

19 March 2018**Agenda Item: 12****REPORT OF THE INTERIM SERVICE DIRECTOR, COMMISSIONING &
RESOURCES****REFRESHED COMMUNITY SHORT BREAKS OFFER FOR CHILDREN AND
YOUNG PEOPLE WITH DISABILITIES****Purpose of the Report**

1. This report proposes a newly refreshed Community Short Breaks offer for children and young people aged 5-18 years with a disability, who do not require social work intervention but who are in need of early help services at level 2 or 3 on the Pathway to Provision. This proposal consists of a revision of the Council's existing offer and has been developed through co-production with families.

Information

2. In September 2016, Children and Young People's Committee gave approval to undertake a review of the Council's Short Breaks Offer in co-production with children and young people with disabilities and their families.
3. The purpose of the review was to ensure that the Short Breaks offer:
 - continues to meet statutory requirements and the needs of children and young people with disabilities and their families
 - remains affordable and financially sustainable in the long term
 - responds to feedback from families and young people to give them a voice in decisions that affect their lives
 - responds to legislation (SEND Reforms 2014) and feedback from the 2016 Ofsted/Care Quality Commission (CQC) local area inspection which places considerable emphasis on co-production.

Statutory Duty

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 above, 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. The Local Authority is required in law to provide services to children in need and carers of disabled children and this proposal represents a new way of allocating resources to the people that require them.
 7. This offer is devised to provide short breaks packages to families in accordance with these statutory provisions which give the Local Authority a power to make the provision at its discretion.
 8. This offer is a separate provision to the service provided to families at level 4 of the Pathway to Provision where there are safeguarding or child protection concerns, or the child is looked after by the Local Authority (including those families who are in crisis or in need of emergency respite care because a carer is temporarily unable to provide accommodation for the child). In these situations families will be signposted to the Multi-Agency Safeguarding Hub for a social care assessment, and accommodation shall be provided under Section 17 or Section 20, including Section 20(1)(c), of the Children Act 1989 if required.

Value of early intervention

9. Recent national research has highlighted the value of early intervention services (including those that relate to respite care for families of disabled children) in reducing the later demand and cost on social care services. Not only does this have implications for outcomes for children and young people, but also for the use of the council's resources in the medium term.
10. This is reflected in the Turning the Tide¹ report and by one of the Local Government Association (LGA) priorities being on the importance of the right support for children at the right time to offer the brightest future for children and families². Both of these explain that if families can access the support they need when they need it, it will reduce demand for more costly interventions when problems reach crisis point.
11. Furthermore, over the last few years there has been a coordinated effort at Nottinghamshire County Council to develop early intervention community based Short Breaks to prevent and reduce demand on social care services and to reduce the numbers of children receiving a Short Break in a residential setting. This is in line with a shift in national practice to support children with disabilities to achieve outcomes in their local community or at home. The popularity of this development is indicated by the increase in demand for community services offered by Flexible and Targeted Short Breaks in

¹ Turning the Tide: Reversing the move to late intervention spending in children and young people's services – *Action for Children, National Children's Bureau and The Children's Society* (2017)

² Bright Futures: Getting the best for children, young people and families – *Local Government Association* (October 2017)

Nottinghamshire over the last few years. These services support children to achieve outcomes and prevent escalation into higher cost social care provision.

