

Committee:	Dated:
Safeguarding Sub-Committee	07/06/2021
Subject: Short Breaks Strategy	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	2, 3, 4
Does this proposal require extra revenue and/or capital spending?	N
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Summary

Short Breaks is an umbrella term used to describe social/leisure activities for children and young people with special educational needs and disabilities (SEND).

The Short Breaks Strategy seeks to improve outcomes for disabled children and young people, by providing statutory guidance on how to safeguard and promote their welfare through the provision of short breaks. The City of London guidance describes an approach that focuses on the needs of disabled children and their families and is proportionate, so that the level of administration and safeguards increases in line with the level of needs and the services required to meet those individual needs.

Short breaks are part of a continuum of services, including the provision of day, evening, overnight and weekend activities for the child/young person. This can take place in community settings, the child's home (with an approved carer) or a residential setting. The breaks usually have two aims:

1. To enable the child to participate in fun social and leisure activities which are safe
2. To provide a break for parents/carers.

Recommendation

Members are asked to note the report.

Main Report

Background

1. Research shows that disabled children are four times more likely than non-disabled children to be abused or neglected. They and their families can also be more susceptible to mental health challenges, anxiety, bullying, higher levels of stress and lower levels of parental wellbeing. It is therefore very important that good services are available to these families.
2. There are a range of relevant legal duties in relation to the funding, commissioning and provision of short breaks by local authorities. These duties require local authorities to:
 - a. Take into account a range of important considerations in making strategic decisions about the commissioning and funding of short breaks
 - b. Assess the needs of any disabled child whose family may want or need services above the level available locally without an assessment
 - c. Provide short breaks to children where an assessment shows that a break is necessary to meet their needs, taking account of the family context.
3. The key statutory duties are found within the following legislation:
 - Children Act 1989
 - Breaks for Carers of Disabled Children Regulations 2011 ('the 2011 Regulations')
 - Section 25 of the Children and Young Persons Act 2008
 - Chronically Sick and Disabled Persons Act 1970
 - Children Act 2004
 - Equality Act 2010
 - Children and Families Act 2014
 - NHS Act 2006 (as amended by the Health and Social Care Act 2012)
 - Care Act 2014 (in relation to transition to adult social care).
4. There are a number of overlapping duties and regulations that make up the complex legal framework relating to short breaks, however, the fundamental purpose of the law is relatively straightforward: seeking to support families to continue in their caring role while providing positive opportunities for children and young people to live 'ordinary lives' and to be able to enjoy the activities that all other children and young people enjoy.
5. Regulations have been made to supplement the Short Breaks duty, in the form of the 2011 Regulations. The key regulations are as follows:
 - Regulation 3: Duty to make provision
 - Regulation 4: Types of services which must be provided
 - Regulation 5: Short Breaks Services Statement.
6. Regulation 5 requires local authorities to publish a Short Breaks Services Statement which must set out the available range of services, any eligibility criteria and how the range of services should meet carers' needs. The Short Breaks Services Statement must be published as part of the Local Offer. The

Local Offer gives children and young people with SEND information about what support services the local authority has available.

7. The City of London Short Breaks Statement has also been updated, in line with the latest version of the Short Breaks Strategy (Appendix 1). The Short Breaks Statement is an important document, as it contains the eligibility criteria that the local authority is operating to govern access to short breaks.
8. Our Short Breaks Statement explains the range of short breaks we offer, who they are for and how to apply for them:
 - Short breaks are for children and young people with disabilities, up to the age of 18.
 - We offer a range of short breaks because everyone's needs, and circumstances are different. We aim to give families the right support at the right time.
 - Short breaks can be individual or group sessions, daytime or overnight, in the child's home or in another setting.
 - The aim is to benefit the whole family. Short breaks give the child opportunities to socialise and develop, while giving the family a break from caring duties.
 - Most short breaks in the City of London are provided via direct payments/individual budgets.
9. Short breaks are administered by the Children and Families Team through both Statutory Social Care, Early Help pathways and universal services.
10. The strategy was written by the Early Help Lead in collaboration with Children's Social Care, the Education and Early Years Service, and a representative from Contact who represents and supports the City Parent Carer Forum.

