

Decision maker: Cabinet Member for Education

Subject: Targeted Short Breaks

Date: 10th July 2017

Report from: Alison Jeffery, Director of Children's Services

Report by: Julia Katherine, Head of Inclusion

Wards affected: All

Key decision: No

Full Council decision: No

1. Purpose of report

- 1.1 The purpose of the report is to share the findings of the Targeted Short Breaks consultation which ran between 9th January and 20th March 2017, and make a recommendation in light of the feedback and the findings of the corresponding Equalities Impact Assessment.

2. Recommendations

- 2.1 It is recommended that the Cabinet Member for Education approves the decision not to pursue savings through making cuts to the Targeted Short Breaks budget at this stage on the basis that:
- i. The consultation feedback and the Equalities Impact Assessment did not conclusively identify a way in which savings could be realised without it having a detrimental impact on the children and young people and their parents/carers who access these services
 - ii. The process did reveal the need to undertake a broader review of the targeted short break offer and the range of services commissioned in the future as part of the re-tendering process. This will be completed so that contracts can be in place by 1st April 2018, and if possible delivering savings at the same time.

3. Background

- 3.1 In order to identify potential areas of future savings in the Education budget, it was determined that a consultation should be carried out to look at how Level 1 Targeted Short Breaks services might be delivered at a reduced cost.

- 3.2 The consultation ran between Monday 9th January and Monday 20th March 2017 and gathered views from parents, carers, young people and service providers on how the council might save 10% from the overall Targeted Short Breaks budget (£44,000), by reducing the spend on the Level 1 targeted short break offer.
- 3.3 It was emphasised in the survey that **Targeted** Short Breaks should not be confused with **Specialist** Short Breaks which are accessed through a Social Care assessment.
- 3.3 It also explained the difference between the two levels of Targeted Short Breaks. Level 1 Short Breaks can be accessed directly by parents and carers for all children with special educational needs and disabilities. Level 2 Short Breaks are for children who require a higher level of support. The focus of the consultation was on reducing the spend on Level 1 Targeted Short Breaks only.
- 3.4 Prior to the launch of the consultation, the Parents Co-production Group and the Empowering Children and Families Group were engaged in preliminary conversations around the consultation. The groups were asked: who the council should consult with; ways in which the council might consult; how the council would promote the consultation; and the options on how to make the saving. The views and opinions of each group contributed to the design of the consultation.
- 3.5 The Level 1 Targeted Short Breaks provision under consultation was as follows:

Type of Targeted Short Break	Costs
Enable Ability – Teenage Project	£20,000
Enable Ability – additional childcare worker support for the Inclusive Holiday Playscheme	£57,534
Enable Ability - Youth Holiday Programme	£25,000
Portsmouth Autism Support Network – Teenage Group	£20,000
Portsmouth Autism Support Network – Gym Club	
Portsmouth Autism Support Network – Autinet	

- 3.6 Due to the delay in the timing of the consultation, service providers were provided with a 6 month extension to their contracts until 30th September 2017 to ensure services continue until a decision has been made and adequate notice of termination of contract can be given.

- 3.7 Currently 128 children are accessing Level 1 Targeted Short Breaks in the city. Some young people attend more than one setting but numbers are broken down per setting as follows:
- Portsmouth Teenage Project - 25 individuals
 - Inclusive Holiday Play Scheme - 66 individuals
 - Portsmouth Autism Support Network - 18 individuals
 - Youth Holiday Programme - 21 individuals
- 3.8 Appendix 1 gives a further breakdown of the provision, including the short break offer, ages of attendees and numbers eligible.

