

Cabinet Member for Children – Start of Life

Short breaks for children and young people with additional needs and disabilities

May 2015

Report by Executive Director Care, Wellbeing & Education and Director of Public Health and Social Care Commissioning

Ref No: CH04(15/16)
Key Decision: Yes
Part I
Electoral Divisions: N/A

Executive Summary

West Sussex County Council has a statutory duty under the Breaks for Carers of Disabled Children Regulations 2011 to provide short breaks for children and young people with additional needs and disabilities, and their families.

Short breaks cover a range of activities from an hour's sports activity, a summer play scheme, evening cinema trip or a fun day for the whole family. Short breaks enable children and young people with additional needs and disabilities to try new experiences, both with and away from their siblings and parents or carers, giving them the opportunity to learn new skills, develop their confidence and have fun! Short breaks also give parents and carers a break from their caring role, giving them a chance to rest, catch up on day-to-day activities and spend time with other family members. There is strong evidence that short breaks supports the health and well-being of the children and young people receiving the break but also other family members¹. As families feel well supported and therefore more resilient this offers potential for less draw on specialist services provided by the County Council both in children's and ultimately adults' services.

This report seeks approval for the procurement and provision of short breaks from 1 April 2016. The proposed methodology for procurement and model for delivery will support flexibility, personalisation and value for money.

Delivery of short breaks supports the Future West Sussex priorities and those of health partners.

Recommendations

The Cabinet Member is recommended to approve:

- (1) The continuation of short breaks provision from 1 April 2016 for families in West Sussex.

¹ The impact of short breaks on families with a disabled child: report one of the quantitative phase. Research Report DFE-RR063

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| <ol style="list-style-type: none">(2) The commencement of a procurement process for future short breaks provision.(3) The creation of a Dynamic Purchasing Scheme for commissioning short breaks provision for a period of five years.(4) The delegation of authority to the Executive Director Care, Wellbeing and Education to let the tender and to extend if appropriate in accordance with Standing Orders on Procurement and Contracts and subject to this being affordable within the limits of the planned budgets. |
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1. Background and Context

- 1.1 In April 2011 the Breaks for Carers of Disabled Children Regulations (2011) came into force. Under this Duty, local authorities are legally bound to provide a range of short breaks services including:
- Daytime 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 available to assist carers in the evenings, at weekends and during the school holidays.
- 1.2 The criteria applied for access to short breaks are: children and young people who are;
- Under 18 years of age.
 - Resident in the County and,
 - Whose families are in receipt of either middle or high care component of the Disability Living Allowance (DLA) for their child or young person. For families of children and young people who have a similar level of need but are not receiving DLA, short break providers offer a simple self-assessment of eligibility.
- 1.3 Currently in West Sussex short breaks are provided through block contracts. There are twenty providers delivering services under twenty-four different contracts across the County. The current contracts began in April 2012 for a three-year period, with the option of a one year extension. This option was taken up and therefore current contracts cease on 31 March 2016. There is no further option to extend the existing contracts beyond this date.

2. Consultation

- 2.1 A range of market research and consultations were undertaken between January 2015 and March 2015.
- 2.2 **Members** - the Deputy Cabinet Member for Children - Start of Life has been briefed on short breaks provision. The re-procurement of short break services was discussed with Members of the Children & Young People's Services Select Committee Business Planning Meeting on 4 February

2015. The Cabinet Member for Finance has been consulted and endorses the proposals.

2.3 **External** - a survey monkey was created and circulated to all current and potential contracted providers. In total seventeen organisations completed it. Regular and on-going discussions have been taking place since early 2014 both informally and formally at short breaks providers' meetings. Providers who receive funding through a small grants programme also receive information about other short breaks services, including future commissioning priorities. The short breaks commissioning manager has also met with two of the organisations at their request to discuss future commissioning arrangements. The short breaks commissioning manager has also contacted another local authority to discuss with them their arrangements for short breaks services. Desk based research has also been completed looking at different models of delivery around the country.

