

Central Bedfordshire Council

EXECUTIVE

Tuesday, 11 July 2017

Children with Disabilities Short Breaks and Efficiencies

Report of: Cllr Carole Hegley, Executive Member for Social Care and Housing (carole.hegley@centralbedfordshire.gov.uk)

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This report relates to a decision that is Key

Purpose of this report

1. Note the findings of the consultation
2. Approve the revised model of delivering short break services to disabled children, teenagers and their families

RECOMMENDATIONS

The Executive is asked to:

1. Agree the proposed model of delivery for short break provision, including the efficiencies of £158,000.
2. Agree the revised threshold criteria.
3. Agree the timescale for the delivery of the model

Overview and Scrutiny Comments/Recommendations

1. Note the findings of the consultation
2. Note the proposed model for delivery of short breaks within the CWD Service

Background

3. There are 535 children and young people with a statement or Education Health and Care Plan in Area Special Schools in Central Bedfordshire. There are an additional 35 children who attend out of area schools in neighbouring authorities. There are currently 217 of those children

accessing support from the Children with Disabilities team and accessing short breaks.

4. Central Bedfordshire Council is under a legal obligation to provide or commission short breaks for children with a disability; additionally it is required to, through the production of a Short Breaks Statement, set out the range of services provided, any eligibility criteria and how the range of services is designed to meet the needs of local carers. The statement must be published and kept under review and updated when either provision changes or eligibility criteria change.
5. There were efficiencies against the Children with Disabilities budget of £158,000 in 2016/17.
6. The proposed efficiencies have to date not been able to be implemented and mitigation has had to be found in other cost centres to offset the costs.
7. There are further proposed efficiencies of £82,000 in 2018/19 and £80,000 in 2019/20 which were set against the Children with Disabilities budget after the start of this consultation and therefore will need to also be consulted on.
8. The Council meets its statutory short break duty through a range of provision including targeted short breaks, community support, playschemes, family link scheme and overnight provision residential provision.
9. The Council is committed to ensuring that the needs of this vulnerable group of children and their parents and carers are met by good quality provision which is aspirational for children and young people, and supports parents to care for their children in their own home.
10. The Council's financial position has given the opportunity for the short break services to be reviewed through a culture of coproduction.
11. The Council proposed an approach to the consultation which was changed following the initial feedback from the parent forum (SNAP). There were focus groups held with parents to inform the consultation process. This has enabled families to be positively engaged in the discussions about thresholds to services and the most effective use of the allocated resources
12. The model seeks to create a more personalised approach to short breaks.
13. Personalisation means making sure individuals are fully involved in planning for their own future, ensuring they get the support that is right for them, and that they have choice and control over how they live their lives.
14. Personalisation is often thought about as simply to do with personal budgets that children, young people and families can use to buy services

that support to improve their outcomes. Personalisation is about much more than this: it's about a fundamental change in how we think about and organise services and support and particularly how we think about disabled children, young people and their families.

15. The proposed changes to the delivery of short breaks is an integral part of the Children's Services Transformation Programme and the Special Educational Needs and Disabilities (SEND) Vision to deliver services which support early identification and intervention; greater choice and control; collaboration between education health and care services and successful transitions to adulthood.
16. Families fed back that they wanted to have support which offered them the opportunity for much needed rest, friendships and continuity of support.
17. Children and young people want to access opportunities which enable them to build confidence, develop friendships, learn social and life skills and have fun.

Feedback from the consultation

18. The Council's consultation on the design of short break services resulted in 1613 visits to the website in between December 2016 and March 2017 demonstrating the level of interest and reach of the campaign. In total some 118 Central Bedfordshire residents participated in the consultation by completing the survey.
19. Key issues that were raised include:
 - a. it is harder for children and young people with disabilities and their families to experience and contribute to everyday life in ways that others take for granted
 - b. parents are unable to take ordinary breaks from caring that others families have
 - c. parents consider short break provision to be a life line for them and their families
 - d. there is still some confusion about who can access services which needs to be resolved.
 - e. a consistent view that universal services are unable to cater adequately for disabled children for a variety of reasons.
 - f. investment is needed to change and challenge the public's perception and behaviours toward disabled children and their families
 - g. services needed to be value for money and that a long term strategic plan with service providers must closely reflect and match current need
 - h. the need for access to support from appropriately trained carers.
 - i. respondents with children who have physical disabilities were more likely to agree with the proposal to develop new service models.

