

19 September 2016**Agenda Item: 06****REPORT OF THE SERVICE DIRECTORS OF CHILDREN'S SOCIAL CARE
AND YOUTH, FAMILIES & CULTURE****REVIEW OF THE SHORT BREAKS OFFER****Purpose of the Report**

1. This report seeks approval to undertake a review of the Council's Short Breaks Offer to ensure that it continues to meet statutory requirements and the needs of children and young people with disabilities and their families, whilst being financially sustainable.
2. The resultant recommendations of the review will be scheduled for a future meeting of the Committee for consideration.

Information and Advice**Statutory duty**

3. Nottinghamshire County Council meets its statutory short breaks duty through a range of provision including: Universal Services, Flexible Short Breaks, Targeted Short Breaks, Overnight Short Breaks, Sitting and Befriending Services, Play for Disabled Children Services, residential short break provision and Short Breaks Foster Carers and Contract Carers.
4. Under Paragraph 6(1)(c) of Schedule 2 of the Children Act 1989, local authorities are required to provide services designed to assist individuals who provide care for disabled children to continue to do so, or to do so more effectively, by giving them breaks from caring.
5. As part of the Breaks for Carers of Disabled Children Regulations 2011, in performing the duty set out under Paragraph 6(1)(c) of Schedule 2 of the Children Act 1989, local authorities must provide, so far as is reasonably practicable, a range of services which are sufficient to assist carers to continue to provide care or to do so more effectively. In particular, local authorities must provide, as appropriate, a range of:
 - a) day-time care in the homes of disabled children or elsewhere
 - b) overnight care in the homes of disabled children or elsewhere
 - c) educational or leisure activities for disabled children outside their homes, and
 - d) services available to assist carers in the evenings, at weekends and during the school holidays.

6. Local authorities are required to publish their Short Breaks Offer in a Short Break Statement which should be reviewed and updated annually. Nottinghamshire's Short Break Statement is currently out of date and should be reviewed.

Feedback – families, young people and Ofsted/CQC Local Area Inspection

7. In recent months, the Department has received feedback in relation to Nottinghamshire's Short Breaks Offer from young people and families, as well as via the recent Ofsted/CQC (Care Quality Commission) local area Special Educational Needs and Disability (SEND) inspection (June 2016).
8. During the Ofsted/CQC inspection, families reported that the current Short Breaks system could be clearer. This was echoed at a recent meeting with the Nottinghamshire Participation Hub (NPH) Steering Group.
9. The NPH is Nottinghamshire's local parent/carer forum, which represents the views of parents and carers of children and young people with additional needs or disabilities in Nottinghamshire. The NPH is focusing on Short Breaks as one of their four priority areas this year, creating the ideal opportunity for the Service to work in partnership with them to review the Short Breaks Offer.
10. The Pioneers have also expressed a keen interest in a review of Short Breaks, particularly in relation to transitions to adult services, as they feel that this is an area where improvements could be made for young people. The Pioneers are a group of young people (aged 10 – 25 years) with an interest in disabilities. The group provides a forum for the Pioneers to share their views and have a collective voice.
11. Recent feedback from the Ofsted/CQC Local Area Inspection Team has given additional weight to the feedback received from young people and families as they have highlighted Short Breaks and Transitions to adulthood as areas for further development in Nottinghamshire. The inspection also highlighted the importance of embedding co-production with young people and families into standard practice.

Co-production

12. Co-production is the term used when an individual influences the support and services received, or when groups of people get together to influence the way that services are designed, commissioned and delivered.
13. Co-production is a requirement of the SEND Reforms 2014, and is a way of working that brings families and professionals together to review and shape future provision. It also provides the opportunity to make decisions together, including determining the most effective use of limited resources.
14. The current level of service user interest in short breaks indicates that this would be an opportune time to work with parents, children and young people to address the areas that have been highlighted by recent feedback and develop a co-produced Nottinghamshire Short Breaks Offer.

