

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Children and Young People Select Committee
Date:	12 September 2014
Title:	Consideration of Request to Exercise Call-in Powers
Reference:	6083
Report From:	Director of Corporate Services – Policy and Governance

Contact name: Barbara Beardwell – Head of Governance and Monitoring Officer

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1. Purpose of Report

1.1. The purpose of the meeting to which this Report relates is for the Children and Young People Select (Overview and Scrutiny) Committee ('The C&YP Committee') to consider whether or not it should exercise its powers under Section 9F of Part 1A of the Local Government Act 2000 ('the 2000 Act'), referred to in the County Council's Constitution as 'Call-in'.

2. Contextual information

2.1. On 25 July 2014, following approval by the County Council at its meeting on 20 February 2014 of the proposed budget for the Children's Services Department 2014/15, the Executive Lead Member for Children's Services ('Executive Lead Member') considered a Report seeking approval to initiate a public consultation on proposals relating to the short break programme for children with disabilities, and the delivery of overnight short breaks. Copies of the Report to the Executive Lead Member and Executive Decision Record are attached at Annex 1 and Annex 1a to this Report.

2.2. The description of the budget proposal in respect of the reduction of the children with disability budget in the County Council's Budget Report states a 'review of services for children with disabilities and their carers (options include: residential and respite care, short breaks, speech & language). Review of grants to the voluntary sector, including the possibility of a single process across all children's services with more flexible criteria'.

2.3. Prior to consideration of the Report by the Executive Lead Member, a Report of a task and finish group set up as a result of deliberations of the C&YP Select Committee in scrutinising the proposed budget reduction measures in relation to short breaks for disabled children, was considered on 23 July 2014 by the C&YP Select Committee. A copy of the Report considered by the Select Committee together with a copy of a letter dated 24 July 2014 from the

Chairman of the C&YP Select Committee setting out the recommendations of the C&YP Select Committee are attached at Annex 2 and 2a to this Report.

- 2.4. Following the decision of the Executive Lead Member on 25 July 2014 a request was made by a quorum of Members of the C&YP Select Committee ('Call-in request') for a meeting of the C&YP Select Committee to be held in order for the Committee to consider whether or not it should exercise its Call-in powers. The reasons given for the Call-in request are attached at Annex 3 to this Report.

3. Legal and Constitutional Position

- 3.1. Legal provisions in respect of Call-in are set out at Section 9F of Part 1A of the 2000 Act and reflected at Part 3, Chapter 3, Paragraph 1.17 of the County Council's Constitution. A copy of Part 3, Chapter 3, Paragraph 1.17 of the Constitution is attached at Annex 4 for ease of reference. It should be noted however that discussion of the Executive decision subject of the Call-in request is not limited to the points raised in the request.
- 3.2. When a Scrutiny Committee meets in order to consider whether or not it should exercise its Call-in powers in respect of an Executive Decision, a Select Committee is required to consider whether or not to recommend:
 - a) that the decision be reconsidered by the relevant decision maker; or
 - b) that its function in respect of review or scrutiny of the decision should be exercised by the County Council.
- 3.3. It should however be noted that the recommendation as referred to at b) is not available where the Executive decision in question is in line with the Budget or Policy Framework. Neither do the exercise of Call-in powers prevent implementation of a decision within the Budget and Policy Framework. As indicated at Paragraph 2.1 of this Report, and set out in both the Report to the Executive Lead Member and the Report to the C&YP Scrutiny Committee, the decision of the Executive Lead Member relates to consultation required in respect of the proposals relating to implementation of the County Council's Budget Decision, and is in line with the budget decision. Therefore, should the C&YP Scrutiny Committee determine it appropriate to exercise its Call-in powers, the recommendation open to the Committee is as set out at 3.2 a).

