

HAMPSHIRE COUNTY COUNCIL**Decision Report**

Decision Maker:	Executive Lead Member for Children's Services
Date:	26 March 2014
Title:	Short Breaks Statement Review for 2014-15
Reference:	5580
Report From:	Director of Children's Services

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1. Executive Summary

- 1.1. The purpose of this paper is to seek approval for the revised 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 an update to the Short Breaks statement approved in December 2012. This statement was a significant revision to the first statement, previously published in October 2011.

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 1st 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;
- 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.17 of the Children Act 1989.

2.7. The proposal in the new Children and Families Bill to require each area to publish a Local Offer is also relevant. By September 2014, all local authorities will have to develop a Local offer for families to improve choice and transparency. This will outline all services and support available to children and young people aged 0-25 years with disabilities or Special Educational Needs, including education, health, social care and leisure services. Parent Voice is the provider who is developing the Local Offer for Hampshire. The requirement for the Council to publish a separate Short Breaks statement continues.

2.8. The update is necessary to ensure the Statement adequately describes an up-to-date picture of services in Hampshire. This is particularly true due to the development of the Local Offer, which means the descriptions of the current information/support services for disabled children and their families need to be adapted in light of this requirement.

2.9. The process for undertaking the first 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 parent representatives wrote and edited many sections of the statement to ensure a 'parent-friendly' voice and tone was used throughout. For this update, to continue to meet the requirement for co-production the group

reconvened along with parent/carer representatives involved in the Local offer social care sub-group.

3. Finance

- 3.1. Hampshire County Council has protected the overall budget for Short Break Services for a further year despite the substantial budgetary pressures faced by the local authority. However, the council is keen to indicate, for the benefit of future planning, that such comprehensive protection is unlikely to remain into 2015/16 and/or beyond but can assure all stakeholders that full and thorough consultation will take place in advance of any changes that emerge which will be reflected in next year's updated statement.

4. Consultation

- 4.1. The previous statement revision was subject to a wide public consultation, including a survey, with broadly positive feedback. Responses to the survey can be seen at www.hants.gov.uk/childrens-services/shortbreaks/servicestatement. For this update, a survey about short breaks issued by Hampshire Parent / Carer Network provided useful feedback about public awareness of the statement; with just over half of respondents not being aware of the statement or where to find a copy (http://www.hpcn.org.uk/en/Current_projects_-_Short_Breaks). This will help us consider better ways to increase parents/carers awareness about the statement about short break services.
- 4.2. The current statement has been used as an example of good practice nationally by Impact, (a former special educational needs and disability delivery partner appointed by the Department for Education) and the national co-ordinating body, the Short Breaks Network. Council staff and parent/carer representatives have presented the work at national conferences.

5. Recommendation(s)

- 5.1. That the Executive Lead Member for Children's Services approves the draft updated Short Breaks Statement, which will then be published as the current finalised statement for 2014-15, in accordance with the Breaks for Carers of Disabled Children Regulations 2011.

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

Hampshire safer and more secure for all:	No
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	Yes
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	No
Corporate Improvement plan link number (if appropriate):	
OR	
This proposal does not link to the Corporate Strategy but, nevertheless, requires a decision because:	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Short Breaks for Disabled Children: Service Statement Review	<u>Reference</u> 4120	<u>Date</u> 6 th December 2012
Direct links to specific legislation or Government Directives		
<u>Title</u> Breaks For Carers of Disabled Children Regulations		<u>Date</u> 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	https://www.education.gov.uk/publications/standard/publicationDetail/Page1/DCSF-00183-2010
Short Breaks: Advice for Local Authorities	http://media.education.gov.uk/assets/files/pdf/s/short%20breaks%20-%20advice%20for%20local%20authorities.pdf

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