



Equality Impact Assessment

Full assessment form v5 / 2013

www.portsmouth.gov.uk

Directorate:

Director of Children services & education

**Function e.g. HR,
IS, carers:**

Education and Strategic Commissioning

Title of policy, service, function, project or strategy (new or old):

Short Breaks for Disabled Children

Type of policy, service, function, project or strategy:

☒ New / proposed

☐ Changed

☐ Existing

Lead officer

Fiona Donaldson

People involved with completing the EIA:

Dr Julia Katherine
Fiona Donaldson
Kelly Dubock

Introductory information (Optional)

Step 1 - Make sure you have clear aims and objectives

What is the aim of your policy, service, function, project or strategy?

The Breaks for Carers Regulations 2011 states that a local authority must provide so far as is as reasonably practicable, a range of services which is 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 -

- (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 evenings, at weekends and during the school holidays.

Portsmouth City Council provide a range of short breaks as above which fall within the Targeted Short Break Offer and the Specialist Short Break Offer.

This is an equality impact assessment on the options for the proposed 10% saving to the Targeted Short Breaks budget and to introduce a Grants Based System to manage the remaining funding.

The proposed saving of 10% will see the reduction of £44,608 from the current (2016-2017) £444,608 budget.

Councillor Young requested a Pre-Consultation event took place with parent representative groups to gather their views on what options could be proposed to make the saving.

We attended the Parents Co-Production Group on the 8th November and the Empowering Children and Families Group on the 9th November. They were provided with background to the consultation and data on each of the areas that may be affected by the savings. 4 questions were then posed to each group on:

1. Who we should consult with?
2. How we might consult with parents and young people?
3. What options should we include in the consultation?
4. How will we reach them?

The comments we received will support the format of the consultation and the full range of comments can be found in Appendix 1.

The savings proposal will affect Targeted Level 1 Short Breaks which are described in the next question.

Who is the policy, service, function, project or strategy going to benefit or have a detrimental effect on and how?

The proposed saving will affect parents and carers of disabled children and young people and the children and young people themselves who access a range of leisure activities. The proposals will also affect the service Providers, Enable Ability and Portsmouth Autism Support Network.

The proposed saving will only affect the Level 1 Targeted Short Breaks offer as described in the Short Breaks Statement and not the Level 2 Targeted Short Breaks offer or Specialist Social Care Offer.

The Level 1 offer currently includes

- Portsmouth Teenage Project
- Inclusive Holiday Playscheme -
- Portsmouth Autism Support Network - activities and leisure groups
- Youth Holiday Programme

These are all activities that were previously provided as part of the Aiming High Programme which ended in 2011 and many families have been accessing these since before 2011.

The Level 2 offer currently includes:

- Specialist Holiday Playscheme
- Sitting Service/Community Based Support Service
- Personal Budget for every parent and carer whose child either attends a special school or has a full time education health and care plan in a mainstream school. This will be made available through the recent introduction of a Prepaid Card.

Services such as daytime care, overnight care and services to assist carers in the evenings, at weekends and during the school holidays will still be available through the Specialist Social Care Offer and the Targeted Level 2 offer. We are ensuring that those families with a high level of need still have access to short breaks. Parents and Carers will be able to pay for Targeted Short Breaks out of their prepaid card.

The following numbers of children and young people will be affected by the proposed savings:

Data taken from quarterly monitoring for the period April to September 2016

Enable Ability - Portsmouth Teenage Project

Offer a varied programme of inclusive group activities in leisure, sport and recreation to young people with Special Educational Needs and Disabilities aged 14-19. Activities include a fortnightly youth club, bowling, cinema, meals out, arts and crafts, and day trips with a focus is on improving life skills.

- 25 young people known to Portsmouth City Council
- 11 Over 18. 3 attend more than 1 Targeted Short Break
- 14 Under 18. 9 attend more than 1 Targeted Short Break
- Number currently accessing Targeted 2 - Sitting Service/Prepaid Card = 4

Enable Ability - Inclusive Holiday Playscheme

Work in partnership with childcare services across the city to provide additional trained staff members to support children with diagnosed moderate levels of Special Educational Needs and Disabilities within the playscheme.