Current Nottinghamshire County Council Offer

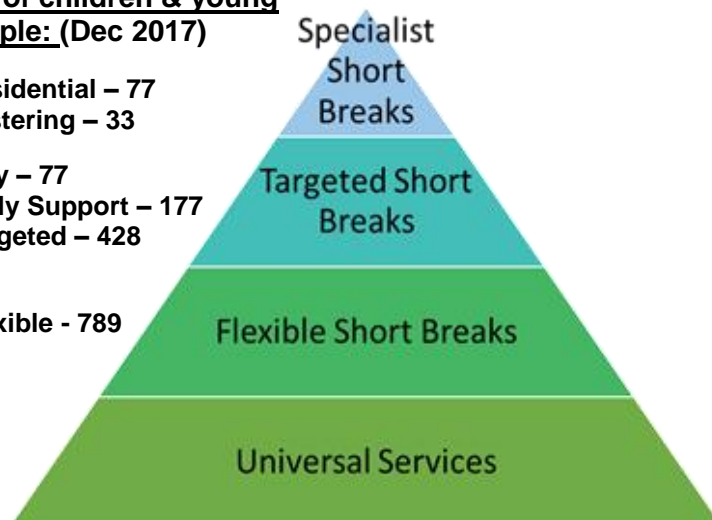
12. Nottinghamshire County Council currently meets its statutory “short breaks duty” through a range of provision including: Universal Services, Flexible Short Breaks (FSB), Targeted Short Breaks (TSB), Overnight Short Breaks, Sitting and Befriending Services, Play for Disabled Children Services, residential short break provision (Minster View, Caudwell House and The Big House) and fostering provision (Contract Carers and Home from Home Carers).
13. Since 2014, Nottinghamshire has applied a graduated response to the issuing of Short Breaks, in line with the Pathway to Provision as described below.

No. of children & young people: (Dec 2017)

Residential – 77
Fostering – 33

Play – 77
Early Support – 177
Targeted – 428

Flexible - 789



Level 4 – Short Breaks over 300 hours per year available via a section 17 assessment carried out by a Social Worker

Level 3 – Up to 300 hours of Short Breaks provision per year accessed via Integrated Children's Disability Service (ICDS)

Level 2 – 80 hours of Short Breaks provision per year accessed via ICDS

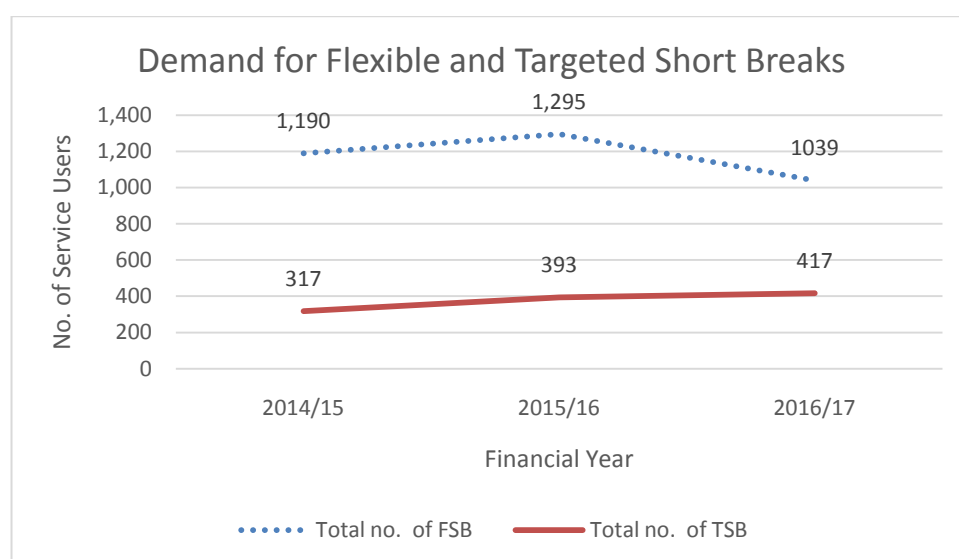
Level 1 – Community provision including services available through local Children's Centres

14. This proposal relates to the Short Breaks offered at Level 2 (Flexible Short Breaks), and Level 3 (Targeted Short Breaks) and proposes a refreshed Community Short Breaks offer.
15. The Flexible Short Breaks service currently offers eligible disabled children and young people either a small Personal Budget to access activities within their local community or 80 hours of Short Break provision per year from a menu of services.
16. The current eligibility criteria for Flexible Short Breaks is:
 - children and young people aged 5-18 years
 - children and young people who are not receiving other short break services such as Residential Breaks, Contract Care, other Local Authority or Health funded short break support
 - children who have tried but are unable to access community short breaks services appropriate to their age

