

## EXECUTIVE DECISION

From: **Sue Chandler, Cabinet Member for Integrated Children's Services**

**Matt Dunkley CBE, Corporate Director of Children, Young People and Education**

To: **Children's and Young People's Cabinet Committee – 16 November 2021**

Decision: **21/00095 - Recommissioning of Short breaks 2022-2024 and New Short Break Model Implementation**

Key decision – **Overall service value exceeds £1m and affects more than two Electoral Divisions.**

**Classification:** Unrestricted

**Past Pathway of report:** N/A

**Future Pathway of report:** Cabinet Member Decision

**Electoral Division:** All

### Summary:

This report provides the Children, Young People and Education Cabinet Committee with the background and rationale for further tendering short breaks for one year, plus one year extension option (1 April 2022 – 31 March 2024) under the grant-based model of delivery. This will allow the continued development of an alternative delivery model of short breaks which is currently being coproduced with a blended team of stakeholders including children and young people/their representatives.

### Recommendation(s):

The Cabinet Committee is asked to consider and endorse, or make recommendations to the Cabinet Member, on the proposed decision to:

- A) Authorise Commissioners to commence a competitive strategic grants process for the provision of Short Break Day Opportunities for Disabled Children and Young People,
- B) Delegate authority to award grants to the Corporate Director for Children, Young People and Education or other Officer as required by the Corporate Director, in consultation with the Cabinet Member

## 1. Introduction

1.1. In accordance with the Children Act 1989, section six, and subsequently The Breaks for Carers of Disabled Children Regulations 2011, Kent County Council has a duty

to ensure sufficiency of short break activities available to families of disabled children and young people living in Kent.

- 1.2. Short breaks are preventative, family support services that are aimed at families with a disabled child, to allow them to have a break from caring. They can be at any time ranging from an hour to a day, evening, overnight, or weekend depending on the needs of the family. The short break may take place in a community activity setting, a child/young person's home or other residential setting. It allows parents and carers to have a break from their caring responsibilities and gives children and young people the opportunity for a positive experience.
- 1.3. Some disabled children can join in on activities for all children such as Beavers or Brownies, or summer fun days run by their local council. This means that their parents can have a break. Kent County Council commission activities for those children who need extra support, including activities for children who need significant levels of support. These short break activities are crucial services in supporting the resilience of families of disabled children and young people in Kent. Most of these activities are open to families without having to go through a social worker.
- 1.4. The above activities contribute to the continuum of services listed in KCC's Short Break Statement (updated 2021).
- 1.5. The Council already has a comprehensive short break service. However, the existing short breaks offer has been through a period of significant change since the last commissioning exercise and is no longer fit for purpose.

## 2. Current Provision

- 2.1. The current short break grant agreements went live on 1 April 2018 and were due to end on or before 31 March 2020. Due to COVID-19 a decision was taken by the Corporate Director for Children, Young People and Education to extend the grant agreements for a further year from 1 April 2021 to 31 March 2022
- 2.2. There are currently 21 short break providers across Kent delivering a variety of activities within the short breaks offer. See below:

Activity	Providers
Stay and Play Activities	4us2
Holiday Activity Programmes	CXK, Your Leisure, Common work Trust (Bore Place), East Kent Mencap, Pegasus, Maidstone Mencap, Nova Children's Project CiC, IMAGO, SYMBOL Trust, SNAAP, We Are BEAMS, Brogdale CIC
After School/ Weekend Activity Programmes	Your Leisure, Common work Trust (Bore Place), East Kent Mencap, Maidstone Mencap, Nova Children's Project CiC, IMAGO, SYMBOL Trust, SNAAP, We Are BEAMS, Brogdale CIC
Life Limiting & Life Threatening	Ellenor Hospice, Demelza Hospice Care for Children

Sensory Holiday Activity Programmes	Kent Deaf Children's Society (KDACS) Kent, Association for the Blind (KAB)
Family Support and Events	Totius (lead partner We Are Beams Ltd), Demelza Hospice Care for Children
Autistic Spectrum Condition Innovation Projects	SYMBOL Trust, Project Salus, Brogdale CIC, CXK, Involve, East Kent Mencap

2.3 **Universal Services:** There are many activities in Kent which are open to any child or young person including those who are disabled. Any family, child or young person can access youth centres and children's centres and the activities and support services they have on hand. Some children may not be able to access these services for a variety of reasons and we are committed to overcoming these barriers wherever resources allow.

2.4 KCC also offer five in-house residential short breaks centres, providing both overnight, and short break day opportunities. Overnight short breaks are not part of this current commissioning exercise and will form part of a wider short breaks strategy being developed through 2022 with parents, carers, and other stakeholders.

2.5 Short break providers do respond to varying levels of need: mild, moderate, and high. However, engagement with practitioners and families has identified that there are some gaps across the county for children with high needs.