2.4 **Public** - an extensive consultation exercise took place and included:

- Six parents/carers face-to-face focus groups around the County,
- Family Fun Days consulting parents/carers and children and young people,
- A consultation group with pupils at Angmering School where there are a number of young people with physical disabilities and additional needs and who work closely with us on our youth participation projects,
- Consultations at a number of short breaks provider groups by County Council staff,
- Consultation with young people at Ingfield Manor,
- A consultation and fun day for families known to the Child Disability Teams,
- Consultation with colleagues in Children's Social Care, Adult Services, Health and other stakeholders.

In addition on-line surveys were devised for the following groups:

- Children and young people with additional needs and disabilities.
- Siblings of the children and young people who use short breaks.
- Parents and carers of children and young people with additional needs and disabilities.

Colleagues from the West Sussex Parent Carer Forum and Carers Support West Sussex sit on the Commissioning Group that will be responsible for the agreeing the future model and moderating the tenders.

2.5 **Internal** - suggestions and ideas about the future priorities and type of short break services has included discussions, involvement and advice from representatives from Health and Social Care, Special Educational Needs and Disabilities (SEND) Commissioning Team, Health Commissioning Colleagues, Finance, Legal and Contracts and Procurement Services. Many of these organisations have representatives who sit on the Commissioning Group that will be steering the future model and moderating the tenders.

A presentation was given to the Disabled Children's Partnership Board and their views and ideas were obtained.

- a) The Director of Law, Assurance and Strategy and the Executive Director for Corporate Resources and Services were consulted and approved the need for a procurement process in May 2015.
- b) All the market research and consultation has been analysed and is being compiled into a report; within this report will be key themes that have emerged.
- c) The consultations demonstrated that families want more breaks at weekend and during school holidays as these are the times that they feel they would benefit from the service. All families consulted also identified their wish to have more activities they can do together as a whole family. Young people also want to have the opportunity to have short breaks with their friends (either disabled or non-disabled) and to be able to 'hang-out' like their peers. They would also like more opportunities to attend swimming and horse-riding.
- d) Organisations consulted about short breaks feel that they wish to continue to provide short break services. They are keen to have effective reporting systems which provide sufficient information to commissioners but are not onerous to complete.
- e) All of the feedback from the consultation exercise will be considered and will form the basis of future short breaks commissioning intentions.
- f) A report based on a consultation exercise feedback has been completed will be shared with all of those who took part in the consultations and all other interested parties.

3. Proposal

3.1 The proposal is to provide short breaks services through a Dynamic Purchasing System (DPS). The benefits of this approach include:

- The ability to procure services throughout the term of the agreement without undertaking a full tender process.
- Called-off contracts can be any length of term throughout the duration of the DPS.
- DPS will continually be open to new and emerging Service Providers to join and so services are more able to meet the changing/emerging needs of the families who access them.
- Simple electronic tender management system.
- Provides the ability to procure new and emerging services throughout the term of the agreement.
- Ability to work with and develop qualified providers to design and provide on-going services.
- Excellent market development and supplier relationship opportunities.

- Complies with governments agenda on developing small and medium sized enterprises².
- Demonstrates the County Council's commitment to working in partnership with local voluntary and community organisations and the small and medium sized enterprise supply base.
- Ability to keep costs low through a competitive mini-competition process whilst still maintaining quality.
- Supports the current market of local service providers familiar with West Sussex polices and processes and service requirements.
- Providers would have to tender to become part of the scheme with no guarantee of work; each and every contract is tendered for as and when required through a mini-competition process. This will allow for commissioned services to be more flexible and adapted to reflect the changing needs of children and young people with additional needs and disabilities and their families.
- Development of partnerships between providers to deliver co-ordinated and high quality provision across the County but with opportunity for local variations.

3.2 Other tendering processes considered included Stand Alone Contracts (Restricted or Open Tender and Competitive Dialogue) and a Framework Agreement. Each of these schemes provided pros and cons however would not be able to deliver the flexibility of a DPS, including the ability to respond to the changing needs of children and young people with additional needs and disabilities and their families and respond to innovation.

4. Resource Implications and Value for Money

4.1 The cost of the short breaks will be funded from within the base budget of £1.2m. Providers will be expected to demonstrate clear value for money and contribution to social capital in their tenders.