4. Outcome of the consultation

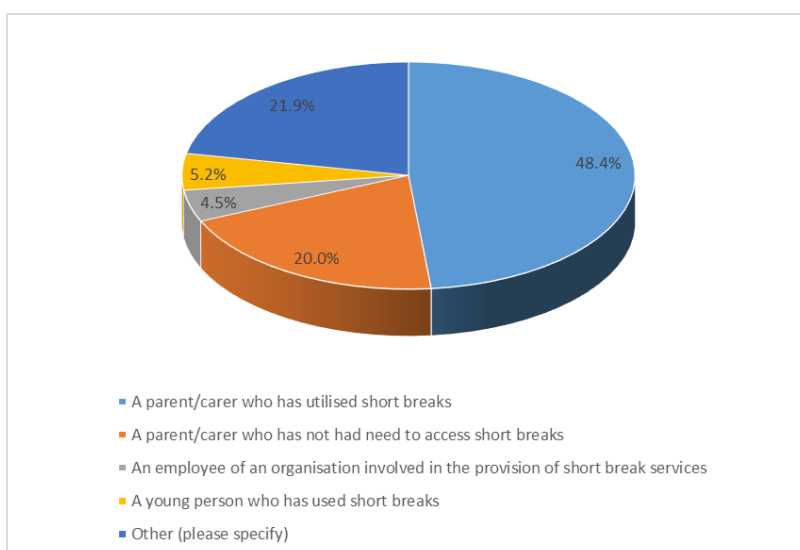
- 4.1 The council (through Education's Inclusion Service) ensured that all interested parties were invited to comment (i.e. parents currently accessing the service, interested parties/suppliers), as well as being available on the PCC website. There was also some promotion via the citizens' panel.
- 4.2 In total 157 individuals participated in the consultation. All were completed via the electronic link provided. Of those completing the survey, 75 were parents who have used Level 1 Targeted Short Breaks for their child/young person. The confidence level of this sample is 90%.

Question 1: postcode

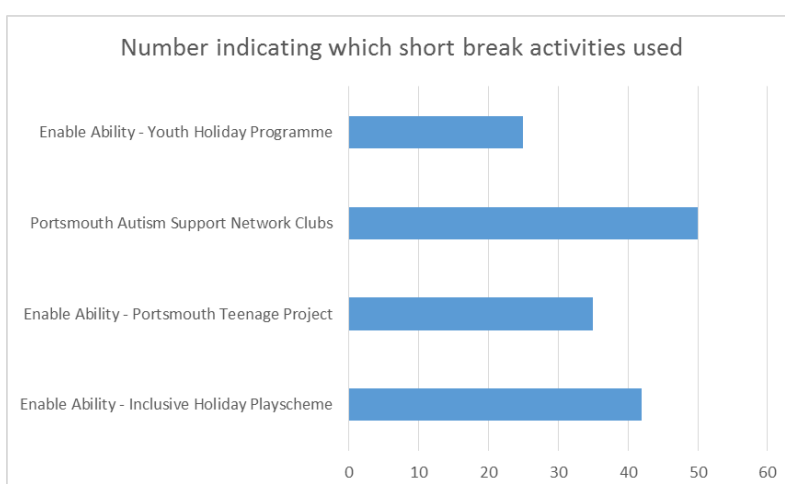
- 4.3 The council has an overarching MOSAIC profile of the city as a whole and broadly speaking those who responded are similar to the overarching profile. However, some of the more affluent groups that are less significant in the overall Portsmouth population were over-represented in the group of responders for consultation. They included Domestic Success, Suburban Stability, Urban Cohesion and Prestige Positions. It is important to note that some of the comments made by these groups, in terms of financial contribution, may be less popular amongst other families that are struggling more. It should also be noted that these individuals accounted for 20.61% of all responses.

Question 2 - Please indicate the capacity you are responding in

- 4.4 The majority (48.4%) of those responding were parents or carers who have used Targeted Short Breaks provision. 'Other' accounted for 21.9% of responses. These included teachers, citizens' panel members, grandparents and other professionals working in the SEN sector (other than from a provider). Seven individuals responded from organisations involved in the provision of Targeted Short Break services.