4. Scrutiny

- 4.1. The role of a Scrutiny Committee includes both developing and reviewing policy and holding the Executive to account. A Scrutiny Committee may not however discharge any functions other than those conferred on it, and whilst it is perfectly proper for a Scrutiny Committee to offer advice and recommendations to an Executive decision maker, in law responsibility for an Executive decision is that of the Executive.
- 4.2. Statutory Guidance confirms that pre-scrutiny of a proposed Executive decision might consist of (inter-alia) seeking the views of local stakeholders and interested parties, and advises that the Executive should take into

account any views expressed by an Overview and Scrutiny Committee when determining their final decision. The Executive is not however limited to consideration only of the views of a Scrutiny Committee, and may take into account other factors in its decision making process and make other determinations as it thinks fit. It would therefore be incorrect and legally not possible for the C&YP Select Committee to attempt to stipulate the parameters and limits of the public consultation referred to in the Executive Lead Member Decision Report.

5. Recommendation(s)

- 5.1. Members of the C&YP Select Committee are asked whether or not they consider that the Executive Lead Member should re-consider his decision as set out at Paragraph 1.1 of the Executive Decision Record attached at Annex 1a.

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

Hampshire safer and more secure for all:	no
Maximising well-being:	yes
Enhancing our quality of place:	no

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Children's Services Revenue Budget 2014/15	5445	22 January 2014
Revenue Budget and Precept 2014/15 and Capital Programme 2014/15 – 2016/17	54	20 February 2014
Children with Disabilities Public Consultation Approval	5933	25 July 2014
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	
Breaks for Carers of Disabled Children Regulations	2001	
Children Act 1989	1989	

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>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2. Equalities Impact Assessment:

See decision report (Annex 1)

2. Impact on Crime and Disorder:

2.1. See decision report (Annex 1)

3. Climate Change:

3.1. How does what is being proposed impact on our carbon footprint / energy consumption?

See decision report (Annex 1)

3.2. How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

See decision report (Annex 1)

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	25 July 2014
Title:	Children with Disabilities Public Consultation Approval
Reference:	5933
Report From:	Director of Children's Services

Contact name: Kieran Lyons

Tel: 01962 846370

Email: Kieran.lyons@hants.gov.uk

1. Executive Summary

- 1.1 In January 2014, the Executive Lead Member for Children's Services considered a proposed budget for the Children's Services Department for 2014/15, subsequently approved by Full Council on 20 February 2014 in setting the Council Tax precept. The Children's Services Department must now take steps to live within the parameters set for it, and the purpose of this report is to seek approval to initiate a public consultation for twelve weeks, commencing in September 2014, on proposals developed for the short break programme and the delivery of overnight short breaks. Proposals are currently being developed in response to the objective of reducing the children with disability budget by £2.5 - £3.5 million, as described in the "Children's Services Revenue Budget 2014/15" paper published on 14 January 2014.
- 1.2 The total budget for services for children with disabilities in 2014/15 is £19.7m, which includes the short break programme, overnight short breaks (both County Council provision and other commissioned services) and other family support services. The proposals in this report describe changes to the delivery mechanisms of the short break programme and overnight short breaks, potentially including the introduction of eligibility criteria in order to ensure an equitable distribution of services, designed to target those children and young people most in need. These areas account for estimated savings of £2.2m per annum.

2. Contextual information – Short Break Programme

- 2.1 The current budget for discretionary short break activities is £3.2 million, of this amount over £2.8 million is delivered in grants to organisations for the provision of open access short break services all over Hampshire. The proposal is to reduce this budget by £1.85 million and possibly introduce eligibility criteria in

order to ensure that services are targeted at those children and young people most in need.

- 2.2 County Councillors from the Children and Young People Select Committee have formed a Task and Finish Group to scrutinise the proposals and are currently in the process of producing a report with their recommendations. This report will be considered by the Select Committee on 23 July 2014 with a view to presenting it to the Executive Lead Member for Children's Services for consideration. This work will continue to inform the development of proposals alongside the pre-engagement with stakeholders from across the sector.
- 2.3 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 Sn.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.
- 2.4 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".
- 2.5 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 service 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: day-time care in the homes of disabled children or elsewhere; overnight care in the homes of disabled children or elsewhere; educational or leisure activities for disabled children outside their homes; services to assist carers in the evenings, at weekends and during school holidays.
- 2.6 It should be noted that the Breaks for Carers of Disabled Children Regulations do not displace the Council's duty to provide services under Sn.17 and Sn.20 of the Children Act 1989, and are therefore supplementary.