- children and young people who are included in one or more of the five identified groups listed below:
 - children and young people with Autistic Spectrum Disorders (ASD)
 - children and young people with complex health needs
 - children and young people aged 11+ years with moving and handling needs requiring equipment and adaptations
 - young people aged 14+ years who are severely disabled
 - children and young people, as identified in the four aforementioned groups, where challenging behaviour is associated with other impairments.
17. The Targeted Short Breaks service currently offers eligible disabled children and young people either a Personal Budget to access activities within their local community or up to 300 hours of Short Break provision per year from a menu of services. A child cannot be referred directly into Targeted Short Breaks, access is via stepping up from the Flexible Short Breaks scheme or stepping down from social care in line with the Pathway to Provision.
18. It is felt that the current eligibility criteria is too broad and would benefit from being refreshed and clarified.
19. As at the end of December 2017 there were 789 Flexible Short Breaks and 428 Targeted Short Breaks being delivered to children and young people via the Council.

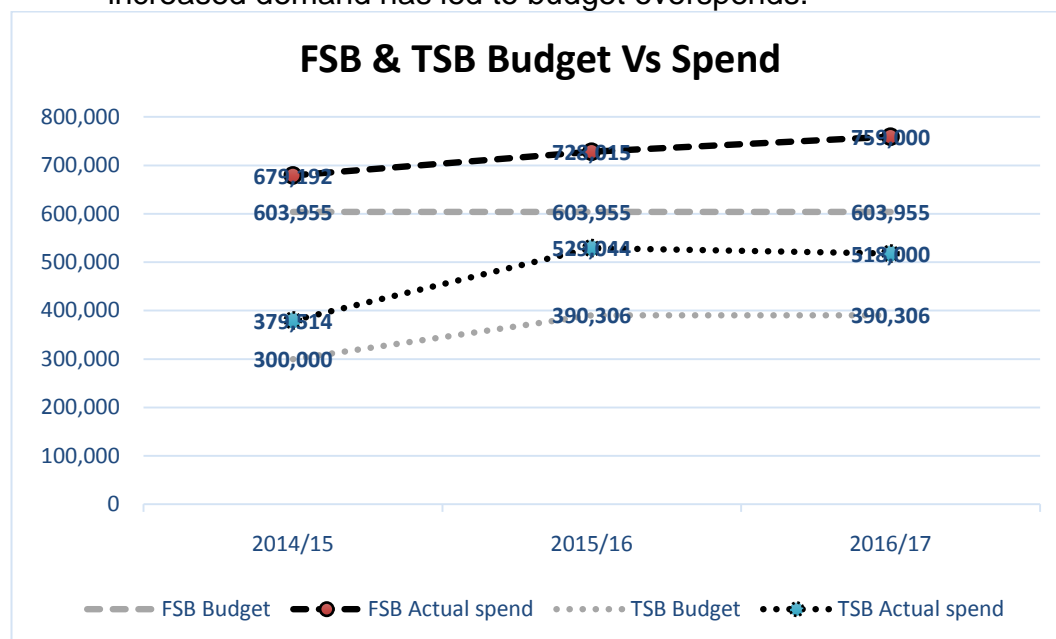
Increase in demand and financial challenge

20. Since 2014/15, both FSB and TSB have experienced significant increases in service user demand. This is due to the number of children with disabilities increasing (in line with population trends), coupled with excellent medical advancements that mean that more children with disabilities are living longer and progressing into adulthood.



21. In order to begin to manage this demand there has been a hold in place on Flexible Short Breaks for the duration of this review. This accounts for the reduction in service users in 2016/17 in the chart above.

22. The budget for the service has remained fairly static for a number of years and this increased demand has led to budget overspends.



23. As part of the Short Breaks Review this financial information was shared with families involved in the co-production of a revised offer in order to develop a sustainable long term solution together.
24. As part of the 2018-19 budget process a pressure bid of £0.924m for 2018-19 – 20-21 was submitted for the Flexible and Targeted Short Breaks offer, to deal with the projected increase in demand and the budget overspend. A provision for this pressure was made within contingency to fund this should it arise although the amount may be reduced. Finance and Major Contracts Management Committee or the Section 151 Officer are required to approve the release of contingency funds.

