

KENT COUNTY COUNCIL – PROPOSED 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 to 2028

Decision:

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

- a) Approve the provision of grants to external providers to deliver Short Breaks Day Activities for disabled children and young people by commencing an Open Grants Process 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.
- b) Delegate authority to the Corporate Director for Children, Young People and Education, or other Officers as required by the Corporate Director, in consultation with the Cabinet Member for Integrated Children's Services, to award grants and enter into relevant agreements.
- c) Delegate authority to the Corporate Director for Children, Young People and Education to take other necessary actions, including but not limited to finalising the terms of and entering into grants, contracts, extensions or other legal agreements, as required to implement the decision.

Reason(s) for decision:

Local authorities have a statutory duty under the Children Act 1989¹ and subsequently the Breaks for Carers of Disabled Children Regulations 2011² to ensure a sufficiency of Short Breaks 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 Breaks Day Activities.

Short Breaks Day Activities are preventative family support services aimed at families with a

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

² 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>

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 spend time with other family members.

Current Short Breaks 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 to 2031 sets out KCC's approach to providing inclusive, Short Breaks 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 opposed to a grant process and in light of the forthcoming public consultation and the development of the Kent Short Breaks Strategy 2026 to 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 extension 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 Breaks Day Activities. This approach supports the Civil Society Strategy, to build on the partnership working we have seen over the last year between public sectors and the social sector partners.

This decision 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 Breaks 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 using other central government grants. This budget is reported within the revenue budget key service line "Children in Need (Disability) – Care and Support (payments and 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 increase to the up-to 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> **Error! Bookmark not defined.**
- 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> **Error! Bookmark not defined.**

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:

Children, Young People and Education Cabinet Committee will consider this decision at its meeting on 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 Breaks 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, Education, Health and Care Plans, or receipt of Disability Living Allowance (DLA) and Personal Independence Payment (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 Breaks 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 Breaks 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:

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signed

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date