

## KENT COUNTY COUNCIL – RECORD OF DECISION

### DECISION TO BE TAKEN BY:

Christine Palmer, Cabinet Member for Integrated Children's Services

### DECISION NUMBER:

25/00069

**For publication** *[Do not include information which is exempt from publication under schedule 12a of the Local Government Act 1972]*

### Key decision: YES

*Key decision criteria. The decision will:*

- a) *result in savings or expenditure which is significant having regard to the budget for the service or function (currently defined by the Council as in excess of £1,000,000); or*
- b) *be significant in terms of its effects on a significant proportion of the community living or working within two or more electoral divisions – which will include those decisions that involve:*
  - *the adoption or significant amendment of major strategies or frameworks;*
  - *significant service developments, significant service reductions, or significant changes in the way that services are delivered, whether County-wide or in a particular locality.*

### Subject Matter / Title of Decision Commissioning of Short Break Day Activities 2026-2028

### Decision:

As Cabinet Member for Integrated Children's Services, I agree to:

- A) Approve the commencement of a competitive open grants process for the provision of Short Break Day Activities for disabled children for the period 1 April 2026 to 31 March 2028 with an option to extend for a period of 12 months from 1 April 2028 to 31 March 2029, and
- B) Delegate authority to award grants and enter into relevant agreements 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.

### Reason(s) for decision:

Local authorities have a statutory duty under the Children Act 1989<sup>1</sup> and subsequently the Breaks for Carers of Disabled Children Regulations 2011<sup>2</sup> to ensure a sufficiency of Short Break Services for parents/carers of disabled children. The regulations include the specification of "services available to assist carers in the evenings, at weekends and during the school holidays", referred to as Short Break Day Activities.

Short Break Day Activities are preventative family support services aimed at families with a disabled child to allow them to have a break from caring. They also provide disabled children the opportunity to have fun and learn while doing activities in a new environment outside of the home. They provide a chance to spend quality time within their community with other children and young people who may have similar life experiences, helping to build friendships and connections beyond the family. For parents and carers, Short Breaks Day Activities provides regularly planned breaks from their caring responsibilities, allowing time to pursue other activities, education, daily life activities and

<sup>1</sup> HM Government (1989) Children Act 1989, Schedule 2, Paragraph 6(1)(c). Available at: <https://www.legislation.gov.uk/ukpga/1989/41/schedule/2>

<sup>2</sup> HM Government (2011) The Breaks for Carers of Disabled Children Regulations 2011. Statutory Instrument No. 707. Available at: <https://www.legislation.gov.uk/uksi/2011/707/made>

spend time with other members of the family.

Current Short Break Day Activities were commissioned under competitive grant arrangements for a two year period from 1 April 2024 to 31 March 2026, with the intention to better understand demand, reach, performance and outcomes.

Using Grants to commission these services includes an open and competitive bidding process with a rigorous evaluation, moderation and compliance to safeguarding, health and safety and financial viability of providers. This route is recommended as the market for these services tend to be grass roots or voluntary sector organisations that require flexibility to deliver to changing needs. The existing arrangement introduced improved ways of recording performance and attendance, allowing a detailed analysis on effectiveness of the service. The review after the first year of this improved arrangement identified positive outcomes for children and their families as well as better reach of service and value for money.

### **What is being proposed?**

Shortly, KCC will be undertaking a Public Consultation on the Short Breaks Strategy, this includes the Short Breaks Day Activity programme, overnight Short Breaks, Care and Support in the Home and Direct Payments.

The Kent Short Breaks Strategy 2026–2031 sets out KCC's approach to providing inclusive, Short Break services for eligible disabled children and young people. It aims to support their development and independence while offering families meaningful respite from caregiving. The strategy outlines seven key objectives focused on improving access, equity, and quality of services, and is shaped by extensive consultation with families and service providers. Public Consultation is in the planning phase and the Strategy is intended to be presented at CYPE Cabinet Committee for Key Decision on 20 January 2026.

The previous direction of travel for these services was to move to a contracted model, as oppose to a grant process and in light of the forthcoming public consultation and the development of the Kent Short Breaks Strategy 2026–2031, it is recommended that the progression of the longer-term Short Breaks Day Activities Model be paused. This will ensure that any future proposals are aligned with the final Strategy and informed by the consultation feedback. Additionally, the anticipated Local Government Reorganisation (LGR) introduces uncertainty regarding the future operating landscape, further supporting the need to defer development until greater clarity is available. To mitigate the risk of service disruption during this transitional period, it is recommended that an optional 12-month extension be added to the grant arrangements. If required this would provide continuity of provision through to 31 March 2029, enabling sufficient time for any future commissioning activity to be undertaken in line with statutory duties, once the new Unitary Authorities are established and operational.