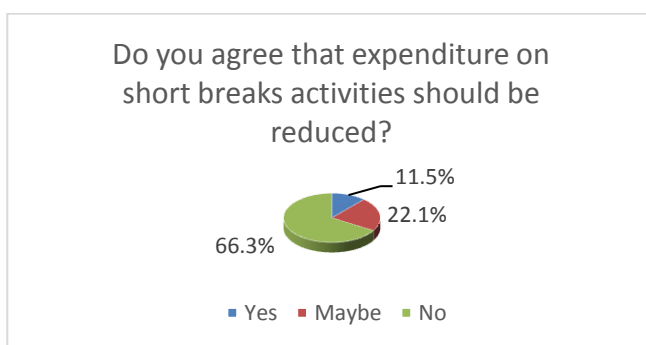
Question 3: which of the following short break activities have you / your child used?



4.5 Of those who have used the service, the consultation asked respondents to indicate which services they had used. Of those responding the Autism Support Network Clubs and the Inclusive Holiday Playscheme were the two most widely utilised. Some respondents indicated that they used multiple activities, 31 (32%) of the 97 who responded to this question indicated that they had used more than one of the services.

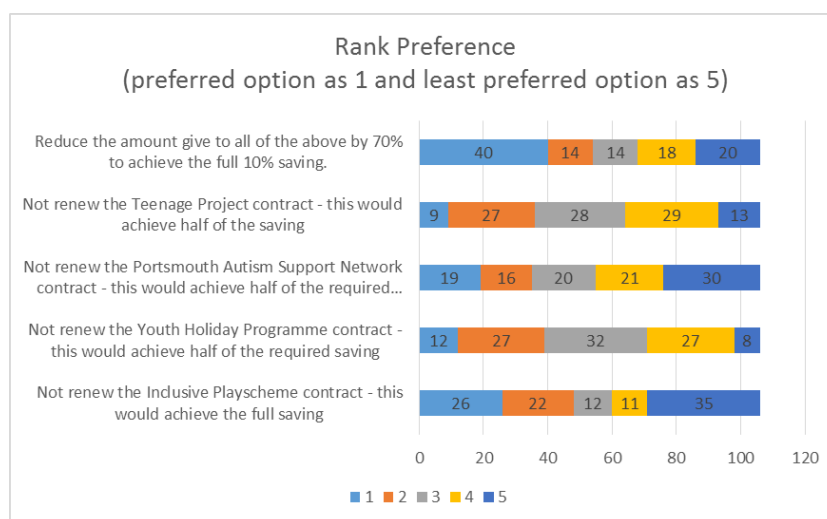
Question 4: do you agree that expenditure should be reduced in order to contribute to the savings required?

Question 5: if you do not agree, do you have alternative proposals to suggest?



- 4.6 The majority of those who responded (66.3%) did not agree that Targeted Short Breaks activities should be reduced to contribute to the savings required.
- 4.7 47 individuals suggested an alternative. For example:
- *Reduce expenditure within the council e.g. wages or benefits such as company cars*
 - *Cut budgets from elsewhere such as stop changing road systems that work perfectly well. Or cut schemes like park and ride.*
 - *Find funding from another source*
- 4.8 Others indicated that more fundraising or contributions to attendance would contribute to maintaining the services. For example:
- *Council to identify self-funders over thresholds of financial support who can self-fund / contribute towards the cost of care and short breaks.*
 - *Paid membership of charity, increase of charge to attendees of events.*
 - *To liaise more with local community/sports/entertainment facilities e.g. The Pyramids, Cinemas etc. to hold special sessions for those on the Autism spectrum and other disabilities for a Autism/disability family only session much like Tesco's have introduced an hour for shopping on the weekends 9am-10am for families to access during a quiet time. This could be something the local centres could do so that families can enjoy time together in a less stressful environment. Families would be prepared to pay for this but it would be a designated time for them to enjoy without prejudice or anxieties.*
 - *That the provider raise the cost by a small amount.*

Questions 6 and 7: proposal of 5 possible options and responses



4.9 The consultation asked participants to indicate which of the following options they preferred, by asking them to rank each of them; with 1 being their most preferred option and 5 their least. The options given were:

- Reduce the amount given to all of the providers by 70% to achieve the full 10% saving.
- Not renew the Teenage Project contract - this would achieve half of the saving.
- Not renew the Portsmouth Autism Support Network contract - this would achieve half of the saving.
- Not renew the Youth Holiday Programme contract - this would achieve half of the required saving.
- Not renew the Inclusive Playscheme contract - this would achieve the full saving.

