DECISION-MAKER:		CABINET		
SUBJECT:		DEVELOPMENT OF AN OFFER FOR CHILDREN WITH DISABILITIES		
DATE OF DECIS	ION:	14 NOVEMBER 2017		
REPORT OF:		CABINET MEMBER FOR CHILDREN'S SOCIAL CARE		
		CONTACT DETAILS		
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STATEMENT OF CONFIDENTIALITY

Not Applicable

BRIEF SUMMARY

Short Breaks provide children and young people with disabilities or additional needs an opportunity to spend time away from their parents, engage in fun activities and enjoy time with their friends. They offer parents and carers a break from their caring responsibilities, time to spend with other family members and to catch up on other daily tasks.

Short Breaks are currently provided at two different levels:

 For children who have been assessed by social care and determined to have a need for short breaks – this level of short breaks is commonly referred to as "assessed short breaks" or "Jigsaw (Children with Disabilities Team) short breaks"

For children who have not been assessed but have access to a "universal" offer of short breaks for disabled children - this level of short breaks is commonly referred to as "Non-assessed short breaks" or "The Buzz Network short breaks".

An initial review of the offer of short breaks during 2016 identified the need for a more in-depth review and redesign of the services. This was on account of the growth in the sign up to the Buzz Network which could not be met within existing capacity, an increased take up in personal budgets for all levels of need and inequalities in access to all short break services. The review identified that the current approach provides a high level of support to some families, but restricted or no support for many other children and their families, who may have similar levels of need. It also identified the need to change the way resources are allocated to ensure an appropriate level of support is provided to children and their families according to the impact of their disability on their own and their family's lives. The current eligibility criteria do not support changes in these areas. The review also considered the SEND Code of

Practice and the response from parents to the Council's Medium Term Financial Strategy budget consultation undertaken in November 2016. During discussions it was also identified that the names "Jigsaw" and "Buzz Network" could lead to confusion.

The full review, including engagement with key stakeholders during 2016/17 has resulted in four proposals now being put forward for formal consultation:

- 1. A new eligibility criteria to provide a much clearer, consistent and equitable means of determining access to disabled children's services. This is based on the impact of a child's disability on their overall health and wellbeing outcomes, and those of their family, defined by four levels of need (low, medium, substantial and critical). The eligibility criteria will ensure that social care fulfils its functions under part 3 of the Children and Families Act 2014, the Care Act 2014 and the Children Act 1989 (S17) by providing disabled children with a social care assessment and access to services according to need.
- 2. A new short break service offer which sets out what children, young people and their families can expect at each level of need in the proposed eligibility criteria,
- 3. The name of the Jigsaw (integrated health and social care team for children with disabilities) service which will be extended to align with the "critical" level of need in the proposed eligibility criteria and include children with severe physical and/or sensory impairment (visual and hearing) needs who may not have a learning disability.
- 4. The name of the service for non-assessed short breaks (The Buzz Network).

The proposals will have an impact on a number of children and families. There will be a positive impact for some children and families at all levels, as they will gain access to services previously unavailable to them. However, there will be a negative impact for some families currently accessing services at the medium and critical levels as a result of a potential reduction in their current offer

Estimates indicate around as many as 600 children and families could experience a positive benefit, with an estimated 450 new families able to access services at the medium level. These will be families who have not accessed services before, either through lack of awareness or no spaces available at the service they wish to use (e.g. One2One). An estimated 150 families at substantial level and 30 families at the critical level are also expected to benefit from the proposed changes. Of those currently accessing services, it is anticipated around 520 – 560 families may experience a reduction in the services they can access. These individuals currently access the Buzz network and either benefit from additional services over and above their assessed level of need and associated package of support, or access a high level of services or personal budget through the Buzz Network.

RECOMMENDATIONS:

(i)	To note the findings from the review which includes the case for change, which is based on evidence from other Local Authorities, engagement with the disabled children's parent/carer forum, children themselves, providers and professionals. The review presents areas identified for improvement.
(ii)	To approve the recommendation to proceed to formal consultation on the four proposals outlined above.
(iii)	To note the outcome of the consultation will be reported back to Cabinet and subject to final approval.