3. Contextual information – Overnight Short Breaks

- 3.1 Hampshire County Council Children's Services currently operates three residential short break units, Merrydale in Kings Worthy, Winchester, Firvale in Basingstoke and Sunbeams in Aldershot.
- 3.2 In addition, Hampshire County Council Children's Services operates a Framework Agreement with five providers to purchase additional overnight residential short breaks.
- 3.3 Proposals are being examined to determine whether there is a more cost effective way of delivering these services and establish feasibility. Primarily, this means a review of current provision to determine what the capacity of the current overnight residential provision is in Hampshire and ensure that we are maximising our use of it in the most cost effective way. This is not to reduce the current level of provision offered but to achieve that same level at reduced cost. Overnight short breaks are provided under the provisions of s.17 and s.20 of the Children Act 1989 as amended by the Care Planning, Placement and Case Review (England) Regulations 2010.

3.4 Savings of about £350,000 are estimated to be achievable from these proposals.

4. Contextual Information – Public Consultation

- 4.1 This paper seeks approval to initiate a twelve week public consultation, commencing in September 2014, on the proposals for changes to the short breaks programme and a change in the delivery of overnight short breaks.
- 4.2 The proposals and consultation have been planned over a period of pre-engagement with key stakeholders to shape the detail and process, including the use of focus groups to test out the presentation of information and the design of the questions for different groups of stakeholders.
- 4.3 The consultation programme for children and young people will involve working with current providers and independent facilitators to offer the children and young people a variety of methods and opportunities to contribute their views. This will include numerous communication methods, group feedback and individual submissions.
- 4.4 The consultation programme for parents/carers and other key stakeholders will include a variety of opportunities and mechanisms for the submission of views and opinions via structured consultation questionnaires, public meetings and others.
- 4.5 Alongside the public consultation, a staff consultation will be underway with any staff potentially affected by the proposals and their union representatives. This consultation period will run for the same period of twelve weeks and if appropriate a period will be identified for staff to be invited to express interest in voluntary redundancy during this time.
- 4.6 The outcome of the consultation and the finalised proposals will be determined in January 2015 when the Executive Lead Member for Children's Services will consider them.

5. Finance

- 5.1 The financial context driving these changes is the requirement that Hampshire County Council has to identify savings of £102.5m by April 2015 through the Transforming the Council to 2015 programme. This is in addition to the £140m already implemented between 2008 and 2013. Frontline children with disability services were protected in full in the previous savings programme.
- 5.2 For Children's Services, a further £26m savings has to be achieved by April 2015, of which a range of £2.5m to £3.5m, from a total budget of £19.7m, is included in the budget proposals relating to children with disability services. These proposals cover two elements of these services, against which savings of £2.2m per annum are estimated.
- 5.3 If the consultation does not proceed within the timescales detailed in this report, the achievement of the required savings by the authority may be at risk.

6. Recommendation(s)

- 6.1 That the Executive Lead Member for Children's Services approves the initiation of a public consultation for twelve weeks, commencing in September 2014, on proposals to implement a new short break delivery programme including the creation of eligibility criteria to determine equality of access to the programme. The consultation will also consider the proposals for alterations to the delivery of overnight short breaks if required.

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

Hampshire safer and more secure for all:	yes/no
Corporate Improvement plan link number (if appropriate):	
Maximising well-being:	yes/no
Corporate Improvement plan link number (if appropriate):	
Enhancing our quality of place:	yes/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> Children's Services Revenue Budget 2014/15	<u>Reference</u> 5445	<u>Date</u> 22 January 2014
Direct links to specific legislation or Government Directives		
<u>Title</u> Breaks For Carers of Disabled Children Regulations The Children Act		<u>Date</u> 2011 1989

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.)

DocumentLocation

Access to Specialist Services for Disabled Children	http://hantsfile.it2000.hants.gov.uk/LinkViewer/LinkViewer.aspx?PIDv1=90%203%20ICM8%20ICMNL%20SDB10%20DOC%5FBIN%5F0859%2026%20A1001001A12E22B11926F1848518%20A12E22B11926F184851%2014%201254
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 equality impact assessment is currently being undertaken on the proposals to be consulted upon.