- 48 children known to Portsmouth City Council
- 41 attend mainstream school. 4 attend more than 1 Targeted Short Break
- 7 attend special school (1 from Mary Rose, 4 from Redwood, 2 from Cliffdale). 3 attend more than 1 Targeted Short Break
- Number currently accessing Targeted 2 - Sitting Service/Prepaid Card = 8

Portsmouth Autism Support Network

Portsmouth Autism Support Network - provide a range of clubs for children and young people with Autism/Asperger's aged 3 - 18. Clubs include Autinet, Gym Club and Teenage Group.

Autinet

- 16 young people known to Portsmouth City Council
- 2 Over 18. 1 attends more than 1 Targeted Short Break
- 14 Under 18. 5 attend more than 1 Targeted Short Break
- Number currently accessing Targeted 2 - Sitting Service/Prepaid Card = 2

Gym Club

- 16 children known to Portsmouth City Council
- 16 Under 18. 2 attend more than 1 Targeted Short Break
- Number currently accessing Targeted 2 - Sitting Service/Prepaid Card = 4

Teenage Group

- 17 young people known to Portsmouth City Council
- 8 Over 18. 0 attend more than 1 Targeted Short Break
- 9 Under 18. 0 attend more than 1 Targeted Short Break
- Number currently accessing Targeted 2 - Sitting Service/Prepaid Card = 0

Enable Ability - Youth Holiday Programme

Youth Holiday Programme - Holiday provision for 14 - 21 year olds with mild to moderate disabilities. The programme runs during holidays and provides a range of activities with the aim of providing as many life skills as possible.

- 21 young people known to Portsmouth City Council
- 5 Over 18. 3 attend more than 1 Targeted Short Break
- 16 Under 18. 9 attend more than 1 Targeted Short Break
- Number currently accessing Targeted 2 - Sitting Service/Prepaid Card = 8

Prior to the consultation launching, the Co-production group and the Empowering Children and Families Group were engaged in preliminary conversations around the topic. All feedback was taken on board and comments and suggestions were incorporated into the structure of the consultation. The background and reasons for the savings was clearly presented and stressed that the higher level of Short Breaks were being protected.

It was reported back in the consultation that the reduction of services would have a negative impact on parents/carers, children, young people and providers. The majority of those who responded (66.3%) did not agree that Short Breaks activities should be reduced to contribute to the savings required,

however, of those who responded, alternative cost saving suggestions were very limited.

Forty-seven individuals offered an alternative but for the most part they were unviable and demonstrated a lack of understanding in the way council funding works across the organisation, in so much as the general feeling was that cutbacks should be employed elsewhere or further increases in council tax should be considered to plug any savings/cost gaps in this particular budget.

Many comments highlighted that the savings would affect carers ability to support their children in their home effectively and have a break from their childrens challenging needs. It will increase the risk of family breakdowns and put further stress on parents/siblings and family units. It has also highlighted the isolation that would be experienced by children and young people, by not meeting their friends at the clubs etc.

Feedback from providers, in particular the playschemes reported that the loss of workers would impact on the ability to offer holiday spaces to certain children due to their needs and the impact this would have on other children attending.

What outcomes do you want to achieve?

Identify areas of the Targeted Short Breaks Budget where a saving can be made.

What barriers are there to achieving these outcomes?

Parents, Carers and Young People - individual feedback and deputations. Parent Carer Forum Groups such as Co-production Group and Empowering Children and Families. Short Break Providers.

Step 2 - Collecting your information

What existing information / data do you have? (Local or national data) If you don't have any data contact the Equalities and diversity team for some ideas

See above for Short Breaks data.

With regard to a potential cumulative impact, data compared between those accessing both Short Breaks and Home to School/College Transport data found that 1 young person may be affected.