- j. respondents of children who have a learning disability and therefore may have some associated challenging behaviour had a balance of views.
 - k. parents of those children with long standing illness or health conditions were most likely to agree to the protection of services to those with the highest need which might be due to the complex issues and the short time that parents will spend with their children who have life limiting conditions
 - l. parents have confidence in the current Voluntary Organisation providers
20. The SNAP survey of March 2017 concluded that short break are vital for parent carers to enable them to function, for parents to work and rely less on benefits, social workers and GPs and develop their own self worth. The short break keeps families together and functioning as a unit which reduces the burden and cost for local authority when families breakdown.
21. There was feedback from 3 of the 4 organisations who are currently grant funded to provide short breaks to disabled children and their families.
22. The key issues they raised included the importance of the grant funding providing a platform from which they are able to access other monies to support Central Bedfordshire children and families.
23. There was concern about the proposal for some children to access universal services and how well they might be prepared for this to take place. The matter of staff competence was a concern if the Council are to ensure that children's needs are to be met and whether the environments are suitable for this happen.
24. The organisations are willing to work with the Council to plan the way forward and secure their future but advocate that this done in a planned way to reduce the impact on the small organisations and the children and families they serve.

Proposed Service Model

25. The proposed model will promote resilience in families who can, where possible access support with a minimum of intervention from professional services.
26. The proposed model will improve the well being of disabled children and young people through improving access to positive, and where possible inclusive activities.
27. The proposed model recognises the vast range on needs of disabled children living in Central Bedfordshire. It also recognises that disabled children have an important role in our communities.

28. The proposed model would be a 4 tiered approach which provides information and advice, universal, targeted/early help and specialist support.
29. Information and advice (Level 1) will be given to families to support them in navigating the complex pathway through the range of support and services available to them. The SEND Local Offer will be key in supporting this. This will be available to all families with a child with SEND.
30. The universal offer (Level 2) will be enhanced to be accessible by services such as leisure, libraries, countryside parks and activities. This would ensure that all disabled children have the opportunity to access positive local activities in a safe environment. This will be available to all young people but with a focus on supporting those in the area special schools and specialist units.
31. The targeted early help offer (Level 3) would ensure that disabled children and teenagers who are eligible for services from the Children with Disabilities Team but only require a lower level of support access targeted services. They may need to be supported by people with specialist knowledge but could also access universal provision with support where appropriate. They may do this with the support of a direct payment or personal budget. This could all be accessed via an Early Help Assessment within the children with Disabilities Services
32. The specialist offer (Level 4) would be via a social work assessment, or joint assessment with health colleagues where required for those children presenting with the highest level of need. The social work service would seek to support families to care for this group of often very challenging children in their own homes with overnight or specialist short breaks where needed. This group of children and young people will currently be at the stage in their lives where access to level 2 and 3 would present a high level of risk to the child or others.
33. Level 4 will include specialist interventions for families who are experiencing high level of challenges from their children in their own home
34. It is envisaged that the majority of children with disabilities will access provision at level 2 and 3. This will reduce the bureaucracy currently experienced by families who will have less assessments, meetings and decision making processes in seeking support and give them further control of their situation.
35. The review and monitoring of assessments and allocated provision will be robust to ensure that children are being allocated services which meet their needs.
36. The model will be supported, where assessed as appropriate, by a personal budget or direct payment which will promote choice and control in accessing short break provision. It is recognised that this change may

impact on Voluntary Organisations who to date have relied on local authority grants to support bids for match funding.

37. The above proposal will provide the transparency and clarity that parents have said they require from the services. The vision will set out what the service will deliver and the each level (1 – 4) will have associated provision strengthened, where needed, by robust commissioning arrangements.

38. The proposed model will also enable the targeted use of the children with disabilities budget whilst improving access to information and advice and universal provision available to children and families whilst meeting the required efficiencies.

The Council will work with the Voluntary Sector to determine their role in this proposed model and offer families the choice and control required through a personalised approach.

Reason/s for decision

39. This model of short breaks will offer all children with disabilities and their parents the opportunities for choice and control, which is required in the Children and Families Act 2014.

40 The model will support families to understand their situation and promote resilience through a range of improved options

40. The proposed new model has been well informed by parents and carers of disabled children gathered during the consultation process.

41. The development of the new service model will provide access to opportunities for fun and development for a range of disabled children within Central Bedfordshire giving them equal access to activities in their communities.

42. Better outcomes for children and their families will be achieved through well planned interventions at the appropriate level and the flexibility that this offers.

Council Priorities

43. By enhancing universal services we provide the opportunity to make provision accessible to disabled children and young people and for them to be more visible in our community

44. The proposed model supports the SEND vision in ensuring that children can be cared for and educated from a secure family base.