4.10 The responses were as follows:

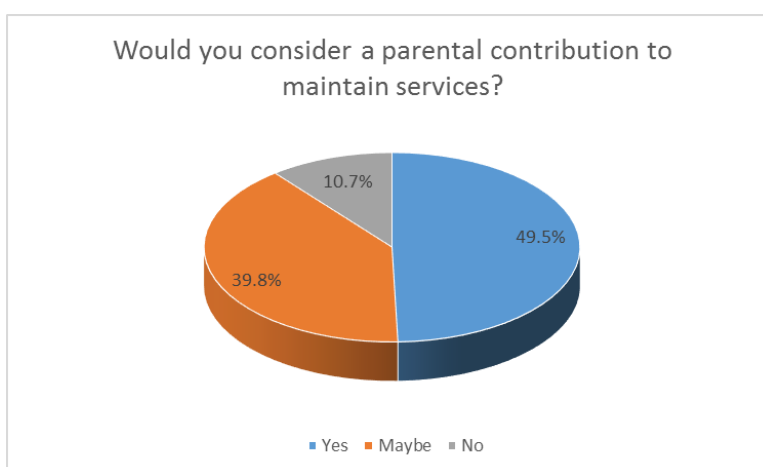
- The most frequently chosen option to be ranked '1' was to reduce the amount given to all of the options in order to achieve the full saving. It was noted by some respondents that this would in fact deliver more than the required saving and there was a worry that more would be lost than was required. It would therefore be prudent to communicate such a change clearly and give details on where any additional savings could be made, e.g. could other services for this group be commissioned or could they be used in another way.
- The second most preferred option was not to renew the additional childcare worker support for the Inclusive Holiday Playscheme, although a significant proportion also chose it as their most preferred option.
- The third most preferred option was not to renew the Youth Holiday Programme.

- The fourth most preferred option was not to renew the Teenage Project.
- The fifth most preferred option, with combined scores of 4 and 5, was not to renew the Portsmouth Autism Support Network. The level of responses gathered when asked what the impact would be if the service is cut (Q. 10) repeatedly emphasised how much the service prevents isolation for young people and helps children and young people develop friendships within a safe environment.

4.11 It is also important to note that there may have been confusion around the Inclusive Playscheme as several comments seem to refer to a playscheme for children that cannot access mainstream settings. It is likely that in this case respondents were referring to the Specialist Holiday Playscheme.

- *Play scheme offers family's an often needed break and a chance to spend time with siblings doing things they would not be able to do. Playscheme also offers children routine and structure in their holidays and this so important to some children. It also enables parents to continue working knowing that their child/children are cared for by people who can manage their complex and often challenging needs that could not be met at alternative childcare placements"*
- *I do not agree that any of the programmes should simply just be cut it is unfair on all that utilise these services I have a special needs child age 7 that uses the inclusive playscheme she cannot just go to any playscheme for children without these difficulties due to the nature of her disabilities.*

Question 8 & 9: would you consider a parental contribution? How much is considered acceptable?



4.12 It is known from conversations in pre-consultation meetings that some parents would be happy to contribute to the maintenance of services. Just

under 50% said they would consider a parental contribution, with many more (39.8%) indicating that they might. From comments this would seemingly be dependent on means testing or levels of contribution required. Only 10.7% dismissed the idea of a parental contribution entirely.

- 4.13 When asked what a reasonable contribution looked like, there were many different responses and they can all be seen in the verbatim section of the report (refer to [Appendix 2](#)). However, means testing and affordability of provision remained paramount. It was also important that any cost incurred should not be more than the standard provision for such services as holiday clubs that could be accessed by those without a disability. Below is a small sample of comments given:

- *Not sure as parents contribute anyway. As far as holiday provision goes, I had understood there was a drive to ensure parents of special needs children did not pay more than those without disabilities.*
- *An affordable amount so that a family on benefit could still utilise services.*
- *£10 per session.*
- *We already pay for teenage project and paid for play scheme. A small increase would be acceptable but anything too high would stop us attending.*

- 4.14 An exercise was carried out prior to the consultation to investigate if parents increased their level of contribution would it help towards the saving. The result demonstrated that increasing contributions would not be significant enough to meet the level of saving required.

