

REPORT FOR DECISION



DECISION OF:	CABINET
DATE:	8 JULY 2015
SUBJECT:	PROPOSED TENDER ACTIVITY AND CHANGE IN SERVICE DELIVERY MODEL FOR SHORT BREAK SERVICES FOR CHILDREN AND YOUNG PEOPLE WITH DISABILITIES
REPORT FROM:	EXECUTIVE MEMBER FOR CHILDREN, FAMILIES AND CULTURE
CONTACT OFFICER:	Karen Whitehead, Strategic Lead (Health, Families and Partnerships) Ruth Wheatley, Strategic Lead (Strategy and Commissioning)
TYPE OF DECISION:	CABINET KEY DECISION
FREEDOM OF INFORMATION/STATUS:	This paper is within the public domain
SUMMARY:	This paper sets out the proposals to re-design the Short Breaks Services for Children and Young People with Disabilities and their families.
OPTIONS & RECOMMENDED OPTION	<p>The following options are available:</p> <ol style="list-style-type: none"> 1. Agree the proposal as set out in the report to tender for short break services and de-commission the Red Centre. 2. Agree the proposal with further modifications. 3. Retain the existing arrangements with no changes. <p>Cabinet is requested to approve option 1, agreeing the proposal as set out in the paper.</p>

IMPLICATIONS:	
Corporate Aims/Policy Framework:	Do the proposals accord with the Policy Framework? Yes
Statement by the S151 Officer: Financial Implications and Risk Considerations:	This proposal seeks to deliver a saving of £103,000 against the service's £1.1m budget. The revised service delivery model seeks to support more user groups across a wider geographical area.
Health and Safety Implications	Full Health & Safety assessments will be undertaken for the proposed service delivery model / sites utilised.
Statement by Executive Director of Resources	Use of Council assets in the new service delivery model will be considered in line with the Council's Asset Management Plan
Equality/Diversity implications:	Yes No (see paragraph below)
Considered by Monitoring Officer:	Yes This decision relates to the re-design of services for children and young people with disabilities following consultation. It is important that decisions on service provision are carefully considered in the context of consultation; the Council's statutory duties (set out in paragraph 1.6 of this report) and with due regard to the Council's equalities duty. Members must consider these issues which are detailed in the report and the Equality Impact Assessment.
Wards Affected:	All
Scrutiny Interest:	

SK

JH

TRACKING/PROCESS

DIRECTOR:

Chief Executive/ Strategic Leadership Team	Cabinet Member/Chair	Ward Members	Partners
	8 July 2015		
Scrutiny Committee	Cabinet/Committee	Council	

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1.0 BACKGROUND

- 1.1 Bury Council currently commissions a range of individual home support , targeted and self referral community projects as part of the overall provision of short breaks in Bury.
- 1.2 The targeted services consist of an integrated Short Breaks Service which operates from the Red Centre comprising of tea time and weekend breaks, youth groups and holiday activities and a preferred provider list for individual home support packages. These arrangements are long standing with contracts being extended year on year; Action for Children has been the provider of the integrated Short Breaks Service since 2001 which has been delivered from the Red Centre.
- 1.3 In addition to the targeted services there are a number of community social groups, holiday schemes, sports and leisure projects which were set up as part of the Aiming High for Disabled Children Programme in 2008.
- 1.4 In 2014-15 the expenditure for the service contracts was £1.1m gross. The budget comes under pressure due to the complexity of the needs of individual children and young people. There are approximately 170 different children and young people who are in receipt of these services.
- 1.5 The Council leases the Red Centre from The Regenda Group. The lease and building operating costs equate to £103k per annum. (Action for Children do not pay rent to the Council).
- 1.6 The Council's statutory duties in respect of these services are set out in the Breaks for Carers of Disabled Children Regulations 2011 made under paragraph 6 of Schedule 2 to the Children Act 1989, which impose a duty on local authorities, as part of the range of services they provide for families, to provide breaks from caring to assist parents and others who provide care for disabled children. Paragraph 6(1)(c) and (2) of Schedule 2 to the Children Act 1989 were inserted by the Children and Young Persons Act 2008.
 - 1.6.1 In performing their duty under paragraph 6(1)(c) of Schedule 2 to the 1989 Act, a local authority must provide, so far as is 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: day-time care in the homes of disabled children or elsewhere; overnight care in the homes of disabled children or elsewhere; educational or leisure activities for disabled children outside their homes; services available to assist carers in the evenings, at weekends and during the school holidays.
 - 1.6.2 These types of services also assist the Council in their responsibilities to provide additional support as required in other legislation and guidance including; the Chronically Sick and Disabled Persons Act 1970; Section 17 of the Children Act 1989; Part 3 (SEND reforms) of the Children and Families Act 2014.
 - 1.6.3 The Council are also required to publish a Short Breaks Duty Statement and to keep this under review. This Statement is currently under review and the intention is this will be published prior to the proposed tender.