To support equitable access and future-proof the commissioning approach, the structure of the application process will be organised on a District basis. This will help ensure sufficient service coverage across Kent and allow for any future disaggregation of commissioning responsibilities, aligning with the anticipated changes brought about by LGR. This approach provides flexibility and resilience, enabling a smoother transition to new governance arrangements while maintaining consistency in service delivery.

This approach will continue to support Kent Voluntary Community Social Enterprise organisations in Kent, and help build capacity, enabling creativity and flexibility to service delivery. Providers are of strategic importance to KCC in achieving its Sufficiency Duty in relation to Short Break Day Activities. This approach supports the Civil Society Strategy, to build on the partnership working we have seen over the last year between both public sectors partners and the social sector.

This supports Framing Kent's Future Priority 4 New Models of Care and Support by enabling cost-effective, community-based services that promote early intervention and family resilience.

It also supports the opportunity area of 'service transformation opportunities' within Securing Kent's Future Objective 2 as through the current grants we have transformed the way data is collected to be able to ensure that the service is reaching the right young people in the right areas of the county and allows the identification of any gaps in delivery to be able to target these accordingly.

### **Financial Implications:**

The annual revenue budget for Short Break Day Activity Services is £1.06m, the cost of the two year programme is £2.12m and the total cost if the 12 month optional extension is taken is £3.18m. It is proposed that these costs continue to be funded from the General Fund, and where possible subsidised through the use of other central government grants, where appropriate. This budget is reported within the revenue budget key service line "Children in Need (Disability) – Care & Support (payments & commissioned services)" managed by the Strengthening Independence Service.

The competitive grants process is not expected to deliver any further savings against the value of the grants awarded. However, all bids received will be assessed for value for money prior to award. Financial modelling assumes no inflationary uplift to the three-year grant allocations.

### **Legal Implications:**

The legal framework for the Proposed Executive Decision is:

- Children Act 1989 (Section 17 (1))<https://www.legislation.gov.uk/ukpga/1989/41/schedule/2>
- Breaks for Carers of Disabled Children Regulations 2011 schedule 2 (paragraph 6 (1)(c) Regulation 3 and Regulation 4)<https://www.legislation.gov.uk/uksi/2011/707/made>

### **Equalities implications**

An Equality Impact Assessment (EqIA) screening has been completed. This shall be kept under constant review as this project continues.

### **Data Protection implications**

The Data Protection Impact Assessment (DPIA) for the previous grant process is still applicable as the information and method of data processing will remain the same.

### **Cabinet Committee recommendations and other consultation:**

The proposed Key Decision was discussed and endorsed at the Cabinet Committee for Integrated Children's Services on the 16 September 2025

### **Any alternatives considered and rejected:**

Option 1: Do nothing and allow the current grants to end in March 2026. This option is discounted due to the risk that Kent County Council would fail in its statutory duty to ensure a sufficiency of Short Break Services, as the Breaks for Carers of Disabled Children Regulations 2011 specify the need to provide Services available to assist carers in the evenings, at weekends and during the school holidays and provide a range of educational or leisure activities for disabled children outside their homes. In Kent, many families access targeted short breaks through self-referral, without a formal Child in Need assessment. Eligibility is determined via criteria such as disability status, EHCPs, or receipt of DLA/PIP, and services are delivered by commissioned providers who screen for suitability. Without continued grant funding, these targeted services—particularly holiday and

activity clubs—would be significantly reduced, undermining both the sufficiency and diversity of provision required by law.

Option 2: Recommission Short Break Day Activities through contracts. This option is not recommended at this stage in line with Principle 2 of the Commissioning Framework, to ensure that commissioning is underpinned by a strong policy and planning framework. As the Short Break Strategy 2026 - 2031 is due to be implemented from 2026, it is preferable for this to be in place prior to redesigning a longer term Short Breaks Model. If the Short Break Day Activities were commissioned through contracts prior to the Strategy being in place, there is a risk the contracts would not align with the Strategy and would not present a consistent approach for families of disabled children.

**Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:**

None.



06/10/2025

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signed

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date