2. Impact on Crime and Disorder:

- 2.1 There is no identifiable impact on crime and disorder.

3. Climate Change:

- 3.1 How does what is being proposed impact on our carbon footprint / energy consumption?
- 3.2 The consultation is not anticipated to have any impact on our carbon footprint / energy consumption.

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

- 3.3 This is a time limited public consultation and does not have any long term impact on climate change or its longer term impacts.

HAMPSHIRE COUNTY COUNCIL

Executive Decision Record

Decision Maker:	Executive Lead Member for Children's Services
Date:	25 July 2014
Title:	Children with Disabilities Public Consultation Approval
Reference:	5933
Report From:	Director of Children's Services

Contact name: Kieran Lyons

Tel: 01962 846370

Email: Kieran.lyons@hants.gov.uk

1. The decision:

1.1. That the Executive Lead Member for Children's Services approves the initiation of a public consultation for twelve weeks, commencing on 8 September 2014, on proposals to implement a new short break delivery programme including the creation of eligibility criteria to determine equality of access to the programme. The consultation will also consider the proposals for alterations to the delivery of overnight short breaks if required.

2. Reason(s) for the decision:

- 2.1. To ensure that the proposals developed for the short break programme are subject to full and comprehensive public consultation.
- 2.2. To ensure that the proposals developed for overnight short breaks are subject to full and comprehensive public consultation.

3. Other options considered and rejected:

3.1. No other options were considered

4. Conflicts of interest:

4.1. Conflicts of interest declared by the decision-maker:

4.2. Conflicts of interest declared by other Executive Members consulted:

5. Dispensation granted by the Conduct Advisory Panel: none.

6. Reason(s) for the matter being dealt with if urgent: not applicable.

7. Statement from the Decision Maker:

The Executive Lead Member for Children's Services will ensure that included in the consultation responses are the deliberations and recommendations of, and the delegations attending, the Children and Young People Select Committee in respect of the final report of the Short Breaks Task and Finish Group, and the Petition received from the Hampshire Parent/Carer Network entitled STOP Short Breaks cuts for disabled children 2015/16.

Approved by:

Date:

25 July 2014

**Executive Lead Member for Children's Services
Councillor Keith Mans**

HAMPSHIRE COUNTY COUNCIL

Report

Committee:	Children and Young People Select Committee
Date:	23 July 2014
Title:	Short Breaks Task and Finish Group Report
Reference:	6003
Report From:	<i>Short Break Task and Finish Group</i>

Contact name: Kieran Lyons

Tel: 01962 846370

Email: kieran.lyons@hants.gov.uk

2. Purpose of Report

- 2.1. The purpose of this report is to outline the work of the task and finish group, set up as a result of deliberations by the Children and Young People Select Committee, in scrutinising the proposed budget reduction measures in relation to short breaks for disabled children.
- 2.2. The report makes a number of recommendations which are to be presented to the Children and Young People's Select Committee on 23 July 2014.

2. Contextual Information

- 2.1. In January 2014, the Executive Lead Member for Children's Services considered a proposed budget for the Children's Services Department for 2014/15, subsequently approved by Full Council on 20th February 2014 in setting the Council Tax precept. The Children's Services Department must now take steps to live within the parameters set for it, and proposed, among a range of measures, a reduction in the budget for the Children with Disabilities Service of between £2.5m - £3.5m. The proposal for the short breaks programme was to realise a saving of £1.85m from an overall budget of £3.1m as one element of that objective, the rationale being that this is one of the more discretionary elements of services for children with disabilities.
- 2.2. The Children and Young People Select Committee discussed the proposal regarding the short break budget on 22 January 2014, including receiving representation from the Hampshire Parent/Carer Network. To further understand the proposal and the impact upon the short break programme, the committee made arrangements for the creation of a task and finish group, comprised of members of the committee (Appendix A), in order to scrutinise the proposal and report back to the committee.
- 2.3. The terms of reference of the group were as follows:

- To fully understand the Short Breaks Service and its budgetary framework in the context of the service budget for Children with Disabilities.
- To consider the possible effect of the proposed cut on parents/carers and the children/young people who use the Short Breaks Service.
- To consider what alternatives are available for families.
- To consider how the service could be delivered more effectively.
- In the event that the group considers there should be any additional financial protection offered to these grants the group will give consideration and advice as to how else the subsequent necessary additional savings should be identified.