CO-PRODUCTION

Co-production Approach

25. 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.
26. 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.
27. To support this approach, the Council submitted a joint bid in partnership with Nottinghamshire Parent Carer Forum (Nottinghamshire's parent group for families of children with disabilities) to the Department for Communities and Local Government 'Communities Fund' and successfully received £70,000 of funding which has been used to employ a Co-production Officer to lead on the co-production work as well as to fund the co-production activities.

28. This co-production approach has been jointly planned and delivered with the Nottinghamshire Parent Carer Forum (NPCF). The Nottinghamshire Parent Carer Forum represents the views of parents and carers of children and young people with additional needs or disabilities in Nottinghamshire and is funded nationally by the Department for Education. The review of the Short Breaks Offer is one of NPCF's four priority areas for 2017-2018.
29. The co-production approach was split into two key phases.
- Phase 1 focused on gathering as many views as possible by holding events, visiting groups and via surveys
 - Phase 2 focused on developing a co-produced short breaks offer with families via a series of working groups.
30. At all stages the Council were open and honest about the challenge of developing a sustainable short breaks offer at a time when demand for services is increasing and budgets are under pressure. This approach was important to ensure that families were as knowledgeable about the issues as possible in order to achieve a true co-production approach.

How children, young people and their families have been involved

31. Children, young people and their families were engaged in a range of ways including:
- online survey to gain initial views on Short Breaks (July – September 2017) – over 200 responses
 - three co-production events held on weekends over the summer holidays across three districts – 43 children & young people attended the events and 59 parent/carers attended
 - groups visits across the County, including Young Pioneers (the council's advisory group comprised of children and young people with disabilities) and eight parent and carer groups (September 2017)
 - five parent working groups (October – January 2018) – 22 attendees
 - video consultation – produced by Trent University students to show what work had been done and gain views on the working group proposal. This can be seen at <https://youtu.be/n1BBq24wo-0>
 - proposal consultation (January 2018) – 97 responses
 - final parent working group session which approved the final proposal presented to Councillors (February 2018).
32. All activities were publicised widely by contacting all families accessing the Council's Short Break services and via Nottinghamshire Special Schools, the Local Offer, Facebook, IRIS magazine and voluntary sector groups.

Co-production Working Group

33. A working group was established to develop a new offer that would support the most vulnerable children and be financially sustainable by taking on board the views collected in phase 1 of the work.
34. Each working group was attended by:
 - between 5-12 parent/carers
 - Co-production Officer
 - Chair of the Nottinghamshire Parent Carer Forum (NPCF)
 - Short Breaks Project Manager from the Council
 - Group Manager of the Integrated Children's Disability Service (ICDS) – attended last two sessions
35. The dates, locations and times of the meetings were planned and agreed with working group members, and the content of each session was planned in partnership with NPCF.
36. Working group members contributed their time voluntarily and have been committed to this piece of work, with the majority of members attending at least three meetings which has ensured a good level of consistency.
37. Sessions were challenging and engaging and the Co-production Officer role was to support the group to feel fully informed, empowered and valued in order to develop a proposal. The co-production approach has worked well and has worked to develop trust between families and the Council. It could be suggested that family trust in this approach is reflected in the 55% of January survey respondents who said they would like to be involved in future co-production work.

Key messages from families

38. When gathering views some key messages became very clear. Families said that:
 - they really valued their short break. Children and young people enjoyed the opportunity to spend time with peers and families said it gave them a chance to recharge their batteries and contributed to their resilience
 - they were unclear about where to go to access information about short breaks and short breaks provision
 - they did not feel that access to short breaks was fair and equitable – this was closely linked to not understanding the process for accessing a short break and where information could be found
 - they have to wait a long time to find out if they are able to access short breaks and they often have to chase up queries about their application which can be time intensive and frustrating
 - they would value a yearly review as this would allow contact with a key professional and would enable packages to be refreshed to the current needs of the child
 - families also repeatedly mentioned that they would be happy to purchase easily accessible provision at the right cost. Some families said that they pay for activities and clubs for their non-disabled child and that they would be willing to do the same to

allow their disabled child to access the same experiences. However, it was acknowledged that clubs for children with disabilities tended to cost more than clubs for children without disabilities. On the whole families said that it was not the cost of paying for an activity that was the issue, rather it was finding a provider that was able to support their child's needs.

