on the Dedicated Schools Grant High Needs Budget as those pupils with identified SEND needs would still need specialist education support. Should this provision not be available in the Borough then education provision would need to be accessed outside of Rotherham at a higher cost.

- 3.2 **Option 2 (preferred option):** The proposal to develop a long term SEND Sufficiency Strategy to be effective from the end of the Safety Valve period (01/04/2026) will ensure that long term SEND Sufficiency requirements are identified and delivery against priorities continues to progress. This will deliver against the Council's statutory sufficiency duty and ensure children and young people are able to access specialist education support within the Borough.

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

- 4.1 In depth consultation and engagement has been completed as part of the Strategy development; this included listening events with Rotherham Parent Carer Forum and discussion with stakeholders across Education, Health, and Care. The views of teaching professionals have been captured during direct discussions with school and Academy leaders. Young people have been directly involved in the development of the Strategy with discussions held with CYPS SEND Voice and Influence Group Guiding Voices. Pupil and Parent voice is also captured as part of regular quality assurance visits to a range of education settings.
- 4.2 Updates have been provided to the DfE, Schools Forum, School leaders forums, and associated partners including SEND Partnership Board.
- 4.3 Ongoing updates linked to SEND Sufficiency and performance data are provided to Improving Lives Select Commission, Schools Forum, Education Consultative Committee and to the Department for Education as part of regular Safety Valve Monitoring.

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

##### **5.1 Timetable of activity**

- 5.1.1
- SEND Sufficiency review and consultation – Q3 and Q4 2024/2025
  - Approval new SEND Sufficiency Strategy – February 2026
  - End of Safety Valve – Q4 2025/2026
  - Implementation of new SEND Sufficiency Strategy Q1 2026/2027

##### **5.2 Accountability**

- 5.2.1 Progress against the delivery plan and review of objectives is monitored by the SEND Sufficiency Project Board and the Children and Young People's Service Directorate Leadership Team.
- 5.2.2 Progress against the delivery plan will be reported to Improving Lives Select Commission and Cabinet as part of annual updates throughout the duration of the Strategy.

#### **6. Financial and Procurement Advice and Implications**

- 6.1 There are no direct procurement implications arising from the recommendations detailed in this report. Any procurement activity arising to

support the delivery of the Strategy must be undertaken in compliance with relevant procurement legislation (Public Contracts Regulations 2015 or the Procurement Act 2023) dependent on the route to market identified as well as the Council's own Financial and Procurement Procedure Rules.

- 6.2 The key aim of the SEND Sufficiency Strategy is to ensure there is sufficient SEND places and provision to meet the education needs of all pupils with SEND either in mainstream schools or specialist settings. The implementation of the SEND Sufficiency Strategy 2026–2029 will have significant capital and revenue financial implications. These implications must be considered in the context of a challenging SEND landscape, characterised by sustained growth in demand for Education, Health, and Care Plans (EHCPs), increasing complexity of needs, and rising costs of specialist provision.

### 6.3 **Capital Implications**

- 6.3.1 To deliver the aspirations of the Strategy, targeted capital investment will be required to expand local capacity and improve accessibility across mainstream and specialist settings. This includes:

- Development of additional resource provision places within mainstream schools to meet a wider range of SEND needs.
- Expansion and adaptation of existing special school sites to address sufficiency gaps and improve suitability. Accessibility improvements to ensure compliance with statutory duties and promote inclusive practice.

- 6.3.2 Capital funding to deliver the above comes through the High Needs Provision Capital Allocations (HNPCA) - £3.681m was allocated in 2025/26. Funding allocations for future years are yet to be confirmed by the Government. By creating sufficient local provision, the Council can achieve better value for money and improve outcomes for children and young people.

### 6.4 **Revenue Implications**

- 6.4.1 The cost of delivering education provision and support to SEND pupils is managed within the High Needs Block of the Dedicated Schools Grant (DSG), which remains under significant financial pressure, with in-year deficits projected to continue through to 2030/31. Without intervention, the increasing demand for specialist placements and associated transport costs will exacerbate these pressures.

- 6.4.2 The SEND Sufficiency Strategy is a key mechanism to support financial sustainability and complements the 5-year High Needs Budget Financial Plan recently developed by:

- Enhancing early intervention and outreach services to support mainstream schools in meeting a wider range of SEND needs.

- Reducing reliance on INMSS placements by creating sufficient local provision and strengthening governance around placement decisions.
- Improving inclusiveness in schools through the Graduated Approach and SEND School Improvement Offer, reducing escalation of need.

6.4.3 Recurrent cost of creating additional SEND places and investing in Outreach and Inclusion services would be managed within the DSG High Needs Block and offset by reductions in expensive out-of-area specialist placements and associated transport expenditure over the medium term.

## **7. Legal Advice and Implications**

7.1 Section 14 of the Education Act 1996 places a general duty upon a local authority to secure sufficient schools to provide primary and secondary education in their area and they should have particular regard to securing special education provision.

7.2 Following the enactment of The Children and Families Act 2014, the Local Authority retains responsibility for commissioning services for children and young people with SEN or a disability. The Local Authority is required to keep the provision for children and young people with SEN or disabilities under review, including its sufficiency (Section 315 of the Education Act 1996), and to promote wellbeing and improve quality, working in conjunction with parents, young people, and providers. This Act and its associated guidance is clear that, when considering any re-organisation of provision, decision makers must be clear how they are satisfied that the proposed alternative arrangements will lead to improvements in the standard, quality and/or range of educational provision for children with SEN or a disability.

7.3 In order to minimise the risk of legal challenge, the Local Authority should ensure that it is fully compliant with all relevant legislation in this area and that it continues to satisfy its statutory duties through its decision making. Furthermore, the Council should also ensure that it continues to make decisions that satisfy the terms of the Safety Vale Agreement.

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

8.1 There are no direct HR implications within this report.

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

9.1 Additional Special Educational Needs and Disability (SEND) places created within the Borough give more children and young people the opportunity to access high quality provision to meet their educational needs and in line with parental wishes.

9.2 Key considerations are referenced within the report.

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

- 10.1 Children and Young People with SEND are disproportionately represented across a range of education and inclusion measures. SEND sufficiency aims to provide specialist education provision that supports identified cohorts with SEND needs to have enhanced education opportunities and provide support in order that all children and young people have the strongest possible preparation for Adulthood.

## **11. Implications for CO2 Emissions and Climate Change**

- 11.1 All areas of SEND Sufficiency, student place 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 the 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 the Council are committed to long term targets to mitigate these areas of concern in the Borough. An environmental impact assessment has been completed and is an appendix to this report.

## **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.
- 12.2 Development of SEND provision in the Borough will enhance SEND practice for all SEND need types in the Borough and will support areas of focus to enhance SEND capacity across the education system in Rotherham.

## **13. Risks and Mitigation**

- 13.1 Across all areas of this phase of SEND Sufficiency the council will adhere to guidance and advisory outline provided to Local Authorities by DfE in relation to significant changes or changes of designation for schools. Regular update meetings are held with DfE, and this will support forward planning across this phase of SEND Sufficiency.
- 13.2 Across all key decisions and internal processes, decision making has had oversight of SEND Sufficiency Board which involves all key internal parties including legal, assets, HR, procurement, transport, finance, commissioning, and education specialists.
- 13.3 There is a risk that changes to schools Ofsted rating, inclusive practice, national SEND guidance or required capital allocation results in schools being unable to successfully complete due diligence or receive DfE approval to develop new provision.

#### 14. Accountable Officers

Niall Devlin – Service Director of Education and Inclusion

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	John Edwards	23/01/26
Executive Director of Corporate Services (S.151 Officer)	Judith Badger	20/01/26
Service Director of Legal Services (Monitoring Officer)	Phil Horsfield	19/01/26

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