3. The Meetings of the Group

- 3.1. The task and finish group has met six times and was presented with a number of reports from officers, as well as receiving delegations from Hampshire parent/Carer Network, a number of voluntary sector representatives and young people themselves.
- 3.2. The first meeting on 11 March 2014 agreed the terms of reference as detailed above. The meeting received a presentation from officers about the current short break service, the wider children with disability service and some options from officers to achieve the required savings.
- 3.3. The second meeting on 18 March 2014 received a number of presentations from Hampshire Parent/Carer Network, the Rose Road Association and Parent Voice, Disability Challengers and KIDS. The group was particularly impressed by a young man who has accessed the short break programme and who provided a short presentation to the meeting on his experiences and views.
- 3.4. The third meeting on 1 April 2014, received a summary briefing from officers of the information provided to the group up to that point, the questions that members of the group had raised and answers where possible.
- 3.5. The fourth meeting on 29 April 2014 received a petition from SCARF (Supporting special Children and their Relatives and Friends), a local parent led charity based in the New Forest which organises regular social and holiday events for children/young people with special needs and their families. The petition requested that the short breaks budget be protected and highlighted the benefits they believe the scheme brings to children, young people and their families.
- 3.6. The fourth meeting also received further information from the voluntary sector representatives who had presented at the second meeting. This information was provided in response to questions the group had asked during the presentations.
- 3.7. The fourth meeting also received a representative sample of the grant applications submitted to the short breaks programme for the current year in

order to fully understand the nature of the applications and the associated costs. The group defined a list of options that they wanted to pursue further and requested a report from officers to consider at the fifth meeting which provided further details regarding that list.

- 3.8. The fifth meeting of the group took place on the 4 June 2014 and considered the report requested at the previous meeting. The group determined that they would meet again on 1 July 2014 to agree their report for the Children and Young People Select Committee on 23 July 2014.
- 3.9. The sixth meeting of the group took place on 1 July 2014 and agreed the content for this report.

4. Final Areas of Consideration

- 4.1. The task and finish group considered a wealth of information from officers, parents/carers, voluntary sector providers of short breaks and a presentation from a young person. In scrutinising this information, the group considered a wide range of ideas and posed a number of detailed questions. The following paragraphs provide an overview of the areas the group considered could make the scheme more efficient or which should form part of the proposals being developed.
- 4.2. The group considered the provision of after school clubs and other schemes in publicly run organisations such as leisure centres which benefit from grants delivered by the short break programme. The group was keen to explore whether any of the costs for these services could be shared with the providers themselves or the venues hosting them. Over £600k of the grants awarded are for such services, £360k of which are allocated to provision operating in conjunction with Hampshire County Council schools, including some academies. The group would encourage the development of closer relationships between these organisations including the sharing of costs and a reduction in charges such as venue costs.
- 4.3. **Recommendation 1: The Task and Finish Group recommend that officers explore the potential for sharing costs with schools, academies and other venues hosting short break activities with a view to achieving between £250k - £360k of savings.**
- 4.4. The group considered the option of seeking a strategic partner for the delivery of the short breaks programme. This would involve tendering for bids from the voluntary sector to organise and co-ordinate Hampshire's short break offer on the County Council's behalf. The group believe that a voluntary sector partner could enhance fundraising activity across the network of providers in the county raising additional funds for short break activities. Such fundraising activity may in time produce matched funding to the County Council's contribution. The group were also concerned at the duplication of management and overhead costs across such a myriad number of organisations as currently deliver services and considered that a single, county wide strategic partner could improve the collaboration across the sector to reduce these costs whilst maintaining the range of activities available for children and young people.