Using your existing data, what does it tell you?

Step 3 - Now you need to consult!

Who have you consulted with?

If you haven't consulted yet please list who you are going to consult with

The consultation ran from 10 January 2017 to 20 March 2017. In total the consultation lasted 59 days, of which 54 days were during term-time. This exceeds the statutory requirement of 28 days consultation during term-time set out by the Department for Education.

As part of the consultation, the following groups were consulted:

- * Parents/ carers of disabled children and young people
- * Service Providers
- * Portsmouth Parents' Co-production group
- * Empowering Children's and Families Group
- * The consultation details were available online and therefore public in general were also able to have their say.

Please give examples of how you have or are going to consult with specific groups or communities e.g. meetings, surveys

We have consulted on the proposed amendments using a variety of channels in order to capture the views of a wide range of stakeholders.

We have informally consulted some stakeholders through attendance at a range of meetings. Parent carers were consulted through the local Parents' Co-production Group and the Empowering Children and Families Group (eCAF), and young people were consulted through the Dynamite group.

We also consulted via an on-line survey between 10th January 2017 and 20th March 2017. The survey sought the views about the proposed savings to Targeted Short Breaks.

Information about the proposed changes and on-line survey were also available on Portsmouth City Council's website.

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.

Step 4 - What's the impact?

Is there an impact on some groups in the community? (think about race, gender, disability, age, transgender, religion or belief, sexual orientation, pregnancy and maternity and other socially excluded communities or groups)

Generic information that covers all equality strands (Optional)

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%.

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.

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. This may be because these groups are more likely to comment on such types of consultation. 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.

Ethnicity or race

No adverse impact were identified through the consultation

Gender including transgender

No adverse impact were identified through the consultation

Age

No adverse impact were identified through the consultation

Disability

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").

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.

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.

In Portsmouth, short breaks are classified under the Targeted and Specialist Offer with funding for each sitting separately in the Education budget and the Social Care budget. The aim of Targeted Short Breaks is to provide breaks that are available on a non-assessed basis.

The current Short Breaks Statement describes what parents and carers are eligible for and the range of short breaks commissioned by Portsmouth City Council. The targeted offer consists of two levels, Level 1 and Level 2, with 2 being the higher level of short break.

Level 1 Short Breaks are for all disabled children and young people and can be accessed direct by the parent.

Level 2 Short Breaks are for all disabled children who meet the eligibility criteria. Since the revision of the criteria, the Education Health and Care Plan assessment is now the process by which those children and families with higher levels of needs are identified. The criteria used to allocate short breaks are that the child must either attend:

- a special school for children and young people with special educational needs and disabilities.
- a mainstream school and/or college/post 16 provision and have an Education, Health and Care Plan that specifies full time support or a statement specifying more than 25 hours support

The Targeted Level 2 Short Breaks Offer consists of the Specialist Holiday Playscheme which is available across all holiday periods and the Prepaid Card which parents and carers can spend on short breaks of their choice, including the Specialist Holiday Playscheme. Portsmouth City Council also have in place a Community Based Support Service Framework Agreement that parents and carers can access with their card.

The Targeted Level 2 Short Break Offer is not being affected by the proposed savings.

The consultation proposed 5 options, these were to:

- 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.

A number of respondents did not like the fact that they had to make a choice between the options, It was felt that the questions were "designed to create false support for the proposed savings".

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.

There were 85 comments on 'How might the proposed change impact on you or your child' and the majority stressed the negative impact this would have on them and their children. The full list of comments can be found in Appendix 2, Verbatim 4.