2.6 The current provision is valued by the communities that access them. Parents have commented that:

*"SNAAP plays a big part in our family's life and their help and support has been invaluable"*

*"I'd be lost without this scheme and probably feel quite isolated and low"*  
SNAAP – Holiday and term Time Short Break Activities

*"As a mother with two children with additional needs, the club is a lifesaver. I'm able to concentrate on one without having to juggle"*

*"You provide an extremely valuable service to us parents of disabled children. Otherwise, many of us do not get a break at all."*  
NOVA – Holiday and term Time Short Break Activities

2.7 Through surveys carried out over the past two years, families, children, and young people shared feedback on the current short break services and lack of awareness of the services available in their area, the accessibility, and suitability of local provision.

Parents and carers want a more varied, activity-based model for short breaks that is spread across the county, with options for children and young people across a range of ages with high, moderate, and mild needs, and which operates after school, at the weekends and during school holidays. They also want provision that

meets their own needs in terms of regularity of opportunities, consistency, and availability of places.

91 families answered the questions relating to short break activities:

- 'The services available can meet a range of complex needs' where 50% either agreed or strongly agreed, 20.5% remained neutral while the remaining either disagreed or strongly disagreed.
- 'There are enough short break activities available that cater for my disabled child/young person's special needs' only 10.3% either agreed or strongly agreed. With 75.8% either responding as disagree or strongly disagree. This was the largest negative response in the section relating to short break activities.
- 'It is easy to find the short break activities that are available near to where I live' only 11.2% either agreed or strongly agreed. With 76.1% either responding as disagree or strongly disagree.
- 'I understand which of the short break services are available to my disabled child/young person' 24.5% either agreed or strongly agreed. With 76.1% either responding as disagree or strongly disagree.
- 'Information on Short breaks is clear and readily available to me' 12.1% either agreed or strongly agreed. With 67.8% either responding as disagree or strongly disagree.
- 'The local community-based activities (such as youth clubs or school summer activity programmes) are able to cope with the needs of my disabled child' 13.7% either agreed or strongly agreed. With 67.8% either responding as disagree or strongly disagree.

### 3 Improvements to current short breaks offer:

- 3.1 Our aspiration is for disabled children and young people and their families to be included in their local communities and to feel a sense of belonging. We want to ensure that people have real choice and control to access the provision they need and that best suits them and their family. To achieve this vision, we need to ensure there is an inclusive county wide offer with our commissioned services, and internal provision, forming one element of a much wider offer.
- 3.2 The strategic grants programme for 2022/2024 will provide increased opportunities for access and suitability of short breaks across the county, including short breaks for children and young people with autism, and those with higher needs. This would allow us to move towards an integrated offer of children's services which remove barriers to entry by being more inclusive and equitable for all.
- 3.3 In addition to more equitable service offer and distribution of funding, the grants programme will enable opportunity to coproduce a short breaks strategy, and subsequent model. This will be coproduced with parents, carers, children, and young people and the market. The future model will be principled around self-directed support, sustainability, equity of access and inclusion.

## 4 Options Considered

### 4.1 The options considered are detailed below:

#### (i). Do nothing

Option	Risk	Benefit
Do nothing – let the existing arrangement end.	<p>KCC would fail in its duty to ensure sufficiency of short break activities available to families of disabled children and young people living in Kent. (The Breaks for Carers of Disabled Children Regulations 2011)</p> <p>Vulnerable families not receiving short breaks with rising escalation to more specialised services.</p> <p>Risk of family breakdown through lack of breaks from caring.</p> <p>Strong partnerships with the VCS sector could be negatively impacted.</p> <p>Risk of destabilising the VCS sector through cessation of funding.</p>	

#### (ii) Direct Payment Short Break funding model.

Option	Risk	Benefit
Implement Direct Payment model for short breaks from 1 April 2022	<p>Providers may not be able to adapt their business model in a short time frame. This may potentially create an unstable market and increase the risk of provider failure.</p> <p>Could increase service gaps across the county.</p> <p>Family's needs escalate</p>	<p>Direct Payments promote self-directed support which would enable families to access a provider of their choice rather than what is on offer within district.</p> <p>Providers will have the option to grow businesses by the ability to offer services Kent wide.</p>

	<p>due to lack of ability of short breaks resulting in escalation to more specialist services.</p> <p>Risk losing small community-based providers, whose communities they rely on.</p> <p>Strong partnerships with the VCS sector could be negatively impacted.</p> <p>Insufficient capacity to manage demand for Direct Payments.</p> <p>Would require some form assessment.</p> <p>The market for short breaks for Disabled Children and Young People (DCYP) is underdeveloped, meaning parents would have limited choice.</p>	<p>Have responsive funding relating to the needs of the individual, therefore able to receive funding reflective to the staffing costs for providing a higher staffing ratio when needs are higher.</p>
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**(iii) Continue with grant-based model for a period of two years (preferred option)**