- 4.5. **Recommendation 2: The Task and Finish Group recommend that a full business case is developed for appointing a single strategic partner for the delivery of the short break programme with a view to it realising a further £100k in savings by removing the infrastructure within the county council.**
- 4.6. Regardless of whether a strategic partner is identified or not, the group considered there might still be scope to encourage providers to collaborate further in sharing infrastructure costs. The typical share of grant allocated to management costs is between 10% - 15%, though this excludes smaller parent run activities which often do not request or require infrastructure funding. It is difficult to quantify the reduction in expenditure this approach may realise but the concept was raised at a recent short break provider forum and prompted a lively debate with many organisations clearly open to further discussion.
- 4.7. **Recommendation 3: The Task and Finish Group recommend that all providers seeking short break funding submit details of their collaborative proposals to share management and overhead costs with other non-uniformed providers as feasible. The group consider that this could realise a further £200k - £250k of savings.**
- 4.8. The group was aware of the wide range of capital and revenue grants provided by Hampshire County Council to a range of organisations across the county. The group wanted assurance that these grants were provided with a clear requirement that every effort must be made to ensure full access to disabled children and young people. In addition, the group posed the question as to whether the conditions could go further in requiring the receiving organisation to offer a regular short break activity, perhaps making use of a volunteer scheme overseen by the new Early Help Hubs. The requirement for access and inclusion has already been passed to those undertaking a corporate review of the council's relationships with the voluntary and independent sector which is currently in progress.
- 4.9. **Recommendation 4: The Task and Finish Group recommend that officers explore the viability of using the volunteer recruitment scheme currently being set up as part of the Olympic Legacy or via the Early Help Hubs in order to support the use of HCC grant funded organisations to develop short break provision where they have the use of appropriate venues. The group consider that this could realise a further £100k of savings.**
- 4.10. The group were very interested to hear about the fundraising activity of providers and whether recipients of short break grants could be required to match fund the contribution from the County Council. The group acknowledged that many organisations across the sector make efforts to raise additional funding but posed the question as to whether more collaborative and concerted efforts by the voluntary sector could improve the level of fundraising currently achieved. The idea was presented to a recent short break provider forum and received great interest, particularly from providers unable to afford investing in fundraising staff. A number of providers suggested that assistance from the County Council in this area would be

warmly welcomed. The group consider that if match funding was required to be identified by recipients of short break funding, this would increase the expenditure on short break provision by £1 million and off set the reduction in the local authority contribution. The group were aware that for providers to be in a position to meet this requirement, it is likely to require a longer preparation time than is available by April 2015. They therefore are making a recommendation that the Executive Lead Member for Children's Services should consider whether funding could be identified for the year 2015/16 that would provide this preparation time and ensure the programme can be maintained at that level.

- 4.11. **Recommendation 5: The Task and Finish Group recommend that providers be encouraged to collaborate with other providers to enhance and maximise their fundraising activity.**
- 4.12. **Recommendation 6: That all recipients of short break funding are required to provide match funding in order to deliver their short break offer. This would ensure that an additional £1 million would be made available for the delivery of short breaks sourced from the voluntary and independent sector. The group further recommended that the Executive Lead Member for Children Services identify temporary additional funding of at least £800k for the year 2015/16 in order to provide a reasonable time period for providers to source that match funding.**

5. Conclusions

- 5.1. The working group scrutinised a significant range of information from a variety of key stakeholders and was in no doubt as to the value of sustaining the short break programme. The group was able to identify a number of recommendations detailed in Sn.4 of this report which will reduce the impact of the budget reductions and enhance the sustainability of the short breaks programme following the reduction in County Council funding.
- 5.2. The group wanted to make an additional recommendation, not discussed in the report, regarding the exploration of the use of Direct Payments and their use for families to purchase short break activities.
- 5.3. **Recommendation 7: The Task and Finish Group recommend that officers explore the opportunities for Direct Payments to be used for families to purchase short breaks themselves.**
- 5.4. The group wish to ensure that the wide range of opportunities for short breaks has not been diminished by these proposals.