The consultation noted in Section 5 of this paper is drawn from this source. The Statement also sets out the outcomes for such provision which will drive the tender evaluations.

- 1.7 In September 2014 the Council produced a market position statement based on analysis of data from sources such as the Community Health and Wellbeing Assessment for Bury (JSNA), the Special Educational Needs (SEN) Assessment and local contract monitoring data to provide a picture of the local need for services and inform service design.
- 1.8 The key findings from the market position statement which have informed the new service design relate to the proportion of children and young people accessing services in the areas of highest need and the identified needs of the cohort, specifically:
 - 1.8.1 Bury Central has the largest proportion of the population of children and young people with SEN(D) at 33.3% compared to 26% accessing services and Radcliffe has 20% of the population compared to 13% accessing services.
 - 1.8.2 The highest proportion of children and young people who access services have ASD/ADHD at 39%, this also features in other categories where there is more than one disability.

2.0 CURRENT POLICY

- 2.1 Under the current policy services can be accessed either by self referral for the community projects or by referral via the Childrens Disability Resource Panel (DRM) for the targeted services.
- 2.2 All targeted specialist services are based either in the Red Centre or in the home. (Overnight residential respite services are outside the scope of this paper).
- 2.3 Transport is provided by the authority from school to tea-time short breaks at the Red Centre.

3.0 THE RATIONALE

- 3.1 The commissioning intention is that the service will be outcome driven with targeted services which will have the greatest impact on positive outcomes for children, young people and their families.
- 3.2 The changes within the new specification will deliver higher quality services with appropriately trained, consistent staff and specialist services to meet the local needs identified in the market position statement. In ensuring the allocation of resources is based on need, targeted and proportionate the duty to ensure best value will be met.

4.0 PROPOSED CHANGES

- 4.1 All referrals will be via the DRM to ensure the assessed needs are met, services are proportionate to need and the best use is made of resources.

- 4.2 To commission a specialist service to provide support for children and young people with ASD/ADHD who have challenging behaviour as a result of their disability. Specifically to target children and young people and their families where there is a risk of family breakdown leading to requests for high cost residential provisions.
- 4.3 To commission a new outreach service to enable young people to access their community, leisure programmes, community sessions, friendship groups and other interests with support. In so doing to promote their social skills and independence.
- 4.4 For services to have a wider geographical coverage to meet needs across the borough and reach the priority groups.
- 4.5 To decommission the Red Centre as a base for service delivery and to use venues throughout the borough which are modern, fully equipped and local to the places young people wish to visit.
- 4.6 Community assets which may feature in the new model either as meeting places or to deliver sessions from include children's centres, libraries, schools and youth centres.
- 4.7 All providers will be responsible for identifying and securing suitable locations within the borough.
- 4.8 The proposed budget for the new services is £1.1m p.a. which is the same as 2014-15 overall but configured differently. The de-commissioning of the Red Centre will deliver a saving of £103,000 p.a.
- 4.9 Transport to short breaks after school will no longer be provided by the Council unless it is specifically identified as a need in their assessment and plan. If providers choose to provide transport as part of their service then arrangements and costs would need to be agreed directly with families.