4.2 The County Council will seek to achieve a 5% reduction from re-contracting services by ensuring that there is an emphasis on providing better value for money through negotiating down costs for providers with large or a number of contracts, through economies of scale. The County Council's commissioning intentions will also look at different ways of working which will achieve the same outcome but be more cost effective i.e. where appropriate small group activities as opposed to 1:1 (adult/child) breaks; this is in line with the feedback from young people about the need to have more contact with their friends/peers. Given the need for this service and the preventative value (see below) it may be that any reduction achieved by re-contracting is used to fund additional short breaks which will increase the potential cost avoidance from delivering additional short breaks.

- 4.3 Evidence provided in a 2014 report³ commissioned by the County Council demonstrated a cost avoidance gained from delivering effective short breaks of £1.8m per annum if 148 (10% of eligible families) are prevented from crisis and needing social care support.

5. Impact of the proposal

- 5.1 The scheme will be designed so there are clear outcomes for children and young people with additional needs and disabilities. These outcomes will support:
- a) Children and young people becoming active members of their communities and so as adults be less reliant on adult social care services.
 - b) The development of the personalisation agenda as services will be expected to be flexible and adaptable to individual needs.
 - c) The County Council's corporate priorities as families will be given the support to ensure that they receive a break and that their child/young person gets the best start in life; that children and young people will contribute to make their economy strong and that they will be able to become independent as they reach adulthood.
 - d) Providers to have high aspirations of the children and young people they work with.
 - e) Increased levels of participation in breaks that are fun and meet the needs of individuals.
 - f) Better provision of information regarding short breaks services and a reduction in barriers to mainstream and community services so that eligible children and young people have the same access as their non-disabled peers.
 - g) Improved choice due to an increase in the range of activities and services available.
 - h) Improvements in life skills including independence, confidence, self-esteem and dealing with change and challenges.
 - i) Improved health and well-being for all members of the family.
 - j) Providers having appropriate quality standards, policies and procedures in place.
 - k) Providers having adequate staff and volunteer levels in place with the necessary skills and training to meet identified needs.
 - l) Leverage of other funding sources including in-kind contributions and volunteering to ensure sustainability and increase in short break provision.
 - m) The co-production of services/breaks with parents/carers and partner agencies.
 - n) Children and young people to feel safe and support their emotional well-being as providers will have effective safeguarding policies and procedures in place.

³ Economic and Social Value of WSCC Commissioned Short Breaks for Disabled Children and Young People Mid Term Evaluation April 2012 – December 2013 JB Eventus

5.2 A Dynamic Purchasing Scheme will enable commissioners to provide a more responsive short breaks service based on the changing needs of families.

6. Equality Duty.

An Equality Impact Report has been undertaken and is attached as an appendix below.

7. Social value of short breaks

7.1 Short breaks support all aspects of social value and current short breaks providers have been considering the social value of their short breaks related work for a number of years now.

7.2 Short breaks will support children and young people with additional needs and disabilities to become active members of their community and equip them to potentially enter the workforce so having a positive impact positively on them and their community. There is a commitment to commission small and medium sized enterprises and many of these are West Sussex based providers.

8. Risk Management Implications

8.1 Currently there are twenty providers who are commissioned through block contracts and these include a range of small and medium sized enterprises and some large national voluntary and private providers; additionally five new providers have already expressed an interest in tendering for breaks from 2016 and the County Council sees this number increasing as more providers become aware of the possibility. A simple initial tendering process for the Dynamic Purchasing Scheme should encourage all current providers to join the framework. Current and potential providers have been consulted about the future model and receive monthly briefing notes.

8.2 The specification for the Dynamic Purchasing Scheme will ensure that the successful providers meet the quality requirements to deliver services. Any providers who are successful in bidding for work will have clear key performance indicators and be monitored to ensure compliance effective working and delivery of outcomes for children, young people and their families.

