

BRIEFING NOTE

TO: Members of Children and Young People Scrutiny & Performance Panel
DATE: 10 September 2013

RE: Commissioning short breaks for disabled children – update and future developments

Report Context

1. Short breaks services provide opportunities for disabled children and young people to have enjoyable experiences which help them become more independent and make friends outside their family. They also give parents a break from their role as a carer and allow them to do things that other families take for granted. Short breaks can take place during the day, evening or overnight or be weekend activities and may take place in the child's own home, in the home of an approved carer or in a residential setting.
2. In Walsall we have a range of short breaks services as described above. A framework agreement covers all non-residential short breaks services. This has been in operation since 2009 when the national short breaks programme, introduced in 2008, required local authorities to commission local community resources following extensive consultation with families. The current framework agreement terminates on 30th November 2013. We have now published a contract notice in the official journal of the European Union (OJEU) and advertised the tender documents to the Council's e-Procurement Portal (www.blackcountrybusiness.co.uk). The new contract will start from 1st December 2013 and will be effective for one year.
3. Important changes from September 2014 onwards are likely to shape the future development of short breaks services for disabled children with the proposed implementation of the Children and Families Bill. This includes provision for a new local offer, which will involve children, young people and their families in developing and reviewing local short breaks and other universal and targeted services. This will provide an opportunity to continue to ensure that all universal provision is also accessible to disabled children. It will also make the development of targeted short breaks even more responsive to the individual needs of families with disabled children and will enable families who are eligible for personal budgets to control their own support services by purchasing them directly from providers.
 - What are the implications of personal budgets for families?
 - What are the implications for providers of short breaks services?
4. Some families in Walsall already have experience of using direct payments to employ support workers and to purchase short breaks. Personal budgets will extend this by potentially combining funding streams from other agencies e.g. health funding. The details of these arrangements have yet to be determined

by parliament. What we know from listening to families is that not all parents want to hold a personal budget. To encourage families to control personal budgets the local authority will be required to ensure there is third party support available to those families who require help in managing a budget. There will also be a need for transparent processes and an appeals mechanism. For those families who are eligible and do wish to manage a personal budget some auditing and monitoring arrangements will be required by the council.

5. Clearly this marks a significant change in how short breaks are likely to be delivered in the longer term. Families will need to be confident that there are short breaks services available for them to purchase. We also know from the experience of direct payments that families will become more aware of the real cost of services and this can enable families to consider changing their provision e.g. using less residential services and more community activities. This can achieve savings if there is an honest dialogue with families and they feel they can trust the council and work in partnership.
6. One of the objectives of the tender exercise for short breaks services using a framework agreement is to establish a robust market of short breaks providers who can deliver bespoke packages of care tailored to the individual needs of families once the bill becomes law. It is important, not only because this will give families more choice but that a competitive market of short breaks providers helps to drive up service improvements and quality.

Summary

1. Short breaks for disabled children were developed nationally through the Aiming High for Disabled Children Programme which ran from 2008 – 2011. This was a national programme and since 2011, the commissioning of short breaks services has become a local area activity where parents and children are encouraged to work with commissioners to develop more responsive services to meet the local needs of families.
2. Short breaks services have been evaluated and have been shown to prevent family breakdown and more expensive interventions such as residential care, by providing early help to families and offering regular, planned breaks, which enable carers to “re-charge their batteries”.

Headline messages

Commissioning short breaks for disabled children is likely to be further shaped by the Children and Families Bill once it is enacted. There will need to be transition arrangements developed to the commissioning arrangements for short breaks services over the next 12 months. These include:

1. An extensive consultation with families where we will inform families of the impact of the Children and Families Bill so that they are able to plan for the

changes. We know from the recent consultation exercise with parents and carers that they value the existing provision. It is important that families have providers who understand their child's needs and they can trust. Families particularly emphasised the need for regular short breaks to be available during the school holidays.

2. Shaping and developing the market of providers we have already begun to discuss with providers the likely impact on their business and what providers will need to do to respond to the personalisation agenda. Although some providers who also work with adult social care have experience of the transformation, many providers of children's social care will have to consider the implications of moving from a "business2business model" with service provision through local authority contracts being awarded towards a "business2consumer" model and individual transactions. There are clearly risks associated with this shift in service delivery for providers, e.g. the need to staff a short breaks service to meet the regulations whilst negotiating with individual families about purchasing short breaks activities. E.g. How will providers know how many children will arrive for an after school activity if this is an individually planned activity paid for by families? The commissioning arrangements will need to enable a phased transition that does not de-stabilise the market and can still provide for those families who have opted not to use a personal budget or who don't qualify for one.

Conclusion

During the past 5 years commissioning short breaks services and activities for disabled children has been transformed. The change from traditional "respite care" services offered as a last resort when parents and carers were at breaking point has now shifted to short breaks provided in the community at the times families want a break, during school holidays, after school and at weekends.

The transformation is set to continue with families having more control and say in not only shaping the local offer, but for some families eligible for personal budgets the opportunity to purchase short breaks services.

The Council has a duty to provide short breaks services and to ensure that there is sufficient provision of short breaks available in Walsall. This report is to inform the likely impact and future direction of the services and the commissioning arrangements that will enable a smooth transition to personalisation after September 2014.

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