6. Recommendations

- 6.1. **Recommendation 1: The Task and Finish Group recommend that officers explore the potential for sharing costs with schools, academies and other venues hosting short break activities with a view to achieving between £250k - £360k of savings.**
- 6.2. **Recommendation 2: The Task and Finish Group recommend that a full business case is developed for appointing a single strategic partner for**

the delivery of the short break programme with a view to it realising a further £100k in savings by removing the infrastructure within the county council. Further, the group recommend that if a strategic partner is appointed, it will be required to distribute a proportion (tba) of the funding to other organisations via an application process.

- 6.3. Recommendation 3: The Task and Finish Group recommend that all providers seeking short break funding submit details of their collaborative proposals to share management and overhead costs with other non-uniformed providers as feasible. The group consider that this could realise a further £200k - £250k of savings.**
- 6.4. Recommendation 4: The Task and Finish Group recommend that officers explore the viability of using the volunteer recruitment scheme currently being set up as part of the Olympic Legacy or via the Early Help Hubs in order to support the use of HCC grant funded organisations to develop short break provision where they have the use of appropriate venues. The group consider that this could realise a further £100k of savings.**
- 6.5. Recommendation 5: The Task and Finish Group recommend that providers be encouraged to collaborate with other providers to enhance and maximise their fundraising activity.**
- 6.6. Recommendation 6: That all recipients of short break funding are required to provide match funding in order to deliver their short break offer. This would ensure that an additional £1 million would be made available for the delivery of short breaks sourced from the voluntary and independent sector. The group further recommended that the Executive Lead Member for Children Services identify temporary additional funding of at least £800k for the year 2015/16 in order to provide a reasonable time period for providers to source that match funding.**
- 6.7. Recommendation 7: The Task and Finish Group recommend that officers explore the opportunities for Direct Payments to be used for families to purchase short breaks themselves.**

Appendix A

Membership of the Short Breaks Task and Finish Group

Councillor Ray Bolton (Chair)
Councillor Ann Briggs
Councillor Criss Connor
Councillor Jonathan Glen
Councillor Marge Harvey
Councillor Jackie Porter
Councillor Christopher Wood

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):	

Other Significant Links

Links to previous Member decisions:		
<u>Title</u> Revenue budget report for Children's Services for 2014/15	<u>Reference</u> 5445	<u>Date</u> 22 January 2014
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

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>
None	

IMPACT ASSESSMENTS:

1. Equalities Impact Assessment:

- 1.1 An equalities impact assessment will be completed once proposals have been agreed for consultation.

2. Impact on Crime and Disorder:

- 2.1. There is no identifiable impact on crime and disorder

3. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?

Not applicable

- b) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

Not applicable



Cllr K Mans
Executive Lead Member for
Childrens Services

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Date 24 July 2014

My reference CYPSC/2014-07-23

Your reference

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Dear Councillor Mans

RE : SHORT BREAKS FOR DISABLED CHILDREN

The Children and Young People Select Committee received the final report of the Short Breaks Task and Finish Group at its meeting on Wednesday morning. A copy of the final report is attached. During consideration of that report the recommendations at section 6 of the report were proposed and supported for recommendation to the Executive Lead Member. The Select Committee also resolved to add two further recommendations.

For ease of reference I have set out all nine of the Select Committee's recommendations below.

Recommendation 1: The Task and Finish Group recommend that officers explore the potential for sharing costs with schools, academies and other venues hosting short break activities with a view to achieving between £250,000 - £360,000 of savings.

Recommendation 2: The Task and Finish Group recommend that a full business case is developed for appointing a single strategic partner for the delivery of the short break programme with a view to it realising a further £100,000 in savings by removing the infrastructure within the county council. Further, the group recommend that if a strategic partner is appointed, it will be required to distribute a proportion (tba) of the funding to other organisations via an application process.

Recommendation 3: The Task and Finish Group recommend that all providers seeking short break funding submit details of their collaborative proposals to share management and overhead costs with other non-uniformed providers as feasible. The group consider that this could realise a further £200,000 - £250,000 of savings.

Recommendation 4: The Task and Finish Group recommend that officers explore the viability of using the volunteer recruitment scheme currently being set up as part of the Olympic Legacy or via the Early Help Hubs in order to support the use of HCC grant funded organisations to develop short break provision where they have the use of appropriate venues. The group consider that this could realise a further £100,000 of savings.