REASONS FOR REPORT RECOMMENDATIONS

- 1. There is a need to ensure access to services is based on fair eligibility criteria across all types of disability, which enables equitable access for children and young people with disabilities and their parents/carers to short breaks and improves legal compliance with Part 3 of the Children and Families Act 2014 and Section 17 of the Children Act 1989. Currently only children with moderate to severe learning disabilities known to the Jigsaw team are able to access assessed short breaks and for all children with disabilities access to the Buzz Network offer is on a first come first served basis. As a result, some children will receive both assessed and Buzz Network short breaks whilst others with similar levels of need may not receive any short break. This is not equitable and so a clear offer needs to be defined for all types of disability based on levels of need.
- 2. To ensure the offer of short breaks is financially sustainable in the future and resources are deployed to achieve maximum benefit across all levels of need. The current short break offer is delivered as a distinct and separate disabled children's provision at all levels of need. Providing this high level of offer to all children with disabilities is not financially viable. Whilst there will always be a need to provide some specialist short break provision, there are undoubtedly benefits of linking other short break activities, particularly at the low and medium levels of need, to broader universal services for children in order to provide greater choice, flexibility and inclusivity
- 3. To ensure that the names of services remain relevant and meaningful to families as part of a clear and consistent communication about what services provide and who they are for.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

4. Do Nothing Option is not an option as it fails to meet legal requirements around formal consultation or address the areas identified for improvement. Notably the current approach limits access to the short breaks offer for some children with disabilities. It is based on a financially unsustainable model and not a consistent social care eligibility criteria for access to disabled children's services in Southampton across the board to assure compliance with S17 or Children Act 1987.

DETAIL (Including consultation carried out)

Current position and case for change

5. **Short Breaks**

The Buzz Network currently has around 1249 members and is continuing to grow. Current eligibility for the Buzz Network is broad and most services are accessed on a first come first served basis so some families are able to access a lot more short breaks than others with some being unable to access any services.

- 6. Buzz Network Members have access to a range of short break services which do not require an assessment, as follows:
 - One2One 34 hours per year of one to one support from a support worker to take the child out into the community.
 - Playschemes a range of activity playschemes which run during school

- holidays and weekends
 Community Activities a range of grant funded activities delivered by Active Nation, No Limits, Avon Tyrell & Action for Blind People
 Personal Budget a £400 direct payment for families to purchase their own short breaks.
 More details on the current services are contained in the supporting document
- In addition to the Buzz Network offer, short breaks are also available to children with moderate to severe learning disabilities who meet the Jigsaw Service criteria via a social work assessment. These include:

Short Breaks Review and Redesign interim report (Appendix 1).

- Individual help in the home or community (e.g. outreach)
- Family based overnight and day care (e.g. short break fostering)
- Residential overnight short breaks
- Personal Budgets Through direct payments

Again more details on the current services can be found in Appendix 1.

- 8. During the review several areas were identified as needing improvement and they form the basis of these proposals:
 - It was identified that the current approach is providing a high level of support to some families, but restricted or not available for many other children and their families.
 - The number of families choosing a personal budget has increased significantly in the last couple of years which means that more and more of the short breaks budget is being used up with no additional money for any new members to the network.
 - Those families who receive an assessed specialist short break package through the Jigsaw team also have access to Buzz Network short breaks, thereby accessing services through two routes.
 - The current eligibility criteria would not support changes in the areas identified.
- In addition, it was found that the current short breaks offer is focused on providing access to specialised or dedicated disabled children's services, unless a family takes a personal budget and uses it to purchase services from mainstream providers. This means many children are accessing a restricted range of services. While access to specialist disability short breaks services is beneficial and right for some children, there should also be access to a wide range of mainstream services which have made reasonable adjustments to enable all children to attend.

