

REPORT TO: Executive Board
DATE: 22nd September 2011
REPORTING OFFICER: Strategic Director, Children & Enterprise
SUBJECT: Short Break Statement
WARDS: All

1.0 PURPOSE OF THE REPORT

1.1 To update Executive Board on the new statutory requirements regarding short break services to disabled children and their families

2.0 RECOMMENDATION: That

- (i) the contents of the report are noted;**
- (ii) the draft Short Break Statement is agreed; and**
- (iii) the Statement is formally endorsed by Children's Trust.**

3.0 SUPPORTING INFORMATION

- 3.1 In 2008 Halton became part of the new Aiming High for Disabled Children programme, whose key aim was that disabled children and their families had access to a range of short break services, information and advice.
- 3.2 Significant investment came with this and Halton implemented pathways to support services, with a range of services commissioned to voluntary providers. The contracts that Halton awarded were successful and impacted positively on local families.
- 3.3 After a successful three year period, the Aiming High Programme formally ended in March 2011. However, the coalition Government was quick to announce its ongoing commitment to providing short breaks to disabled children, and, as of 1 April 2011, new statutory and practice guidance came into effect, along with financial investment.

Financial context

- 3.4 The Government has stated a clear commitment to "continued investment" in short breaks. With this statement came an £800 million (nationwide) commitment from 2011 to 2015, as part of the Early Intervention Grant.
- 3.5 In addition to this, there is also £40 million available across England, of which £241,942 has been allocated to Halton. It has been stipulated that

this money is to support the Authority towards capital expenditure due to be incurred in relation to short break services.

Legislative Context – Breaks for Carers of Disabled Children Regulations 2011

- 3.6 On 1 April 2011 Statutory Guidance came into effect on how to safeguard and promote the welfare of disabled children using short breaks. This was alongside a whole suite of guidance that laid out Authorities' responsibilities in respect of care planning, the placement of children, and the review of looked after children, including disabled children.
- 3.7 The Guidance highlighted the fact that the provision of short breaks has changed significantly and rather than disabled children spending periods in care (especially residential), the focus is now much more on providing a wider range of shorter breaks, but more often. The introduction of direct payments has also helped this shift, as more families are now choosing to arrange their own short breaks via a financial payment directly to them.
- 3.8 The Guidance makes clear the philosophy and objectives of short breaks. They should be clearly seen on a continuum of help and support to disabled children and their families; they should ensure that the child can enjoy time elsewhere that's safe; and parents should get a break from their caring role.
- 3.9 Alongside the Statutory Guidance is Department for Education's practice guidance regarding short breaks.
- 3.10 There are a number of key requirements that Local Authorities must comply with, for example, they must provide a range of short break services; and they must give families the choice to access short breaks using a direct payment. The Practice Guidance also advises that breaks should be reliable and regular; and that parents are involved in the design of services.

Short Break Statement

- 3.11 A new requirement in the Guidance is that all Authorities must:
 - (i) Publish a statement of short break services on their website;
 - (ii) Keep their short breaks statement under review;
 - (iii) State in their Service Statement the range of short breaks services available, the criteria by which eligibility for services will be assessed, and how the range of services is designed to meet the needs of families with disabled children in their area;

(iv) Consult with parents as part of the review of the statement.

3.12 As a result, work is underway to develop a user-friendly Short Break Statement on Halton's website. Halton's design was agreed following research into other Authorities and consultation with families.

3.13 **Appendix 1** is Halton's Statement which, subject to approval, will be uploaded onto the Council's website in September. Key points to note are:

(i) It complies with the statutory guidance, takes account of the views of partners and takes on board comments made by both families and providers;

(ii) The website design will be 'user-friendly'. Parents clarified how they wanted the information to be presented. The design will ensure that links are in place to guide families to the relevant information point;

(v) The range of services and eligibility criteria are clear.

4.0 POLICY IMPLICATIONS

4.1 It is a legal requirement for Halton to write and publish a Short Break Statement and review it annually. The deadline for it to be uploaded and accessible via the Council's website is 1 October 2011.

5.0 OTHER IMPLICATIONS

5.1 Halton already provides a range of short breaks for disabled children and their families. Services were commissioned over a minimum of 2 years and all contracts are due to expire on 31 March 2012. A tendering process is now underway which will determine what type of short break services will be commissioned from 1 April 2012. The outcome of this process will potentially result in challenges to the Council by voluntary organisations, dependent on which providers are offered contracts.

5.2 It is considered good practice for the Statement to be signed off strategically by partners. Therefore, a clear pathway for approval has been drawn up to ensure all relevant partners and groups have contributed to its design and content. Ultimately the Statement needs to be formally endorsed by the Children's Trust. The plan is to take the draft statement to the following groups:

- Bright Sparks and VOICES Group (young people's and parents' forums respectively)
- Carers' Strategic Group
- Early Help and Support Strategic Group, with the final endorsement via the Children's Trust on 6 September.

5.3 Once endorsed, the website will be completed and the official launch will take place on 26 September.

6.0 IMPLICATIONS FOR THE COUNCIL'S PRIORITIES

6.1 Children and Young People in Halton

The Statement and provision of short breaks will mean that Halton continue to meet its statutory obligations to disabled and their families. It is a mechanism through which a range of quality services can be offered to families, as part of Halton's model of early help and support. Disabled children will feel safe whilst experiencing an enjoyable activity/ event either with or without their family.

6.2 Employment, Learning and Skills in Halton

Short breaks contribute to this via the educational activities that disabled children can enjoy. Short breaks are also about empowerment and enablement.

6.3 A Healthy Halton

Short breaks contribute to a healthier Halton for disabled children, both physical and mental health, as well as emotional well being. A range of suitable activities can help a disabled child's development and enables the family to cope more in the long term, which impacts positively on the child.

6.4 A Safer Halton

Approved and regulated short breaks that are monitored provide a safe environment for disabled children to enjoy a range of activities.

6.5 Halton's Urban Renewal

No direct impact

7.0 RISK ANALYSIS

Disabled children and their families are entitled to a range of short break services. They also have the right to get information on this on the Council's website via the Short Break Statement. If we do not do this, we are not complying with our statutory requirements. With this would be the risk of a legal challenge from families and local providers. It is also essential to review these services and provide short breaks based on local need. A clear, fair and transparent process is needed here to help prevent further challenges from groups, especially if decisions are made to change, reduce or end any services.

8.0 EQUALITY AND DIVERSITY ISSUES

The Short Break Regulations 2011 help ensure that disabled and their families have the same rights to access services appropriate to their needs. A child's disability must not prevent them from getting help and

support, therefore complying with these ensures that local services are inclusive and fully take account equality and diversity issues.

9.0 LIST OF BACKGROUND PAPERS UNDER SECTION 100D OF THE LOCAL GOVERNMENT ACT 1972

Document	Place of Inspection	Contact Officer
Statutory guidance on how to safeguard and promote the welfare of disabled children using short break April 2010	Grosvenor House Chester 1	Emma Taylor
Breaks for Carers of Disabled Children Regulations [2011]	“	Emma Taylor