Recommendation 5: The Task and Finish Group recommend that providers be encouraged to collaborate with other providers to enhance and maximise their fundraising activity.

Recommendation 6: That all recipients of short break funding are required to provide match funding in order to deliver their short break offer. This would ensure that an additional £1million would be made available for the delivery of short breaks sourced from the voluntary and independent sector. The group further recommended that the Executive Lead Member for Children Services identify temporary additional funding of at least £800,000 for the year 2015/16 in order to provide a reasonable time period for providers to source that match funding.

Recommendation 7: The Task and Finish Group recommend that officers explore the opportunities for Direct Payments to be used for families to purchase short breaks themselves.

Recommendation 8: That this is not to reduce the current level of provision offered but to achieve the same level at reduced cost.

Recommendation 9: That the proposed savings are effected in the 2016/17 year and that the service remains for the 2015/16 year to enable sufficient time for the organisations to seek alternative funding.

I look forward to receiving your response to the recommendations.

Best wishes

Yours sincerely,

Councillor Ray Bolton
Chairman, Children & Young People Select Committee

Call-in Request

The decision to consult did not take sufficient account of the constructive recommendations of the Children's Services cross-party working party, and because one consultation will include the possible reduction of the number and duration of overnight breaks 'awarded' to families and the criteria by which the gateway cards are granted, and short breaks time allocated, if at all.

The latter two points were not discussed as potential savings at the scrutiny meetings and we believe that the remit of the consultation is now too large and too destructive for most affected parents across a wide range of family situations to respond objectively and fairly.

We would like the consultation to continue to seek parents' views, not on the basis of the criteria described in the decision day papers, but rather to reflect the recommendations of the Children's Services Scrutiny Committee made after hearing the report of the working party.

1.17 Call-in

- 1.17.1 Where a decision of the Executive has been made but not yet been implemented, a quorum of members of the relevant Select (Overview and Scrutiny) Committee(s) may require by way of notice in writing to the Chief Executive that a meeting of the Committee is held to consider whether or not to exercise the Committee's powers under Section 9 F (4) of Part 1A of the 2000 Act (referred to in this Constitution as 'call-in'). These powers are to arrange that the decision be reconsidered by the Executive, or arrange for its powers in respect of review or scrutiny of the decision to be exercised by the County Council. Where a decision materially affects more than one Select Committee (i.e. it is cross-cutting) a call-in must be made by at least two of the Select (Overview and Scrutiny) Committees;
- 1.17.2 A decision can only be called-in within 5 clear working days of the date the decision was notified to all members of the appropriate Select (Overview and Scrutiny) Committee(s).
- 1.17.3 When a valid call-in request is made, the Select (Overview and Scrutiny) Committee(s) must meet to consider the request, make a decision and communicate to the Executive any recommendations it wishes to make within 14 clear calendar days of the request being made. When it meets the Committee(s) must consider whether or not to recommend;
- i) that the decision be reconsidered by the relevant decision making body who made the decision; or
 - ii) that the County Council consider whether the relevant decision making body should reconsider the decision (this recommendation shall not be made when the decision is in line with the budget, or the Policy Framework, or statutory requirements regarding notice procedures in respect of publicity for Key Decisions)
- 1.17.4 Any decision of the Executive which is not in line with the Budget or the Policy Framework, or the notice procedure in respect of Key Decisions as set out at Part 3 Chapter 2 Paragraph 3.2 of the Constitution, if called-in, shall not be implemented until the request has been disposed of by;
- i) The withdrawal of the request
 - ii) The rejection of the request by the Select (Overview and Scrutiny) Committee(s) or by the County Council

- iii) The relevant decision-making body rejecting the recommendation for reconsideration or;
- iv) The relevant decision-making body reconsidering and confirming the original decision.

1.17.5 Call-in shall not prevent the decision from being acted on where the decision is in line with the Policy Framework and other policies approved by the County Council but when the views of the Select Committee differ from, or are critical of, the Executive decision, the facts shall be reported to the next County Council meeting and be debated without changing the previous decision although the County Council may request the Cabinet or relevant Executive Member(s) to review the decision in question.