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 scheme has been accessed by:

- 48 children known to Portsmouth City Council
- 41 attend mainstream school. 4 attend more than 1 Targeted Short Break
- 7 attend special school (1 from Mary Rose, 4 from Redwood, 2 from Cliffdale). 3 attend more than 1 Targeted Short Break
- Number currently accessing Targeted 2 - Sitting Service/Prepaid Card = 8

NEGATIVE IMPACT ON PARENTS AND CARERS

Although there were several comments regarding the Inclusive Playscheme and it would seem likely that some respondents were referring to the Specialist Holiday Playscheme. Particular comments refer to complex needs and payment of £17 per day both of which relate to the Targeted Level 2 Specialist Playscheme (the Inclusive Playscheme costs up to £27 per day) - see Appendix 2 Consultation feedback for all comments.

NEGATIVE IMPACT ON HOLIDAY PLAYScheme PROVIDERS - knock on affect on families.
Feedback from the playscheme providers was received as follows:

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 SEN 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 SEN/disabled 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 SEN/ Disabilities 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 ect.

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 end 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".

Religion or belief

No adverse impact were identified through the consultation

Sexual orientation

No adverse impact were identified through the consultation

Pregnancy and maternity

No adverse impact were identified through the consultation

Other socially excluded groups or communities e.g. carers, areas of deprivation, low literacy skills

No adverse impact were identified through the consultation

Have you referred to the Joint Needs Assessment (www.jsna.portsmouth.gov.uk) to identify any associated health and well-being needs?

☐ Yes ☒ No

What are the health impacts, positive and / or negative? For example, is there a positive impact on enabling healthier lifestyles or promoting positive mental health? Could it prevent spread of infection or disease? Will it reduce any inequalities in health and well-being experienced by some localities, groups, ages etc? On the other hand, could it restrict opportunities for health and well-being?

The Targeted Short Break Level 2 offer has been protected for those parents and carers whose children require a higher level of support to access short break activities. The eligibility criteria is that the child must attend either:

- a special school for children and young people with special educational needs and disabilities.
- a mainstream school and/or college/post 16 provision and have an Education, Health and Care Plan that specifies full time support or a statement specifying more than 25 hours support

The offer consists of a Prepaid Card and the Specialist Holiday Playscheme.

There may be an impact on parents and carers who do not meet this eligibility criteria.

Health inequalities are strongly associated with deprivation and income inequalities in the city. Have you referred to Portsmouth's Tackling Poverty Needs Assessment and strategy (available on the JSNA website above), which identifies those groups or geographical areas that are vulnerable to poverty? Does this have a disproportionately negative impact, on any of these groups and if so how? Are there any positive impacts?, if so what are they?

Not Applicable

Step 5 - What are the differences?

Are any groups affected in a different way to others as a result of your policy, service, function, project or strategy?

The proposed recommendations are not envisaged to discriminate against any of the protected groups under the Equality Act 2010, and the proposed changes do not affect those parents and carers who meet the eligibility criteria for Targeted Short Breaks.

Does your policy, service, function, project or strategy either directly or indirectly discriminate?

☐ Yes ☒ No

If you are either directly or indirectly discriminating, how are you going to change this or mitigate the negative impact?

No applicable

Step 6 - Make a recommendation based on steps 2 - 5

If you are in a position to make a recommendation to change or introduce the policy, service, project or strategy clearly show how it was decided on

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.

What changes or benefits have been highlighted as a result of your consultation?

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 retendering process scheduled to take place next year.

If you are not in a position to go ahead what actions are you going to take?

(Please complete the fields below)

Action

Timescale

Responsible officer

How are you going to review the policy, service, project or strategy, how often and who will be responsible?

The Targeted Short Break offer will continue to be reviewed annually by the service as part of the requirement of the Short Break Statement and the Short Breaks Regulations.

We will take on board any ongoing feedback from parents and carers and include as part of the review.

The next review will take place April 2018

Step 7 - Now just publish your results

This EIA has been approved by: Dr Julia Katherine, Head of Inclusion Service

Contact number: 023 9284 1057

Date: 18.04.2017

Please email a copy of your completed EIA to the Equality and diversity team. We will contact you with any comments or queries about your full EIA.

Telephone: 023 9283 4789

Email: equalities@portsmouthcc.gov.uk