Question 10: how might the proposed changes impact on you and your child?

Question 11: do you have any alternative suggestions about accessing short break activities or how they could be managed?

Question 12: do you have any further comments regarding this consultation?

- 4.15 A large number of comments for questions 10, 11 and 12 were given and can be found in [Appendix 2](#), Verbatim 4, 5 and 6.

5. Feedback from organisations providing short breaks

- 5.1 When asked if funding should be reduced for Level 1 Targeted Short Breaks provision, opinion was divided. Only 7 responded; but only 5 responded to the question regarding a reduction in funding and of those one agreed and two answered 'maybe'. The two who did not agree gave the following comments:

- Council to identify self-funders over thresholds of financial support who can self-fund / contribute towards the cost of care and short breaks.
- I understand that if PCC determine that a cut has to be made to short breaks services then this will have to be implemented. I think it would have been helpful to have made representation to the councillors regarding the benefits to the recipients and the potential for alternatives to be considered instead - though I appreciate that the survey would have needed to have been completed much earlier to have been in a position to do so.

5.2 When asked about the ranking of options, the following comments were noted:

- I know least about the works that the youth holiday programme does and the autism support network.
- I don't particularly think either option is the right one. Maybe a better/fairer option would be to take 55% from inclusive and 20% from the other projects saving an estimated £45,350. At Enable Ability I think we would rather take the cut from the inclusive play scheme
- I don't really think that any of these alternatives is ideal (especially as a cut of 70% to all projects amounts to almost double the required saving needed & a 70% cut to the Inclusive Play scheme would nearly meet the full requirement (a 100% cut would be £13,000 more than is needed). If there has to be a cut I think that, for the projects run by Enable Ability, there is considerably more capacity for a cut to the Inclusive Play scheme but that it may be more equitable to balance a more sizeable cut to this project with a significantly smaller cut to the other 3 projects. As the Youth Holiday Scheme and the Teenage Project are both so successful and provide regular support to such a vulnerable group of young people I think that the cutting of either one or both of these services would be devastating to its participants.
- Inclusive was designed to be short term, it seems unwise to continue a service that needs to be scaled down, rather than scaling down services that present opportunities for expansion.
- All providers agreed that a parental contribution would be welcome with suggestions ranging from a flat £100 fee to introducing an increase in 30% of the current contribution.

5.3 Direct feedback from the Inclusive Holiday Playscheme mainstream providers was gathered.

- Feedback 1
"We really valued support from Enable Ability working with us to care for children with special educational needs and disabilities. We have not used them for some while though, as the requirement has not been there. We would still be able to take children without them as we did previously, but, we would need to access some

funding if available for 1:1 support. We do currently charge fees at the normal rate, but, get staffing free of charge"

- Feedback 2

"We still have staff from Enable Ability to enable us to take SEND children and offer them the support required in all holiday playschemes.

We often have 1 or 2 or 3 staff from Enable per day depending on the amount of children with Sen we have booked in.

This means that SEND children can participate in our playschemes along with their siblings or with children who are very able but can still have the extra support they require when needed. Our Able body children have learnt to accept SEND due to attending our setting.

We have 2 children who have downs syndrome who attend most playschemes due to parents working. One who has attended since age 4 and is now aged 11!! Both these children would be unable to attend without the required support. Due to their needs. At times they may just need time away from the others or help with simple tasks like toileting or even supervision due to a choking hazard while eating etc.

Another child we have attend is blind/little use of their left side of their body she needs to be supervised and helped most of the time to join in the activities or just to go to the toilet. She also attends with a sibling.

We have several children attend who have Autism /Asperger who don't require 1:1 support but do need a high level of reassurance/supervision when we are on and off site.