10. Eligibility Criteria

The eligibility criteria for access to disabled children's social care services in Southampton is unclear and some disabled children who are supported by early help or safeguarding teams do not have the same access to assessed short break services as those with moderate to severe learning disabilities who meet the criteria for the Jigsaw team. There is no consistent service offer for disabled children in Southampton and what exists is based around types of disability as opposed to levels of need. The proposed eligibility

	criteria will ensure that social care fulfils its functions under part 3 of the Children and Families Act 2014, the Care Act 2014 and the Children Act 1989 (S17).
11.	Names/Terminology
	The review also identified a need to be much clearer in our communication and terminology in describing service provision. This was also identified by the Joint Local Area Ofsted and CQC Inspection in February 2017 which noted that families were not always clear about the "Local Offer". The Disabled Children's Health & Social Care team is called, 'Jigsaw'. This name was chosen alongside parents around ten years ago but it can often be confusing to new families. This consultation asks for views on whether the name should be changed.
12.	The non-assessed short breaks service is called the Buzz Network. This was also co-produced with parents some years ago and aligned to the name of the Parent Carer Forum "A-buzz" at the time. This consultation asks for views on whether the name should be changed
	Engagement and consultation undertaken
13.	The review and redesign of the short breaks offer and eligibility criteria has been carried out jointly by Children Services and the Integrated Commissioning Unit (ICU) covering both health and social care.
14.	Engagement and consultation has included parents, children and young people through the parent carer forum and schools. This has included engagement events and a dedicated working group involving parents and officers to look at access and equitability, eligibility, types of short breaks available and other Local Authority Short Break Offers.
15.	Meetings were also held with young people across 4 different educational settings in the city, including: primary, secondary and post 16 and both mainstream and special schools. 28 young people completed a set of questions on short breaks with support from their school SENCO and an SCC Short Breaks Officer.
16.	Southampton schools have been widely engaged with presentations about the Short Break redesign at SENCO Hub meetings and the Special School Head Teacher conferences. Engagement included a brief market scoping exercise to gauge the level of activities already running in the community and their accessibility for disabled children. It also explored what kind of support and/or funding would be most valued by providers to enable them to expand their offer for disabled children. Engagement with other partners (e.g. health and adult services) has also taken place through regular presentations to the SEND Partnership Forum.
	Formal consultation format
17.	The formal consultation, if approved to progress, will take place from 21 November 2017 through to 12 February 2018. Formal consultation will comprise an online questionnaire and a series of open and targeted events. Open events will be available for any member of the public to attend. Targeted events will ensure key stakeholders have an opportunity to be involved in the consultation. The schedule of events will comprise

3 events (2 targeted, one open) across November and December 2017 2 further events (1 targeted, 1 open) in January and 1 or 2 events in early February, facilitated as a 'you said, we heard' approach. The final 2 sessions will provide an opportunity to check we have captured the points raised during the consultation. They also provide a final opportunity to find out about the proposals. A separate event will be arranged for providers. 18. The feedback from the consultation will be compiled into a report and presented to Cabinet in March 2018. **Review of other Local Authority offers** 19. The review looked in detail at other local authority Short Break Statements and contacted leads in each authority. Our proposals reflect good practice identified in other areas and builds on positive feedback from parents and young people, for example the use of a Short Breaks card **Proposals** New eligibility criteria 20. It is proposed to consult on a revised eligibility criteria for disabled children's services, which is defined by 4 levels of need (low, medium, substantial and critical), based on the impact of a child's disability on their overall health and wellbeing outcomes, and those of their family. This will determine what a family can expect at each level, including their access to short breaks. The eligibility criteria will ensure that social care fulfils its functions under part 3 of the Children and Families Act 2014, the Care Act 2014 and the Children Act 1989 (S17). 21. The proposed eligibility criteria will have four levels: Low The child has low level additional needs that parents are able to meet through universal services and a network of family and friends. Parents may require signposting to the SEND Local Offer for information, advice and guidance about the universal services available. 22. Medium The child has additional needs where parents require support above what is available at universal level e.g. Special Education Information, Advice and Support, Benefits, carers rights and short breaks from caring through specialist play schemes and clubs, or enhanced/adapted mainstream provision. 23. Substantial The child has a learning or physical disability that significantly impacts on a child or family's ability to function. The impairment, chronic health or life limiting condition have a substantial impact on the quality of the child and their family's life and child would be unable to achieve outcomes without support from targeted services, coordinated by a lead professional.