5.0 CONSULTATION

- 5.1 In August 2014 the Council engaged Bury Parent Forum Ltd to consult with families and young people with disabilities aged 0-25 on current provisions in the Borough.
- 5.2 The consultation comprised of a series of four open events, questionnaires distributed via schools and engaging with specialist bodies to endeavour to reach and engage cultural and minority ethnic groups.
- 5.3 Of the individual responses received, when asked if they were 'generally happy overall with current services' 72 respondents (73%) expressed an opinion; 71% were happy and 29% were not.
- 5.4 The key themes from the consultation are set out below with responses as to how these are addressed in the specification:

5.4.1 To have fun and positive opportunities for disabled children.

Response:

New models of delivery will continue to provide short breaks for children and young people with disabilities which are fun, positive experiences

and which achieve positive outcomes for them. The new design will deliver more person-centred, specialist services which will improve the outcomes for children and young people.

5.4.2 To have a choice of short break activities.

Response:

Children, young people and their families will be central and their views will be taken into account when their individual plan is developed. Providers will develop activity plans with the children and young people who access group activities.

5.4.3 To have access to facilities which are available locally, such as swimming, rather than travelling out of the borough.

Response:

Providers will have the opportunity to negotiate access with schools to utilise their purpose built facilities, such as swimming.

5.4.4 Knowing that children will be met and supported by appropriately trained staff.

Response:

Staff will be appropriately trained to meet the specific needs of the children/young people who access services. For example, staff will be required to have specific training in challenging behaviour management for the specialist service to support children and young people with ASD/ADHD.

5.4.5 Ensuring children have consistency in the staff that support them.

Response:

Providers will be expected to demonstrate how they recruit, train, retain and match staff as part of the procurement process and this will be taken into account as part of the evaluation of bids.

The block procurement and duration of the new service contracts will also afford providers that ability to forward plan their provision.

5.4.6 To have flexible services to meet changing family needs.

Response:

Providers will offer flexibility to children and young people who access services to meet their needs. In addition, their individual plans will be monitored and reviewed regularly by the provider and the Council.

5.4.7 Opportunities to take part in inclusive activities with non-disabled children,

and

Provide opportunities for disabled children and young people to develop friendships, socialise and access community opportunities.

Response:

The vision for the new services is for children and young people to enjoy new activities, make friends, have new learning opportunities, integrate in the local community and prepare them for transition to adulthood.

5.4.8 To prevent family crisis through the provision of timely support to meet individual family needs.

Response:

Timescales will be incorporated into the specification and contract to ensure providers respond to referrals, complete assessments and provide services within reasonable timeframes.

5.4.9 To be clear and transparent with regard to the decision making process and receive feedback on decisions.

Response:

The DRM panel meets once a fortnight and families will continue be informed of the decision when their support plan and funding request has been to the panel. Decisions are confirmed in writing within one week.

5.4.10 To have a consistent approach to parental contributions for activity costs between service providers.

Response:

Providers will continue charge reasonable fees for the activities they are undertaking, charges may vary between providers.

6.0 RISK MANAGEMENT

- 6.1 The key risks associated with the proposed changes are of legal challenge and reputational damage to the Council and the inability to meet the financial savings identified in the de-commissioning of the Red Centre.
- 6.2 The proposal to re-configure the service to meet the specific needs of children and young people is based on need and making the best use of the resources available. However, there remains the risk that due to the reliance of families on the Red Centre and the long standing design of current services the Council will be challenged. Council officers will implement a communication strategy to mitigate any challenges to proposals from providers and families which will be phased throughout the process.
- 6.3 The small community projects may not feature in the new service design due to the elimination of the self referral route, volumes and availability of services identified within the new specification.

7.0 EQUALITY AND DIVERSITY

- 7.1 An equality assessment has been completed, this has identified potential negative impacts on the children and young people and their families who access services at the Red Centre in that the services will be delivered differently, at different times and venues.
- 7.2 In addition, the children and young people who are in receipt of transport to after school tea time breaks at the Red Centre. However, the intended outcome is to ensure that where there is an assessed need for transport to enable a child or young person to access short breaks then this will be accommodated.

8.0 CONCLUSION

- 8.1 The risk assessment has identified the possibility of opposition to the proposals particularly in relation to group activities accessed at the Red Centre.
- 8.2 The substantive points identified in the consultation have been addressed in section 5.

8.3 It is recommended that the proposals be approved to improve the outcomes for children and young people with disabilities and make the best use of resources available.

List of Background Papers:-

Equality Analysis Form – June 2015

Short Breaks Duty Statement – February 2015

Market Position Statement – September 2014 (embedded in EAF)

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