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Debbie Buckwell, Strategic Commissioning Manager, SEND
Michael Rhodes-Kubiak, Short Breaks Commissioning Manager

Equality Impact Report

Title of proposal	Short breaks for children and young people with additional needs and disabilities				
Date of implementation	1 April 2016				
EIR completed by:	<table border="0"> <tr> <td style="background-color: #e0f7fa;">Name:</td> <td>Michael Rhodes-Kubiak 0330 2224511</td> </tr> <tr> <td style="background-color: #e0f7fa;">Tel:</td> <td></td> </tr> </table>	Name:	Michael Rhodes-Kubiak 0330 2224511	Tel:	
Name:	Michael Rhodes-Kubiak 0330 2224511				
Tel:					

1. Decide whether this report is needed and, if so, describe how you have assessed the impact of the proposal.

There are over 6000 families with disabled children and young people residing in West Sussex.

Therefore it is considered that an Equality Impact Report is necessary to ensure future short breaks commissioning arrangements do not have an adverse effect on our customers in respect of their ethnicity, gender, age, faith and/or sexual orientation and does not disadvantage those with complex health needs.

2. Describe any negative impact for customers or residents.

Short breaks for children and young people with additional needs and disabilities will support families to achieve the best outcomes. Short breaks will also have a positive impact on the health and well-being of all family members.

It is unlikely that there will be any negative impact to customers or their families as a result of the future commissioning arrangements. Resource allocation will be reviewed and this may mean that some families who receive a high number of short breaks will receive less short breaks in the future however there will be a transition period and parents and carers will be involved in this process.

There is a possibility that some of the current providers will not tender to provide short breaks from April 2016.

3. Describe any positive effects which may offset any negative impact.

A number of new organisations have expressed an interest in tendering for short breaks in the future and therefore this will offer families more choice about the breaks they will be able to access.

A Dynamic Purchasing Scheme will allow new providers to join the scheme during the length of the contract. By offering bespoke and smaller pieces of work/projects this may encourage more providers to branch out into new areas of work.

Children and young people with additional needs and disabilities and their families will be involved in making decisions about future short breaks.

Systems will be put in place to monitor take-up of services by individual families to ensure that there is a more equitable level of service for families.

The County Council is mindful of the protective characteristics of customers receiving a service and will ensure that the service specification sets out how the organisation will value difference and ensure that the diverse needs of all of the community are acknowledged and addressed.

Information from the disability register will be used to identify potential need and services can be commissioned to meet this need.

4. Describe whether and how the proposal helps to eliminate discrimination, harassment and victimisation.

Future short breaks commissioning will have a greater emphasis on families accessing universal services so that they can have the same opportunities to undertake everyday tasks as their non-disabled counterparts.

The proposal supports and encourages citizenship and social inclusion in local communities for children and young people with additional needs and disabilities.

Through market forces it is expected that organisations will see the benefits of becoming more inclusive and where required will be signposted to specialist organisations/offered support to become more inclusive to all families.

By organisations actively promoting inclusion this will help to eliminate discrimination, harassment and victimisation.

5. Describe whether and how the proposal helps to advance equality of opportunity between people who share a protected characteristic and those who do not.

The County Council is mindful of the protected characteristics of customers and will ensure that the service specification sets out how short breaks commissioned services will improve opportunities for children and young people with additional needs and disabilities and their families to have increased social opportunities in their community and to be treated as equal citizens through the breaking down of barriers to accessing services.

6. Describe whether and how the proposal helps to foster good relations between persons who share a protected characteristic and those who do not.

The majority of the families who will use these services will have at least one protected characteristic.

Short breaks encourage children and young people with additional needs and disabilities and their families to become active and equal members of their local community. They will have an increased community presence and this will enhance their social interaction and encourage them to be active citizens within the wider society.

7. What changes were made to the proposal as a result? If none, explain why.

The service specification will be fully reflective of all equality and diversity issues. The Local Authority, parent/carers, and representatives from a range of organisations are involved in the procurement and commissioning process.

8. Explain how the impact will be monitored to make sure it continues to meet the equality duty owed to customers and say who will be responsible for this.

Effective contract management is currently in place and will be reviewed and developed in light of changes and feedback from current contracted providers. Short break providers will be required to evaluate the effectiveness of their services including obtaining the views of children and young people with additional needs and disabilities who use their services and the views of parents and carers.

To be signed by a Director or Head of Service to confirm that they have read and approved the content.

Name	Judith Wright	Date	6/5/15
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Your position	Director of Public Health, Health and Social Care Commissioning
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