0.4	Critical
24.	Critical The child has Learning disabilities within the moderate, severe or profound range OR a severe physical (including visual and hearing) health condition or impairment which is life limiting, or significantly affects, or is predicted to affect, everyday life functioning or a child's access to education (e.g. in a wheelchair, has adapted living, requires total personal care support, requires communication aids) and their ability to achieve outcomes appropriate to their age related potential.
	Offer of short breaks for children with disabilities.
25.	It is proposed to consult on a new offer of short breaks which will reflect the proposed 4 eligibility criteria levels of need for children with disabilities.
	Low Children who have low levels of additional needs will be able to access universal services and adaptations. The suite of mainstream clubs and activities in and around Southampton is available on the Southampton Information Directory - http://sid.southampton.gov.uk/kb5/southampton/directory/home.page
26.	Medium Families in receipt of disability living allowance for a disabled child or young person and not receiving an individual package of support via services at the substantial and critical level will have access to a Short Breaks card which offers easy access to a range of concessions or discounts negotiated across the city. This recognises that these children can access most services available to all children.
	Additionally, the Short Breaks Card will offer booking rights into subsidised activities, in and around Southampton. The short breaks programme will fund two main types of activities: • Specialist Activities – run specifically for children and young people with moderate needs. Support to attend mainstream activities, play schemes, clubs and groups.
27.	The short breaks programme will fund these activities through a grant making process. The grant process will invite applications from providers for additional staffing, specially adapted equipment or other ideas that will enable increased access for children with disabilities. The grant application process will take account of, and prioritise the feedback from children, both in terms of range of activities and times (e.g. weekends, Friday evenings).
28.	The short break card will be coproduced with parents and children and provided to those at the medium level, providing them with booking rights to the grant funded activities. Work will also be undertaken to engage businesses to offer concessionary rates for those with the Short Breaks card. This replicates successful approaches by other local authorities (e.g. West Sussex).
29.	Substantial Family's needs who are assessed to be substantial will be supported through

the relevant social care team. These teams will carry out an assessment of need for the child and their family. If eligible the family will receive an individual package of support through a Personal Budget. This might include:

Access to commissioned services, specifically for those at the substantial or critical level, for example Individual support in the home or community (e.g. outreach) Direct Payments - to purchase individual support in line with the personal budget and direct payment policy. Families may wish to use their direct payment to purchase subsidised services made available through the grant making process (for those at medium level). They may also be able to access the non-assessed short break activities at a subsidised rate, purchased through direct payments. Access to these services will be using funding within their package of support and not in addition to it. Access will also be dependent on capacity with priority given to those at the medium level.

30. Critical

Families open to the JIGSAW Children with Disabilities Team will have an assessment of needs and if eligible will receive an individualised package of support through a Personal Budget. This might include;

- Access to commissioned services, specifically for those at the substantial or critical level, for example
 - o Individual support in the home or community (e.g. outreach)
 - Residential overnight short breaks
- Direct Payments to purchase individual support in line with the personal budget and direct payment policy. Families may wish to use their direct payment to purchase subsidised services made available through the grant making process (for those at medium level). They may also be able to access the non-assessed short break activities at a subsidised rate, purchased through direct payments. Access to these services will be using funding within their package of support and not in addition to it. Access will also be dependent on capacity with priority given to those at the medium level.
- If these proposals are supported, the Integrated Commissioning Unit will proceed to commission a range of services that will be access by those at the Substantial and critical levels. Services are likely to be comparable to the services currently commissioned (e.g. One2One). Only those at the substantial and critical levels will be able to access these services as an element of their package of support following an assessment.