45. A wider range of vulnerable children will be able to access support at an appropriate level.
46. The proposed model has been shaped by residents through a thorough consultation process

Corporate Implications

It will be important that Members understand the proposals and are able to support the implemented changes.

Legal Implications

47. The proposed model for the Council provision of short break to children and teenagers with disabilities will comply with the statutory requirements.
48. Legal duties in relation to short breaks include both duties owed to individual children and families in relation to assessment and care planning and wider commissioning obligations on local authorities. The guide covers the key statutory duties found within the following legislation:
- a. Children Act 1989 – all disabled children are defined as children in need; the provision of services to children and families
 - b. Breaks for Carers of Disabled Children Regulations 2011 – support for parents to carry out their day to day tasks; parents to be supported to access leisure and learning
 - c. Chronically Sick and Disabled Persons Act 1970 ('CSDPA 1970') – provision of welfare services
 - d. Children Act 2004 – Council must produce a short break statement setting out the provision available to support disabled children and their families; direct payments
 - e. Children and Families Act 2014 – The identification of special educational needs and disability; the meeting of their needs through Education Health and Care Plans; Duty to joint commission
 - f. Care Act 2014 transition to adult social care

Further detail is provided in the Equality Impact Assessment at Appendix C

Financial and Risk Implications

49. There are efficiencies of £98k in 2018/19 and £80k in 2019/20 which were added to the MTFP during the consultation. The efficiencies are set against service provision which supports disabled children, young people and their families.
50. There may be some further challenges from parents and the Voluntary Organisations to the proposed changes.

Equalities Implications

51. Central Bedfordshire Council has a statutory duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Public authorities have duties not to discriminate against disabled people by treating them less favourably or failing to make reasonable adjustments. Public authorities also have a duty to have due regard to the need to promote disability equality.
52. Section 149 of the Equality Act 2010 explains that this includes taking steps to meet the needs of disabled people that are different from the needs of people who are not disabled. Complying with section 149 may involve treating some people more favourably than others, but that does not permit conduct which would otherwise be prohibited by the 2010 Act (section 149(6)).
53. An Equality Impact Assessment (EIA) has been completed as part of considering the proposal for delivering efficiencies to children with disabilities
54. In concluding it is advised that further consideration needs to be given as to the extent to which families receive services under the Children Act 1989, the Chronically Sick and Disabled Person Act (Sect 2) and the Break for Carers Regulations 2011.
55. There is a concern based on previous experience that universal services are currently not able to meet the needs of disabled children.
56. There is a desire that specialist services are protected and also for the Council to take into account the needs of children with lower level of needs in order to ensure that crisis is avoided and families are able to continue to care for their children at home.
57. Families have indicated that the Voluntary sector could have an important role in helping to ensure that if changes are made, that provision at universal locations is delivered in an appropriate way. The need to ensure sufficient time to plan and deliver such changes has also been highlighted.
58. As a suggestion for mitigation of adverse impact, the EIA proposes that consideration be given to whether the proposed changes could be implemented over a longer timescale with the ongoing involvement of the Voluntary organisation

Implications for Work Programming – next steps

59. The proposal is that the development of the service be planned to take place from 2017 – 2020

Conclusion and next Steps

60. The proposed changes should be delivered over a 3 year period ensuring a smooth transition for families, consolidation of the new commissioning framework and the universal services offer.

61. Ensure that the Local Offer is updated to reflect the information to provide greater transparency of support at all levels by December 2017

62. Task and finish group to be set up for the Autumn to begin the work of consolidating the Universal Offer by December 2017

63. All Children with Disabilities materials to be update to reflect the changes by December 2017

64. Staff briefings to take place to ensure that there is understanding of the levels and implications for practice by October 2017

65. Discussion to take place with procurement colleagues to determine timescale for a tendering process for the provision currently provided by the Voluntary Organisations by December 2017

66. All actions should be progressed through a coproduction agreement

67. Review the Council's approach to supporting children and young people with autism as this was a key issue for parents in the consultation process by April 2018.

68. The additional efficiencies for the period 2018 – 2020 to be consulted on and an Equality Impact Assessment completed.

69. Report progress to Overview and Scrutiny in May 2018.

Appendices

The following Appendices are attached:

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| Appendix A: | Consultation document |
| Appendix B: | Voluntary Sector Consultation Responses |
| Appendix C | Equality Impact Assessment |
| Appendix D: | SNAP 2017 report |
| Appendix E: | Proposed model and threshold |

Background Papers

None

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