Current Position

11. One of the main updates to this current strategy is the commissioning approach. The City has now jointly commissioned a range of specialist short breaks providers in conjunction with Hackney. This is in response to parent/carer feedback which has historically been received requesting specialist short breaks providers, to widen the options for children with a greater level of need over and above the universal threshold. It is also an alternative to receiving direct payments.
12. We have successfully commissioned seven new specialist short breaks providers who are able to offer a range of social, leisure and respite activities to the children and families of the City. As a result, the report has been updated.
13. Families who request their short break in the form of a direct payment are no longer required to have a bank account in order to receive their allocated funds. We now allocate money to families for short breaks via a pre-paid card, which the family can use to directly purchase short break support and services. The money

cannot be used for the purchase of goods or services that are not linked to short breaks.

14. As a result of the COVID-19 pandemic and the sudden closure to some services and providers, an agreed exception was passed that relaxed the conditions under which the money could be spent. As an example, we are happy for families to spend this money on IT equipment, books, board games, apps, indoor and outdoor games as well as any other equipment required to help support the children's social and leisure needs or to provide respite for the parent/carer. This flexibility has been reviewed regularly during monthly Short Breaks Panel meetings.
15. Parents/carers have requested the Short Breaks pages on the Local Offer website include more information and FAQs on the services that are being run, as well as imagery and testimonials from young people.

Options

16. We would hope that there would be an uptake in requests for short breaks. We also would like to see children and young people using our specialist providers to help meet their needs. There are currently nine children accessing both the core and enhanced short breaks offer, and there could be greater numbers accessing universal services.
17. The Short Breaks page on the Local Offer website has recently been updated to reflect service user feedback and now contains an extensive FAQs sections on Short Breaks as well as a video showcasing short breaks. We expect to see an increase in visits to the site and potentially more enquiries about this service.

Proposals

18. It is hoped that the strategy will enable parents/carers to have more clarity and understanding on what services they are entitled to, when they are available, eligibility criteria, thresholds and the range of pathways. This would then lead to a greater uptake of children and families using Short Breaks services, ensuring that children with disabilities have the same opportunities as their non-disabled peers, while allowing their parents/carers/families a degree of respite.
19. We will continue to collate feedback from parents/carers and our partners on how to make improvements to our Short Breaks service.

Corporate & Strategic Implications

20. Strategic implications –

- People enjoy good health and wellbeing. Short breaks enable children with disabilities to access leisure opportunities.
- People have equal opportunities to enrich their lives and reach their full potential. Short breaks enable children's lives to be enriched.

- Communities are cohesive and have the facilities they need. Families have access to leisure for their children with disabilities.

21. Financial implications – there is a budget set for Short Breaks. This will need to be reviewed if the number of children and young people with disabilities in the City increases.

22. Resource implications – none.

23. Legal implications – none.

24. Risk implications – covered insurance and contract monitoring with Hackney.

25. Equalities implications – disability is protected under the Public Sector Equality Duty. This strategy helps ensure equity of access.

26. Climate: these opportunities are all local to families and are accessible via walking or public transport.

Conclusion

27. The Short Breaks Strategy seeks to improve outcomes for disabled children and young people, by providing statutory guidance on how to safeguard and promote their welfare. The City is challenging itself to provide the best support possible for children with disabilities, and to ensure they are given the same opportunities as their non-disabled peers. We will do this by reviewing the strategy yearly, taking on board feedback provided from the voice of the child as well as from the parents/carers. This coupled with annual Short Break reviews will allow us to improve the provisions we can offer, where possible, to support and provide good short breaks to children and their families.

Appendices

- Appendix 1 – Short Breaks Strategy
- Appendix 2 – City of London Short Breaks Statement

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