Impact

The proposals will have an impact on a number of children and families. There will be a positive impact for some children and families at all levels, as they will gain access to services previously unavailable to them. However, there will be a negative impact for some families currently accessing services at the medium and critical levels as a result of a potential reduction in their current offer

33. <u>Impact on families at "Low" level</u>

Current offer:	Some families are aware of and access services, although this is a small number
Proposal:	To improve the information on the Southampton Information Directory (SID) and ensure increased promotion of mainstream services that children with disabilities can access.
Impact:	Children with disabilities are aware of the range of services available for them to access.
Current number of families	Unknown
Future estimated number	Estimated to be up to 5,000. This is the wider group of children identified as having special educational needs or a disability but not currently making use of Buzz or other more specialist services.
+/- impact	Positive impact as more families are aware of, and make use of mainstream services with suitable facilities.

34. <u>Impact on families at "Medium" level</u>

Current offer:	Estimates would indicate around 900 of the existing 1294accessing the Buzz Network would align to the criteria at the medium level. Of the remaining 200, most would access services at either substantial or critical levels, with a small number at low level
Proposal:	To fund improved access to mainstream services through a grant application process supported by a Short Breaks card.
Impact:	The services will be available to all those at the medium level. These services will no longer be taken up by those at the substantial or critical levels of need (other than purchased via their own Direct payment where capacity allows), therefore freeing up capacity for more "medium" level service users
Current number of families	900 Buzz Network users
Future estimated number	Estimated to be 1,350
+/- impact	Positive impact for an estimated 450 additional families who will be able to access the improved mainstream services. The proposals remove the capped level of services currently available and creates a fairer access route for this group of children (by offering booking rights).

		Around 420 families will no longer have access to the same level of services. It is estimated around 70 families would no longer be able to access services (e.g. One2One) and 350 families would lose their personal budget, taken as a direct payment)
35.	Impact on far	nilies at "Substantial" level
	Current offer:	An estimated 150 children with disabilities are known to Children Social care teams who are likely to be at the Substantial level of need.
	Proposal:	To improve the identification of children within Children Social care teams enabling and ensuring they have access to appropriate support and services relating to their disabilities within their packages of support.
	Impact:	Assessments for all children will include an assessment of a child's disability and the impact it is having on the child and their family. Children will have access to the short breaks offer at the substantial level (e.g. direct payments) who would previously not have been able to access this type of provision.
	Current number of families	Estimated at 150
	Future estimated number	Estimated to remain at 150
	+/- impact	Positive impact for all children with disabilities at the substantial level (150) as packages of support will be reviewed and potentially increased to ensure they take account of the impact of the child's disability on themselves and their family.
		There is potential an increased number of children are identified at this level.
36.	Impact on far	nilies at "Critical" level

	Current offer:	255 children are currently supported by the Jigsaw team.
	Proposal:	To align the Jigsaw criteria to the "critical" level of the proposed eligibility criteria thereby extending this service to include children with severe physical and/or sensory impairment (visual and hearing) who may not have a learning disability. These children will be able to benefit from the current Jigsaw offer, including assessment of their needs and access to appropriate support and short breaks at the critical level as part of their support package
	Impact:	Assessments for all children will include an assessment of a child's disability and the impact it is having on the child and their family. This means that children with severe physical and sensory impairment will now have access to more specialist short breaks at the "critical level" whereas they would not have had in the past.
	Current number of families	255
	Future estimated number	Estimated to rise to 285
	+/- impact	Positive impact for the additional 30 children and their families who will receive an appropriate package of support.
		Potentially negative impact for up to 150 children and their families who were previously receiving both Jigsaw short breaks and Buzz Network short breaks. This "doubling up" of provision will no longer be available under the new short break offer and so these families may perceive a reduction in their short breaks.
37.	increased numb in a wider range some families w	ese proposals, if supported, there will be benefits such as pers of children with disabilities being able to access support of settings. However, there will be a negative impact on who are currently accessing services via Buzz Network and see a reduction in the level and range of services they can ture.
RESOU	RCE IMPLICATI	ONS
	<u>Revenue</u>	
38.	In 2017/18, the total short breaks budget is £1,455,000, split between £975,000 for specialist services and £480,000 for non-assessed services (the Buzz Network). The Clinical Commissioning Group (CCG) contributes £178,200 to the specialist services budget to support access for children with complex health needs.	
39.		get is £1,455,000. As a result of the proposals set out above spected to remain consistent albeit distributed differently