Recently our SEN children have increased and 2 or 3 extra staff offered means we can take 5 or 6 Sen children per day knowing this is not impacting the other children attending our setting or the high quality service we offer.

My staff have gained a huge amount in confidence by having the support from Enable and are happy to help when required. We work as one big team and this works well.

If the funding was withdrawn we would have to look closely at how this would impact our setting during holidays and feel we would be unable to offer holiday spaces to certain children due to their needs and the impact this would have on the other children attending.

Where would this leave working parents or parents who just need a break? At times we have had parents in tears at the end of the tether in holidays and will book last minute because they just need a break. We can often take these last minute bookings as we have the extra staff from Enable Ability".

- Feedback 3

"The impact on our setting would be large as we would not be able to accommodate a lot of the children with additional needs who we currently accept as there would be no additional staff there to support them when required. We would not be able to take new children with mild needs very easily as we would not have any spare staff available to support them in case they either do not settle or if it turns out their needs are more intense than first thought (or described to us by the parents).

Therefore, we would need to insist on parents being available during a new child's first day in case it wasn't working, and we will need to inform our current cohort if they can no longer attend (those children we currently support who we would have to withdraw the service from if the Enable Ability staff were no longer available).

We will be very disappointed if the service is withdrawn as it has a very positive effect on all participating including the mainstream children. We had a large number of additional needs children during Easter (off the top of my head around 10-15) with 4 staff allocated to us per day so we're very efficient with the service: most of the children do not need 1:1 support all day but to have the spare staff there to help either at pinch points or when the children do need support is invaluable to us".

5.4 Finally when asked for any additional comments, the following two statements were submitted:

- *I think that the final decision needs to be carefully considered - not only based on parental feedback but value for money, outcomes, alternatives (or the lack of them) that may be available, etc. As the provider for 3 of the 4 projects Enable Ability would really appreciate the opportunity to discuss the outcome of the survey with a view to exploring the most equitable and realistic way forward before the final decision is taken if at all possible.*
- *Combine services for reduced cost - Teenage Project & Youth Holiday Programme.*

6. Considerations

- 6.1 Overall, there seems to be a sentiment that it is 'fairer' to make a cut in every service rather than remove any one service. Given the usage and preference of certain provisions, it may be a case of considering staggered or proportional reduction across all services rather than a blanket 10%. However, it must also be considered that the budget for each service provider varies and therefore an equal saving from each may not be viable for providers to sustain services. To achieve the £44,000 saving, an equal reduction of 36% saving from each would be required and would equate to the following.

Type of Short Break	Contract Amount	36% Saving
Youth Holiday Programme	£25,000	£9,000
PALS Teenage Project	£20,000	£7,200
Portsmouth Autism Support Network	£20,000	£7,200
Inclusive Holiday Programme	£57,534	£20,712
	Total Saving	£44,112

- 6.2 Alternatively a staggered or proportional reduction as suggested above would need to be agreed based on what is deemed to be viable for providers to deliver the services or what they could deliver at a reduced rate.

- 6.3 An example given by Enable Ability who deliver 3 of the 4 services suggested.

" Maybe a better/fairer option would be to take 55% from inclusive and 20% from the other projects saving an estimated £45,350. At Enable Ability I think we would rather take the cut from the inclusive playscheme."

- 6.4 was also commented that *"Inclusive was designed to be short term, seems unwise to continue a service that needs to be scaled down, rather than scaling down services that present opportunities for expansion"*

- 6.5 It is important to note that all of the four services were due to be re-tendered from April 2017. However, due to the timing of the consultation it was agreed that the contracts should be extended for a further 6 months with an opportunity to extend for an additional 6 months and commence a procurement process so that the re-tendered services can commence in April 2018.

7. Reasons for the recommendations

- 7.1 It is recommended that the council does not make any changes to the Targeted Short Breaks offer at this stage.
- 7.2 The consultation feedback and the Equalities Impact Assessment did not conclusively identify a way in which savings could be realised without it having a detrimental impact on the children and young people and their parents/carers who access these services.
- 7.3 However, the process did reveal the need to undertake a broader review of the targeted short break offer and the range of services commissioned in the future as part of the re-tendering process. This will be completed so that contacts can be in place by 1st April 2018, and if possible delivering savings at the same time.