39. The working group used these key messages when designing a new short breaks offer.
40. To ensure that all families had the opportunity to be involved in the review, the co-produced Short Break proposal went out for a three week consultation from 8th - 29th January 2018. The consultation allowed families to understand the proposed changes to Short Breaks and further have their say.
41. 62% of families that responded to the final consultation strongly agreed or agreed with the proposal for the new Short Breaks offer, with only 7% of families stating that they disagreed or strongly disagreed with the Short Breaks proposal. Whilst the response from families has been mostly positive, families have raised some key questions and concerns that have been addressed in the final proposal detailed below. The detailed response information is attached as **Appendix A**.

PROPOSED OFFER

42. The following Short Breaks offer has been co-produced with Nottinghamshire children and young people with disabilities and their families.
43. The new Nottinghamshire Short Breaks Offer continues to provide an opportunity for children and young people with disabilities to engage with their wider community and peers, as well as giving the family a break from caring responsibilities. In Nottinghamshire, Short Breaks will have a strong focus on supporting young people to prepare for adulthood.
44. This offer relates to Community Short Breaks provision only at Levels 2 and 3 of the Pathway to Provision (previously called Flexible and Targeted Short Breaks), not those Short Breaks services at Level 4 that require a social work assessment undertaken by a social worker. There will be no change to the range and type of community services on offer.
45. Please note that the proposed community short breaks offer is delivered under the general duty for section 17. Therefore it is permissible for the local authority to use simple criteria to assess for the provision of Short Breaks. ***This does not affect a child's/family's right to request a full Child and Family Assessment undertaken by a Social Worker.*** This will be made clear for families at the start of the application process and contained in the information available on the Local Offer so that families are aware of this.
46. The Short Breaks offer will continue to be available for children and young people aged 5 – 18 years old. The age range may be extended downwards in exceptional circumstances.

47. The offer is made up of three key stages. A visual of the model is attached as **Appendix B**.

Stage 1: A clear and effective information stage

48. Information about what Short Breaks are and how families can access them will be made easier to find and understand. The Local Offer will continue to act as the key point for families to find information about:
- short breaks available in their local area provided by providers and the voluntary sector
 - how to purchase short breaks direct from a provider
 - how to apply for Council funded short breaks
49. However, in recognition of the feedback which has been received, work will be undertaken to update the Local Offer to make it easier to navigate and use, and children and their families will be involved in this work to ensure the Local Offer is as informative and helpful as possible for families. Alongside the Local Offer, support with applying for Short Breaks for those families that need it will be provided by the Ask Us service. The Customer Service Centre will continue to be a source of telephone information for families.

Stage 2: An online self-assessment with clear eligibility criteria

50. The new assessment will be a two-stage process. The first stage is an on-line self-assessment to establish whether the threshold for a Council funded Short Break has been met.
51. Children and families will need to meet a minimum score to receive a Council funded short break package. There will be clear eligibility criteria and the working group has developed the underpinning eligibility indicators to ensure that children and young people with the most needs are identified through this stage. These indicators have been designed to establish that the child has a disability and will include differently weighted points relating to:
- Child receiving high or medium level Disability Living Allowance (DLA) Care Component or Personal Independence Payment (PIP), or high level Mobility Component DLA
 - Child who has an Education, Health and Care Plan (EHCP)
 - Child receiving High Level Needs funding at school
 - Child receiving funded respite or short breaks care from Health services
 - Child who is unable to access support and provision in the local community (e.g. universal services or local activities) either by themselves or with existing support.
52. After further discussions with social care colleagues it is felt that the criteria will not include any child with a social care status (Looked After Child, Special Guardianship Order, Child in Need, Child Protection Plan or Adopted Child) as previously planned, as

these children will have their holistic needs assessed and met at level 4 social care level as described in the Nottinghamshire's Pathway to Provision.