	across the ne	ew eligibility	levels.		
40.			rable within the existi oss different levels of		
		Curre	ent expenditure	Forecas	t expenditure
		Grant	Commissioned services & Personal budgets	Grant	Commissioned services & Personal budgets
	Critical			£0	£975,000
	Substantial	£480,000	£975,000	C490 000	2010,000
	Medium		£0	£480,000	£0
Prope	rty/Other		£0		£U
41.	There are no	nronerty im	nlications		
	L IMPLICATION	• • •	phoduorio		
Statut	ory power to u	ndertake pi	roposals in the repo	rt:	
42.			ned to meet social ca ct 2014, the Care Act		
Other	Legal Implicati	ions:			
43.	consultation to making its fin being carried	feedback an al decision. out in acco	ne and conscientious of representations an In order to ensure the rdance with national order to form a mate	d take them in is takes place guidelines at i	nto account before e, consultation is this formative
44.	The proposal Code of Prac	,	consistent with and	take into acco	ount the SEND
45.	statutory duti Equality Duty remediation r	es under the A detailed neasures is ughout the c	n fully assessed in ac e Equality Act 2010, in Equality Impact Asse included with this rep consultation in order t	ncluding the fessment with bort and will b	Public Sector mitigation and e reviewed and
RISK	MANAGEMENT	IMPLICAT	IONS		
46.	risk. The prop	oosals anticis, if any, wil	carry out formal cons ipate no changes to t I be presented with th ace.	he current fina	ancial envelope.
47.		The recommendation presents no risks to the current service delivery. Any risks to service delivery will be presented with the final proposals after			

	consultation has taken place.	
48.	The proposals may cause a moderate to significant level of stakeholder concern. The recommendation to carry out formal consultation provides the opportunity for these concerns to be raised and considered. Concerns and views will inform any proposals that will be presented to Cabinet. The consultation also takes into account other measures and proposals the Council may be considering over the short to medium term and seeks to identify and address situations where families may be affected by a range of proposals by assessing the cumulative impact of those matters via the Impact assessment process.	
POLIC	Y FRAMEWORK IMPLICATIONS	
49	The recommendations in this paper support the delivery of outcomes in the Council Strategy. They also contribute to the City Strategy and the Health and Wellbeing strategy. The proposals particularly support Council Priority Outcome:	
	 People in Southampton live safe, healthy and independent lives All Children and young people have a good start in life. 	

KEY DI	ECISION?	Yes			
WARD	WARDS/COMMUNITIES AFFECTED: All				
	<u>SL</u>	JPPORTING D	OCUMENTATION		
Append	dices				
1.	Short Breaks Revie	w and Redesi	gn Interim report		
Docum	ents In Members' R	ooms			
1.	Equality and Safety	Impact Asses	sment		
2.	Privacy Impact Ass	essment			
Equalit	y Impact Assessme	nt			
	implications/subjectimpact Assessment	-	t require an Equality and carried out.	Yes	
Privacy	/ Impact Assessmer	nt			
	implications/subjec sment (PIA) to be ca	•	t require a Privacy Impact	Yes	
	/ Impact Assessment m <mark>@nhs.net</mark>	and Privacy Ir	mpact Assessment available f	rom	
Other E	Background Docum	ents			
Other E	Background docume	ents available	for inspection at:		
Title of	Title of Background Paper(s) Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to			Rules /	

		be Exempt/Confidential (if applica	
1.			
2.			