Option	Risk	Benefit
<p>Competitively tender for a new Strategic Grant Framework</p> <p>New grant agreements start 1 April 2022 – 31 March 2023.</p> <p>Grant extension: 1 April 2023 – 31 March 2024</p>	<p>Lack of providers who can respond to DCYP with higher needs. Leading to service gaps across the county.</p> <p>This will be specifically targeted in the grant's prospectus.</p> <p>Demand for short breaks could outstrip capacity, leading to waiting lists.</p>	<p>More equitable funding across the county, according to need.</p> <p>Opportunity to develop and test alternate models of support for children and young people with autism, and those with higher needs.</p> <p>Grants based model ensures continued strong relationships with providers, which will be essential for the development of the short breaks strategy.</p> <p>Contribute to financial stability to voluntary community sector providers through COVID-19 pandemic recovery.</p>

		<p>Grants will enable the opportunity to:</p> <p>Co-produce a short break strategy and alternative delivery model for short breaks, working with families/providers/stakeholders.</p> <p>Develop and build market readiness to shift to new model of short breaks across a whole spectrum of needs.</p>
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#### 4.2 Preferred option:

The preferred option is to competitively tender for Strategic Grants for the provision of short breaks for disabled children and young people from 1 April 2022 to the 31 March 2024. The grants prospectus will set out desired outcomes and intentions for a county wide offer to meet a range of needs, including how organisations should be promoting them.

Following the grant award, the new services will be updated on the Local Offer, shared with Local Children’s Partnership Groups, social workers and the front door for the marketing, promoting, advertising.

#### 5. Financial Implications:

5.1 The cost of the Short Breaks Grant Framework is expected to remain unchanged and will continue to be delivered at a total value of £1,082,995 per annum. This is fully funded from the Children’s Disability 0-18 Commissioning Revenue Base Budget. Additional funding from Kent and Medway Clinical Commissioning Group may be available to support children and young people with autism and discussions are currently ongoing.

5.2 The competitive tender of this programme is not expected to deliver any further savings against the value of the grants awarded, although the bids received will be tested for value for money prior to award.

5.3 The wider benefits of these services will be fully evidenced as part of the coproduction of an alternative delivery model for short breaks over the next 2 years including the avoidance of escalation of need to other statutory children services.

#### 6 Legal implications

6.1 The legal framework relating to short breaks is the general duty to provide services for children in need under section 17(1) of the Children Act 1989. Section 17(11) of the Children Act 1989 defines a child in need to include all

disabled children. The duty to provide short breaks for disabled children and their carers is further detailed within the Breaks for Carers of Disabled Children Regulations 2011. Section 27 of the Children and Families Act 2014 imposes a duty on local authorities to keep under review its social care provision for children with disabilities and to consider the extent to which that provision is sufficient to meet their needs.

6.2 Under the Public Sector Equality Duty in Section 149 of the Equality Act 2010 there is a requirement to have due regard to the need to advance equality of opportunity for people with protected characteristics

## **7. Equalities implications**

7.1 An Equalities Impact Assessment (EQIA) screening has been completed and no high negative impacts have been identified. The EQIA will continue to be developed and reviewed as this project progresses.

## **8. Other corporate implications**

8.1 The proposed Decision is in line with Kent's Strategy for Children and Young People with Special Educational Needs and Disabilities (SEND) 2021-2024;

- Priority Five: Ensure children and young people with SEND are included in their local community

8.2 Setting the Course Kent County Council's Interim Strategic Plan December 2020.

- Define our Commissioning Strategy to inform the way we work with the VCSE to meet the needs of our communities and to identify potential new partnership models
- Better engagement with residents and local communities

## **9. Governance**

9.1 Accountability for the Short breaks for Disabled Children and Young People is with the Corporate Director for Children Young People and Education. The responsibility is with the Director for Special Educational Needs and Disabled Children and Young People. .

## **10 Conclusions**

10.1 This report provides the Children, Young People and Education Cabinet Committee with the background and rationale for further tendering short breaks for two years (1 April 2022 – 31 March 2024) under the grant-based model of delivery.

### **The options considered are:**

- Do Nothing
- Implement a Direct Payment Model of short breaks 2022



- Continue with grant-based model for a period of two years (preferred option)

The preferred option is to competitively tender for Strategic Grants for the provision of short breaks for disabled children and young people from 1 April 2022 to the 31 March 2024. The grants programme will enable the opportunity to coproduce the short break strategy with parents, carers, children, and young people, and providers. The future model will be principled around self-directed support, sustainability, equity of access and inclusion.

10.2 The strategic grants programme for 2022/2024 will deliver equitable distribution of funding according to the needs of children and young people providing improved opportunities for access and suitability of short breaks across the county, including short breaks for children and young people with autism, and those with higher needs.

### 11. Recommendation(s):

The Children, Young People and Education Cabinet Committee is asked to **CONSIDER** and **ENDORSE** or **MAKE RECOMMENDATIONS** to the Cabinet Member for Integrated Children's Services on the proposed decision to:

A) Authorise Commissioners to commence a competitive strategic grants process for the provision of Short Break Day Opportunities for Disabled Children and Young People,

B) Delegate authority to award grants to the Corporate Director for Children, Young People and Education or other Officer as required by the Corporate Director, in consultation with the Cabinet Member

### 10. Background Documents

None

### 11. Contact details

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