

## HAMPSHIRE COUNTY COUNCIL

### Report

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| <b>Committee/Panel:</b> | Children and Families Advisory Panel                         |
| <b>Date:</b>            | 5 February 2013  |
| <b>Title:</b>           | Short Breaks for Disabled Children: Service Statement Review |
| <b>Reference:</b>       | 4593   |
| <b>Report From:</b>     | Director of Children's Services                              |

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#### 1. Summary

- 1.1. The purpose of this paper is to report on the recently approved Short Breaks Service Statement.
- 1.2. The Short Breaks Service Statement has been reviewed by officers and parent representatives as required by the legislation, and is a significant revision to the first statement, previously published in October 2011. When the current statement was approved, Hampshire County Council undertook to revise that statement in consultation with parents by April 2013.

#### 2. Contextual information

- 2.1. The Breaks for Carers of Disabled Children Regulations 2011 bring into effect Paragraph 6(1)(c) of Schedule 2 to the Children Act 1989 (inserted by section 25 of the Children and Young Persons Act 2008), requiring local authorities to provide services 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.
- 2.2. The Regulations state that "a child is disabled if he is blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed".
- 2.3. The Regulations also define short breaks with the caveat that provision shall be made, in so far as is reasonable and practicable, for a range of services which are sufficient to assist carers to continue to provide care or to do so more effectively. In particular the local authority 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;
- (d) services available to assist carers in the evenings, at weekends and during the school holidays

2.4. Section 5(1) of the Regulations state that a Short Breaks Service Statement was required to be published by all local authorities by 1<sup>st</sup> October 2011 which sets out details of:

- the range of services provided in accordance with regulation 4,
- any criteria by which eligibility for those services will be assessed, and
- how the range of services is designed to meet the needs of carers in their area.

2.5. The Regulations Section 5(2-4) also state that:

- The local authority must publish their short breaks services statement, including by placing a copy of the statement on their website.
- The local authority must keep their short breaks services statement under review and, where appropriate, revise the statement.
- In preparing and revising their statement, the local authority must have regard to the views of carers in their area.

2.6. It should be noted that the Breaks for Carers of Disabled Children Regulations do not displace, and are therefore supplemental to, the council's duty to provide services under s.20 of the Children Act 1989.

2.7. The process for undertaking the review of the Statement involved a small task group consisting mainly of parents/ carers representing Hampshire Parent Carer Network (HPCN) and Parent Voice, working jointly with officers. The small group agreed how best to present the information about the range of short breaks services to other parents and carers and agreed to improve the visual presentation of the statement by associating it with the existing promotional literature for short breaks in Hampshire. The parent representatives wrote and edited many sections of the statement to ensure a 'parent-friendly' voice and tone was used throughout.

2.8. Content and draft versions were discussed and reviewed by a wider group of parent representatives from HPCN and Parent Voice; and officers including the Childcare Inclusion manager, Communications officer, the Recreational Inclusion Officer from Culture, Community and Business Services and a number of managers from the Children's Disability Service.

### **3. Consultation**

3.1. Consultation took place over a 12 week period from 6<sup>th</sup> July to 28<sup>th</sup> September 2012. The draft statement was sent to HPCN and Parent Voice members, short breaks activity providers and other relevant council

departments including schools. A short survey was available for respondents to complete and give feedback.

- 3.2. Feedback about the statement was broadly positive, for example over 80% of people felt the range of services and how they could help was clear; and over 80% thought the statement was easy or reasonably easy to understand. Most of the respondents were parents/ carers. Responses to the survey can be seen at [www.hants.gov.uk/childrens-services/shortbreaks/servicestatement](http://www.hants.gov.uk/childrens-services/shortbreaks/servicestatement)
- 3.3. The small working group along with the Communications Officer met again to review the feedback/comments and edited the statement further in response to these. The final draft is attached to this report.
- 3.4. Impact is one of the special educational needs and disability delivery partners appointed by the Department for Education in 2011, to work with all 152 local authorities in England to embed and sustain short breaks. Impact has been signposting English local authorities, to Hampshire's draft statement as an example of good practice; as have Welsh councils working under the Welsh Assembly. In addition, as a result of this statement and our other work on Short Breaks, representatives from Hampshire, along with the parent who is Chair of Hampshire Parent / Carer Network, were recently invited to speak at the Short Breaks Network national conference in November 2012 with very positive feedback ([www.shortbreaksnetwork.org.uk/training/conferences](http://www.shortbreaksnetwork.org.uk/training/conferences)).

#### **4. Future direction**

- 4.1. While parent representatives were involved in the review of this statement, we are improving children and young people's participation in the short breaks programme and hope that this is reflected in the next review of this statement.
- 4.2. As part of the governments Green Paper, "Support and aspiration: A new approach to special education needs and disability" published in March 2011, every local authority is expected to communicate a clear Local Offer for families to clarify what support is available and from whom. Future reviews of the Short Break Service Statement will need to take into account the framework for presenting information that is agreed for the Local Offer.

#### **5. Conclusion**

- 5.1. The new Short Breaks Service Statement was approved on 6<sup>th</sup> December by the Executive Lead Member for Children's Services. This statement is now published in accordance with the Breaks for Carers of Disabled Children Regulations 2011. Further information and the published statement can be found at [www.hants.gov.uk/childrens-services/shortbreaks/servicestatement](http://www.hants.gov.uk/childrens-services/shortbreaks/servicestatement)

**CORPORATE OR LEGAL INFORMATION:****Links to the Corporate Strategy**

|  |     |
|--|-----|
| <b>Hampshire safer and more secure for all:</b>          | no  |
| Corporate Improvement plan link number (if appropriate): |     |
| <b>Maximising well-being:</b>                            | yes |
| Corporate Improvement plan link number (if appropriate): |     |
| <b>Enhancing our quality of place:</b>                   | no  |
| Corporate Improvement plan link number (if appropriate): |     |

**Other Significant Links**

|   |                          |                                  |
|---|--------------------------|----------------------------------|
| <b>Links to previous Member decisions:</b>                                  |                          |                                  |
| <u>Title</u><br>Short Breaks Statement of Future Provision and Grant Awards | <u>Reference</u><br>3153 | <u>Date</u><br>28 September 2011 |
| <b>Direct links to specific legislation or Government Directives</b>        |                          |                                  |
| <u>Title</u><br>Breaks For Carers of Disabled Children Regulations          |                          | <u>Date</u><br>2011              |

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

| <u>Document</u>  | <u>Location</u>   |
|--|---|
| Short Breaks: Statutory guidance on how to safeguard and promote the welfare of disabled children using short breaks | <a href="https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00183-2010">https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00183-2010</a>                                     |
| Short Breaks: Advice for Local Authorities   | <a href="http://media.education.gov.uk/assets/files/pdf/s/short%20breaks%20-%20advice%20for%20local%20authorities.pdf">http://media.education.gov.uk/assets/files/pdf/s/short%20breaks%20-%20advice%20for%20local%20authorities.pdf</a> |

## **IMPACT ASSESSMENTS:**

### **1. Equalities Impact Assessment:**

- 1.1. An Equalities Impact Assessment has been completed for the Short Breaks programme and along with our stakeholders we will continue to progress the action plan as agreed. The Statement can be made available in alternative formats and languages upon request and we hope to publicise the final statement widely to ensure all parents/ carers are made aware of the services available to them.

### **2. Impact on Crime and Disorder:**

- 2.1. N/A

### **3. Climate Change:**

- 3.1. N/A