53. Families will be asked to submit evidence that they meet the criteria, such as a copy of the Disability Living Allowance confirmation.
54. Each eligibility indicator will carry a point score. At the end of the self-assessment a family will receive a final score which will inform families whether their child has met the threshold for a Council funded Short Break.
55. If families do not meet the threshold for a Council funded service then they will be signposted to the Local Offer for information on universal or self-funded services. This will ensure that families are always signposted to some form of support and are not in a situation where they have nothing.
56. If families do meet the minimum score and are eligible for a Council funded service, they will go on to complete the second stage of the assessment which will determine the amount of short break hours that the family will receive. This will be a Resource Allocation System (RAS) that will further identify the carer's needs, the key outcomes for the child, and how the caring role impacts on the carer's wellbeing.
57. Short Break hours will be allocated for 12 months from the date of commencement of a package.
58. The Self Assessment and RAS will be completed online and a randomised audit will be undertaken to ensure that the information provided is accurate, Families that struggle with the online self-assessment will be supported by the Customer Service Centre and Ask Us.
59. This new model of delivery allows the local authority to review the weighting of eligibility criteria and amend it annually, if required, to ensure that the service can operate within budget. 63% of respondents to the January consultation agreed with this approach, which means that the Council would not need to consult on any future changes to the weighting of eligibility indicators included in the threshold criteria.
60. The existing RAS will be reviewed and further developed to explore the potential of developing a more detailed graded system that would allocate different hours of packages based on the RAS score. This would be a move to develop a more flexible approach to allocating hours that would move away from the current rigid offer of 80 FSB hours, and would instead allow varying levels of packages that would support a more holistic, time-limited approach to support. Following a suggestion by the working group the minimum allocation will be 24 hours a year (which equates to 2 hours a month) and the maximum allocation will be 300 hours a year.
61. This ensures that all eligible families will receive some level of support but that the level of awarded hours will be tailored to the needs of the family. It also supports the values of early intervention, addressing the need to support families at an early stage to prevent escalating to crisis stages where tier 4 social care support may be required. This approach therefore supports good outcomes for children whilst preventing families requiring costly social care provision.

62. Families that do not meet the threshold for Council funded short breaks, or who do meet the threshold but would like additional hours, can visit the Local Offer for information on how to purchase Short Breaks from a provider or pay to top up their hours with a provider.
63. An appeals process will be available for families that do not meet the threshold for Council funded breaks, or who are unhappy with their hours allocation, and want to appeal the outcome.

Stage 3: Packages of support that are reviewed annually

64. Reviews are an important way of monitoring children's progress against key outcomes and ensuring that children receive the support they need. In the new offer there will be four key types of review:
- the majority of children will receive a Short Break allocation for 12 months, after which they will be required to reapply if they continue to need a service
 - children on larger packages of Short Breaks will be reviewed annually by a worker to ascertain if the level of need has changed
 - for children who already have a yearly statutory review through a Social Worker, EHC Plan or other review there will be a commitment to the review of their short breaks package being coordinated into this statutory review cycle
 - audits will continue to be carried out to identify any children that do not use their allocated package and these will be closed if the service is no longer required. If the child's circumstances change then families can reapply under the new assessment process.
65. This approach will enable families to be involved in reviewing their child's progress.

OPERATIONAL IMPLICATIONS

66. Whilst the County Council can legally introduce eligibility criteria³, all existing service users will have to be reassessed under the new criteria. This will mean that all current FSB and TSB service users will require a new assessment under the new eligibility criteria. The staffing implications of this are yet to be determined, however, management of the implementation will be provided from the current resources within the Integrated Children's Disability Service (ICDS) from 1st April 2018.
67. As a priority, the allocated manager will undertake an analysis of the resources required to implement and deliver the new Short Breaks offer going forward. If additional resources are required this will be the subject of a further committee report.

Timescale

68. It is proposed that the new Community Short Breaks Offer goes live on 1st July 2018 for all new applicants.

³ Short Breaks for Disabled Children: A legal guide for local authorities, Council for Disabled Children – Steve Broach (January 2017).

69. All the 1,217 children currently accessing Flexible Short Breaks or Targeted Short Breaks will see no change to their allocated hours in 2018/19. This is in acknowledgement that it takes considerable time for families and providers to plan for any changes to packages and that this is not achievable before 1st April 2018.
70. However, those families mentioned above (currently accessing FSB and TSB services) will be asked to apply for short breaks for 2019/20 via the new assessment process. Affected families will be written to at key points throughout the year to invite them to start the assessment process to ensure that this work is staggered throughout the year to manage the workload of the ICDS Assessment team and Commissioning team.
71. This phased approach allows for the monitoring and review of the new assessment process to ensure it is fit for purpose and sustainable before requesting that all existing FSB and TSB service users undertake the new assessment.
72. Whilst it is the Council's aspiration for the RAS to be online, this may not be possible for 1st July 2018, and a paper RAS will be used in any interim period.
73. Alongside an approach of continuous monitoring of the implementation period, a formal review to assess the new Short Breaks offer is fit for purpose and sustainable will be undertaken a year after implementation.

Other Options Considered

74. Working group members considered a range of different options when developing their proposal, including making financial contributions for services, but it was felt that the proposal presented is the most financially sustainable whilst being equitable and meeting the needs of children and young people with disabilities and their families.
75. There is an option not to provide community short breaks, as in some local authorities, however, this was discounted because of the impact that would have on demand for tier 4 social care services.

Reason/s for Recommendation/s

76. This proposal has been developed with families to ensure there is a sustainable Community Short Break offer in light of budget challenge and increasing demand for services.

Statutory and Policy Implications

77. This report has been compiled after consideration of implications in respect of crime and disorder, data protection and information governance, 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, smarter working, sustainability and the environment and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Data Protection and Information Governance

78. IT security has been consulted in relation to this proposal and has advised that personal data entered into the online environment is secure: the same IT platform is used for other applications for Notts CC services. IT recommend that the site holding the first stage assessment should retain the information for a maximum of 7 days, after which time it is deleted. Applications which progress to the second assessment stage will be automatically transferred into the MOSAIC system and protected by the existing IT security protocols. The Privacy Impact Assessment is available as a background paper.

Financial Implications

79. The implementation date for the proposed new offer is 1 July 2018 for new applicants (including those that have been put on hold) and it is not yet known what the financial implication of that will be.
80. As part of the 2018-19 budget process however, a pressure bid of £0.924m for 2018-19 – 20-21 was submitted for the Flexible and Targeted Short Breaks offer, to deal with the projected increase in demand and the budget overspend. Although a provision for this pressure was made within contingency, should it arise, the amount of any bid may be reduced. Finance and Major Contracts Management Committee or the Section 151 Officer are required to approve the release of contingency funds.
81. If there is a forecast overspend in this budget during 2018-19 which cannot be contained within the existing FSB/TSB budgets or mitigated by underspends in the Children & Families budget as a whole, a bid will be made against the provision.
82. If there are any additional resource requirements identified by the management analysis this will be the subject of a further report to committee together with the identification of the funding source.

Human Resources Implications

83. It is likely that additional resource will be required to deliver the new Community Short Breaks Offer. Committee will be updated on the level of resource required.

Human Rights Implications

84. Local authorities are legally allowed to use eligibility criteria to manage access to services so the introduction of a more rigorous assessment and eligibility process for a Council funded Short Break is permissible in law.
85. The fundamental principles of the lawful use of eligibility criteria are that:
- Short breaks are provided first to children and families with higher levels of need before children and families with lower levels of need; and
 - Children whose needs are assessed to meet the 'specific' statutory duties receive a level of service (or direct payments) sufficient to meet those needs.
86. In the 2009 Islington judgment, the High Court made clear that:

- local authorities can adopt criteria to manage access to short break provision, so long as these criteria are fair and non-discriminatory and families are clear that they are always entitled to request an assessment undertaken by a qualified social worker
 - where criteria are used in relation to the Chronically Sick and Disabled Persons Act (CSDPA) 1970 duty, there must be no 'cap' on the maximum amount of support available.
 - in setting the criteria, local authorities must keep in mind all the relevant commissioning duties.
87. It is essential that local authorities are transparent with families about any eligibility criteria used to control access to short breaks. There is now a statutory requirement for any eligibility criteria being operated by local authorities to be published as part of the Local Offer.