8. Equality Impact Assessment

- 8.1 An Equality Impact Assessment has been completed and is provided at [Appendix 3](#).

9. Legal services' comments

- 9.1 Under section 2 of the Chronically Sick and Disabled Persons Act 1970 the Council has a statutory duty and power to make arrangements to provide certain welfare services to disabled children who are ordinarily resident in the Council's area where the Council is satisfied that it is necessary to make those arrangements in order to meet the needs of the child in question. Those arrangements include, among others as listed in that section, *"(f) facilitating the taking of holidays by the child, whether at holiday homes or otherwise and whether provided under arrangements made by the authority or otherwise"*
- 9.2 Further, under paragraph 6 of Schedule 2 to the Children Act 1989 the Council has a statutory duty to provide services designed-
 - (a) to minimise the effect on disabled children within their area of their disabilities;
 - (b) to give such children the opportunity to lead lives which are as normal as possible; and
 - (c) to assist individuals who provide care for such children to continue to do so, or to do so more effectively, by giving them breaks from caring.
- 9.3 The Council's duty to provide, specifically, the services for breaks from caring referred to in 9.2 (c) above must be performed in accordance with

regulations made by the Secretary of State, currently the *Breaks for Carers of Disabled Children Regulations 2011* ("the 2011 Regulations").

- 9.4 The 2011 Regulations prescribe the manner in which the Council must make provision for short breaks for carers of disabled children in the Council's area. The Council must have regard to (a) the needs of those carers who would be able to provide care more effectively if they had breaks from caring and (b) the needs of those carers who would be unable to continue to provide care unless a break were offered to them.
- 9.5 The 2011 Regulations require the Council, so far as is reasonably practicable, to provide a range of services which is sufficient to meet the needs of carers and in particular the Council 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, and
 - (d) services available to assist carers in the evening, at weekends and during the school holidays.
- 9.6 The 2011 Regulations further require that the Council, in consultation with carers in its area, prepares, publishes and keeps under review a "short breaks services statement" setting out what services are available, the categories of carer who may be eligible to gain access to them and how they are designed to meet the needs of carers in the area.
- 9.7 In considering the recommendation in this report, therefore, the decision maker must be satisfied that, if implemented, the Council's statutory duties as outlined above will be, or continue to be, properly fulfilled.
- 9.8 Further, when considering the recommendation in this report, the decision maker must ensure that stakeholders likely to be affected by the proposals have been:
- adequately consulted, at a time when the proposals are still at their formative stage;
 - provided with sufficient information to enable them properly to understand the proposals being consulted upon, and
 - given adequate time to consider and respond.

The responses must be given genuine and conscientious consideration before a final decision is made.

- 9.9 Finally, as part of its decision making process, the Council must have "due regard" to its equalities duties. Under Section 149 Equality Act 2010, the Council in exercise of its functions in relation to disabled children and their carers, must have "due regard" to the need to eliminate unlawful

discrimination, advance equality of opportunity between persons who share a relevant protected characteristic and those who do not, and foster good relations between persons who share a relevant protected characteristic and persons who do not share it .The relevant protected characteristics are age, gender reassignment, disability, pregnancy and maternity, race, religion or belief, sex and sexual orientation. The decision maker is required to give serious and substantive consideration to the adverse impact (if any) the proposals would have on the protected groups and, if there would be such adverse impact, to what mitigating factors can be put in place. This exercise must be carried out with rigour and an open mind.

10. Finance comments

The proposals contained within the report seek to maintain existing arrangements and, as such, have no immediate budgetary impact. Any financial implications arising from a re-tendering process will need to be considered at that time.

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Signed by:

Appendices:

Appendix 1: Breakdown of Targeted Short Breaks provision

Appendix 2: Consultation feedback

Appendix 3: Equality Impact Assessment

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: