

Public Report  
Improving Lives Select Commission

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**Committee Name and Date of Committee Meeting**

Improving Lives Select Commission – 06 September 2022

**Report Title**

Rotherham Local Area Special Education Needs and Disability – Written Statement of Action update.

**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)**

[nathan.heath@rotherham.gov.uk](mailto:nathan.heath@rotherham.gov.uk)

**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), as a result of four main areas of identified significance weakness.

This report provides the Improving Lives Select Commission with an update and progress on Rotherham Local Area SEND Written Statement of Action (WSOA) which was submitted and accepted by Ofsted in January 2022.

**Recommendations:**

1. That Improving Lives Select Committee notes the update of the progress of Rotherham's Written Statement of Action and all associated information linked to SEND Improvement across the borough.
2. Continued updates on the progression and overview of the Rotherham Written Statement of Action are provided to Improving Lives Select Committee.

**List of Appendices Included**

- Appendix 1 - Rotherham Local Area Written Statement of Action

- Appendix 2 – BRAG rating of progress of Local Area Written Statement of Action  
- August 2022

**Background Papers**

1. <https://moderngov.rotherham.gov.uk/ieListDocuments.aspx?CId=895&MId=15429&Ver=4>

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

Improving Lives Select Commission – 08 March 2022

**Council Approval Required**

No

**Exempt from the Press and Public**

No

# **Rotherham Local Area Special Education Needs and Disability – Written Statement of Action update**

## **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 (Special Education Needs and Disability) 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), as a result of four main areas of identified significance weakness. The WSOA was submitted and approved by Ofsted in January 2022 and following this an update was provided to Improving Lives Select Commission in March 2022.
- 1.3 This report updates on progress of actions in the WSOA as of August 2022 and is follow on from the previous update.

## **2. Key Issues**

- 2.1 Following the Local Area SEND Inspection, a strong partnership approach across the borough was taken in implementing the WSOA, with strong engagement to delivery improvements and to providing appropriate capacity to support subgroup action plans that are driving forward key impact measure of the WSOA.
- 2.2 To oversee the WSOA delivery and accountability, a SEND Executive Board was established, which is Jointly chaired by RMBC Director of Children's and Young People's Services and Integrated Care Board (ICB) Deputy Place Director, Rotherham. The Executive Board also includes other relevant officers and ensures escalation and resolution of challenges linked to delivering the WSOA.
- 2.3 For each of the four areas highlighted within the WSOA, subgroups have been developed to address the key activity agreed with Ofsted in the WSOA. The groups include a range of key stakeholders who are central to delivering the SEND improvements across the Borough. The subgroups and chairs are identified below:
  - 2.4 • The variability in the quality of EHC plans, including the contribution of health and social care partners – chaired by RMBC Head of SEND and deputy – Primary Headteacher
  - The effectiveness of the graduated response to identify and meet children and young people's needs, especially in key stages 1 and 2 – chaired by two Principal Education Psychologists

- The quality of provision for children and young people's preparation for, and transition to, adulthood, chaired by Director of Adult Services and Assistant Director, Joint Assistant Director Commissioning, Quality and Performance, RMBC and ICB.
- 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, – chaired by Strategic Manager, Rotherham Parent Carers Forum (RPCF) and RMBC Head of Commissioning.

2.5 External oversight and support in Rotherham delivering its WSOA is overseen by the Department for Education (DfE) and National Health Service England Improvement (NHSEI), which is the usual process for all Local Areas with WSOA.

2.6 Quarterly meetings take place between key Rotherham SEND partners including Rotherham Parent Carers Forum and DfE/NHSEI to measure progress. The first quarterly meeting in May 2022 focused on implementation of the WSOA and associated structures of delivery/governance in place. Assurance was provided by DfE/NHSEI that the initial phase of implementation of the Rotherham WSOA has been achieved. The next key area of focus is collating key impact measures of the Rotherham WSOA to evidence improvements in the Rotherham SEND system.

2.7 The next progress meeting with DfE and NHSEI is on 7th October 2022 and all meetings for the next 12 months are set.

2.8 Processes to account for and evidence completion of actions of WSOA have been developed to provide assurance that all actions are appropriately monitored and achieved. This process will report to the SEND Executive group and appropriate performance scorecards have been developed to monitor actions across each subgroup.

2.9 Updates across the WSOA implementation have been shared with school leaders to support a collaborative approach to supporting area wide improvements. A series of 'listening events' have also been held with parents and carers to support understanding of lived experience that underpin SEND for children and young people in the Borough. These events have focused on the four areas highlighted in the WSOA and will continue across the 2022/2023 academic year.

2.10 Appendix two provides an update of progression of all aspects across all areas of WSOA.

**3. Options considered and recommended proposal**

3.1 That Improving Lives Select Committee notes the update of the progress of Rotherham's Written Statement of Action and all associated information linked to SEND Improvement across the borough.

3.2 Continued updates on the progression and overview of the Rotherham Written Statement of Action are provided to Improving Lives Select Committee.

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

4.1 Engagement with partners, parents and carers is referenced within the report.

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

5.1 Key considerations are referenced within the report.

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

6.1 There are no direct financial and procurement implications arising from this report.

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

7.1 There are no direct legal implications arising from this report.

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

8.1 There are no direct human resources implications arising from this report.

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

9.1 Key considerations are referenced within the report.

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

10.1 Key considerations are referenced within the report, Children and Young People with SEND are disproportionately represented across a range of education and inclusion measures. Rotherham Written Statement of Action is focused on SEND improvements across the Borough with a strong focus on improving outcomes for this cohort of children, young people, and young adults across the life course.

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

11.1 All areas of SEND, 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 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.

## **12. Implications for Partners**

- 12.1 Rotherham SEND Improvement and WSOA sits across all place based partners and stakeholders as a priority. The WSOA has been co-produced across all partners with appropriate consultations across key partners including SEND Partnership Board.
- 12.2 Key partners including children, young people, parent/carers, schools, education sector, health, social care, and other SEND related partners are directly accountable stakeholders within the Rotherham SEND improvement journey.

## **13. Risks**

- 13.1 Ongoing SEND cohort growth which is reflected in both Regional and National datasets is a contextual challenge which sits in parallel to Rotherham SEND Improvement. The continued growth of SEND cohorts has a direct resource implication across SEND partners in the Borough.
- 13.2 In July 2022 central government closed its consultation on its SEND Green Paper which is a Department of Education led transformation programme which has looked at key areas of the SEND system that are not having positive impact on outcomes for SEND children and young people nationally. Formal announcement of the outcome of this consultation has not been announced by central government although any changes of statutory duty or legal duties could directly impact on our SEND improvement planning and may materially redefine areas of the SEND system in the future.
- 13.3 In June 2022, Ofsted announced a consultation that will close in September 2022 to look at updating the current Local Area SEND Inspection framework, the outline of this consultation is to centre the future SEND inspection framework against the lived experience of children, young people, young adults, and parent/carers with SEND. The changes to SEND Inspection framework will be announced following closure of the consultation and will inform future SEND Inspections in the borough.
- 13.4 Rotherham is currently subject to a rigid financial plan as part of the DfE Safety Valve agreement, there is a direct correlation between both WSOA and the Safety Valve. Both are subject to direct oversight from DfE and financial sustainability of Dedicated Schools Grant – High Needs Funding is a key SEND priority for RMBC. The interdependency of both areas has been central to planning and implementation of the WSOA and delivery of the Safety Valve agreement. Developments in relation to SEND provision mapping in the Borough and or adjustments to financial arrangements would impact on areas of SEND improvement planning.

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

Nathan Heath, Assistant Director, Education, and Inclusion  
Julie Day, Head of SEND

*Report Author: Nathan Heath, Assistant Director, Education, and Inclusion*  
[nathan.heath@rotherham.gov.uk](mailto:nathan.heath@rotherham.gov.uk)

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