Financial Considerations

15. In addition to the drive to embed a culture of co-production and the need to update the Short Break Statement, there is a financial imperative to review the Short Breaks Offer. The Flexible Short Breaks budget, which is Nottinghamshire's entry level of short break, has been overspent since 2014/15 (detailed below) and is projecting an overspend of £176,331 in 2016/17, if spending continues to increase at the rate of 7.18% as it did in 2015/16.

Financial Year	Budget	Actual Spend	Overspend
2014/15	£603,955	£679,192	£74,237
2015/16	£603,955	£728,015	£124,060

16. To mitigate the 2016/17 projected overspend, new requests for Flexible Short Breaks had been suspended on a temporary basis (with the agreement of the NPH). Requests are being placed on a waiting list to be worked through systematically and families are being directed to other support and the Local Offer in the meantime.
17. Whilst not all areas of the Short Breaks Offer will be experiencing the level of financial pressure described above, there is an interdependency within the short break system which means that pressure in one area is likely to impact on demand in another. A review of the whole Short Breaks Offer, undertaken in a spirit of co-production, presents the opportunity to engage families in discussions about thresholds to services and the most effective use of limited short break resource.
18. It is worth noting that other local authorities are also currently reviewing their Short Breaks Offer.

The Review Process

19. The review will begin in September 2016 and will conclude within 9-12 months. It will undertake the following range of activities:
- Establish governance and steering group:
The work of the review will be led by the Programme and Project Team and will initially report to the Improving Outcomes for Children & Young People with Disabilities project steering group.
 - Develop a Position Statement
This stage will involve the development of a clear picture of the current Short Break Offer, including threshold criteria, levels of usage and cost. It will also include an analysis of the current pressures and interdependencies within the system
 - Co-production
Co-production will be a constant theme throughout the project, but will initially require work to be undertaken with NPH and The Pioneers to establish ways of engaging and communicating with families and young people throughout the process.

- d. Other stakeholder consultation
This stage will involve consultation with both commissioners and providers of short breaks to understand the market, forecast demand and identify key issues and priorities for partners
- e. Options
Options for short break models of provision will then be designed and costed and once consultation has taken place, recommendations regarding Nottinghamshire's future Short Breaks Offer will be presented to the Children and Young People's Committee.

Other Options Considered

- 20. A do nothing approach would fail to address both the findings of the recent Ofsted/CQC SEND inspection and the feedback received from NPH and Pioneers. Furthermore, a failure to act is likely to result in an increasing overspend on the short break budget.

Reason/s for Recommendation/s

- 21. To ensure that the Local Authority has a Short Breaks Offer in place that meets statutory requirements and the needs of families, whilst being affordable in the long term.
- 22. To respond to feedback from families and young people and give them a voice in decisions that affect their lives.
- 23. To respond to legislation (SEND Reforms 2014) and feedback from the Ofsted/CQC local area inspection which places an emphasis on co-production.

Statutory and Policy Implications

- 24. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (public health services), the public sector equality duty, safeguarding of children and adults at risk, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Financial Implications

- 25. This proposal aims to control the escalating cost of the Local Authority's Short Breaks Offer and mitigate the risk of a year on year overspend (see **paragraphs 15 & 16**).

Safeguarding of Children and Adults at Risk Implications

- 26. Control of the Short Breaks budget will ensure that those children and young people who are most vulnerable will continue to receive the level of short break that they need.

Implications for Service Users

27. Service users will be fully consulted throughout the review process and will co-produce the new Short Breaks Offer in line with the requirements of the Special Educational Needs and Disability Reforms 2014.

RECOMMENDATION/S

That:

- 1) approval be given to undertake a review of the Council's Short Breaks Offer to ensure that it continues to meet statutory requirements and the needs of children and young people with disabilities and their families, whilst being affordable.
- 2) the recommendations resulting from the review are brought back to a future meeting of the Committee for consideration.

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Constitutional Comments (LM 17/06/16)

28. The recommendations in the report fall within the Terms of Reference of the Children and Young People's Committee.

Financial Comments (SS 06/07/16)

29. The financial implications of the report are contained within paragraph 25 above.

Background Papers and Published Documents

None.

Electoral Division(s) and Member(s) Affected

All.

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