Public Sector Equality Duty implications

88. The revised offer is designed to be a transparent, fair and equitable process for all children and young people with disabilities and their families, however where it does have an effect on specific groups within that cohort there is mitigation in place to reduce the negative impact this may have.
89. As the current eligibility criteria will be refined, it is possible that some current service users may no longer meet the eligibility criteria and will cease to receive a Council funded short break. Following assessment, some children may see an increase or reduction in the number of hours they are allocated depending on need. This may have a positive or negative effect on affected families.
90. It is not yet clear how many children may be affected by the changes to the eligibility criteria. This is mostly due to the fact that the Council does not collect information on benefits for this cohort of children and therefore has no understanding of how many current service users are in receipt of Disability Living Allowance, which is one of the eligibility indicators that will be used.
91. To address this, the refreshed offer will go live on 1st July 2018 for new applicants only. During 2018/2019, there will be no change to the allocated hours of the 1,217 existing service users. This phased approach will enable the service to monitor and review the number of successful new applicants against the eligibility criteria and undertake in depth analysis to ensure that the criteria is fit for purpose and ensures that children that need the service receive it, before the new eligibility criteria is rolled out to all existing users.
92. To mitigate against any negative impact that this could have, families will still be able to access short breaks delivered in their local community by voluntary sector and private providers and have the opportunity to purchase hours direct from a provider.
93. Work will be undertaken to improve the Local Offer so that families can access information about short breaks in their local area, as well as undertaking work with the market to increase universal services' ability to provide for children with disabilities. This will be undertaken through co-production work with families to ensure it meets their requirements and will be in place for 1st July 2018.

94. It is also to be noted that the adoption of this updated offer will bring an end to the current hold on Flexible Short Breaks that has been in place since September 2016. This will therefore mean that the updated offer will have the scope to reach and support more families than it currently does.
95. An Equality Impact Assessment has been undertaken and is available as a background paper. Decision makers must give due regard to the implications for protected groups when considering this report.

Safeguarding of Children at Risk Implications

96. Due care and attention will continue to be applied in regards to safeguarding, and safeguarding policies will be applied during the development and management of the new process. This includes having up to date safeguarding information at the information stage on the Local Offer to ensure that families are directed to the Multi-Agency Safeguarding Hub if there is a safeguarding concern.

Implications for Service Users

97. This will affect the 789 children currently accessing Flexible Short Breaks and the 428 children currently accessing Targeted Short Breaks, as well as the wider population of children with a disability in Nottinghamshire that may request a Short Break in the future.
98. Current service users will require a new assessment and some children may see a reduction to their allocation. Some children may no longer meet the eligibility criteria and will cease to receive funded short breaks.

RECOMMENDATION/S

That:

- 1) the Committee approves the amendments made through co-production to the Community Short Breaks Offer, along with its timescale for implementation.
- 2) a follow up report detailing the resources required to implement and manage the new Community Short Breaks Offer is brought to the Committee.

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Constitutional Comments (SSR 01/03/18)

99. This report falls within the scope of decisions which may be approved by the Children and Young People's Committee.

Financial Comments (SAS 05/03/18)

100. The Budget Report considered by County Council on 28 February 2018 set out that a provision of £4.7m had been made within contingency to fund a number of pressures that had been identified where there was a high degree of uncertainty with regard to likelihood, value and profiling should they arise. Finance and Major Contracts Management Committee or the Section 151 Officer are required to approve the release of contingency funds. Consequently, in approving these proposals it is necessary for the Committee to understand there is a level of risk that bids for additional funding may be reduced. This will need to be mitigated in some respects by underspends elsewhere in the department.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Privacy Impact Assessment

Short Breaks Equality Impact Assessment

Review of the Short Breaks Offer – report to Children and Young People's Committee on 19 September 2016

Pathway to Provision (version 7, February 2018)

Annual Budget 2018-19 – report to Full Council on 28 January 2018

Electoral Division(s) and Member(s) Affected

All.

C1092