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| Notice of: | EXECUTIVE |
| Decision Number: | EX51/2021 |
| Relevant Officer: | Vicky Gent, Director of Children's Services |
| Relevant Cabinet Member: | Councillor Jim Hobson, Cabinet Member for Children's Social Care and Schools |
| Date of Meeting: | 11 October 2021 |

SHORT BREAKS STATEMENT AND CRITERIA FOR ASSESSMENT AND SUPPORT FROM CHILDREN'S SOCIAL CARE

1.0 Purpose of the report:

1.1 To consider the revised Short Breaks Statement and associated criteria for assessment and support from Children's Social Care (Supporting Children with Complex Needs) regarding disabled children in Blackpool.

2.0 Recommendation(s):

2.1 To approve the revised Short Breaks Statement attached at Appendix 8a, to the Executive report, with effect until 30 September 2024.

2.2 To approve the associated criteria for assessment and support attached at Appendix 8b, to the Executive report, with effect until 30 September 2024.

2.3 Subject to 2.1 and 2.2 to approve the publication of both documents on the Local Offer website.

3.0 Reasons for recommendation(s):

3.1 Local authorities have a legal duty to provide a range of short breaks to support children and young people with SEND and their families/carers. The regulations require Councils to publish and keep the Short Breaks Statement under review.

This statement replaces the previous statement written in 2018 and reflects feedback from the 2018 and 2020 Short Breaks Consultations which gathered the views and opinions of children and young people and their parents/carers as part of a review of short breaks and care at home services during 2020.

The Eligibility Criteria has been reviewed and a tiered approach adopted, which differentiates between Inclusive Short Breaks (Universal and Universal Plus) and Targeted and Specialist Short Breaks.

3.2 Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.3 Is the recommendation in accordance with the Council's approved budget? Yes

4.0 Other alternative options to be considered:

4.1 There is no alternative, there is a legal duty to ensure that short breaks are commissioned and/or provided.

5.0 Council priority:

5.1 The relevant Council priority is: "Communities: Creating stronger communities and increasing resilience".

6.0 Background information

6.1 There are currently 843 children in Blackpool schools with an Education, Health and Care Plan, which represents 4.3% of children. In addition there are 3,273 children receiving SEN support in schools (16.8% of children).

6.2 A Short Break refers to services designed to provide support to children and young people with disabilities and their parents, carers and families. Short Breaks provide opportunities for children and young people with disabilities to spend time away from their primary carers, and provide opportunities for their parents and carers to have a break from caring responsibilities.

6.3 Short Breaks can include a range of day, evening, overnight, weekend or holiday activities that take place in the child or young person's own home, the home of an approved carer, or a residential or community setting. Short Break services can range from supporting children and young people with disabilities to access universal services, through to providing specialist services in the child's home or in the community.

6.4 Inclusive Breaks (Universal and Universal Plus) are accessible to all children with SEND in Blackpool and an assessment or referral is not usually required to access these services. All children should be able to access the many and varied activities and clubs on offer in Blackpool, wherever possible. We work closely with all the local mainstream and special schools, as well as a large number of community groups and

local businesses, to promote inclusivity for all children regardless of their needs.

6.5 All efforts have been made to ensure that Inclusive Breaks meet the requirements of children with additional needs so that they are able to fully participate and engage with mainstream provision. This includes making public buildings more accessible, providing better disabled toileting facilities and providing equipment that can help support participation, for example hoists, ramps, sensory equipment and quiet spaces.

6.6 However, if a child or young person needs additional support to access these activities, this will be assessed through the Children with Complex Needs Team and additional support may be put in place. The eligibility criteria are children and young people under 18 years with permanent or long term, substantial disabilities, life limiting conditions and/or complex health needs that impact on their ability to carry out day-to-day activities and the needs cannot be met by Universal/Universal Plus services alone.

6.7 Supporting Children with Complex Needs Team work with Children from Level 3 and 4, according to the Working Well with Families in Lancashire Level of Need Document.

6.8 Blackpool Council commissions a number of Targeted and Specialist Breaks for children with complex needs, these include holiday and weekend clubs, personal care in the child's home and overnight respite care. Specific criteria for accessing holiday and weekend clubs, as well as overnight respite care, can be found in the Eligibility Criteria.

6.9 Does the information submitted include any exempt information?

No

7.0 List of Appendices:

7.1 Appendix 8a: Short Breaks Statement
Appendix 8b: Criteria for assessment and support from Children's Social Care (Supporting Children with Complex Needs) regarding disabled children in Blackpool

8.0 Financial considerations:

8.1 Short Breaks service provision is commissioned from existing budgets. There are no financial considerations.

9.0 Legal considerations:

9.1 Legal duties in relation to short breaks include both duties owed to individual

children and families in relation to assessment and care planning and wider commissioning obligations on local authorities. Legal requirements around short breaks and care at home can be found in a number of government guidance and legislation, including:

- Children Act 1989 and the Breaks for Carers of Disabled Children Regulations 2011
- Chronically Sick and Disabled Persons Act 1970 ('CSDPA 1970')
- Children Act 2004
- Children and Families Act 2014
- Equality Act 2010
- NHS Act 2006 (as amended by the Health and Social Care Act 2012)
- Care Act 2014 (in relation to transition to adult social care).

10.0 Risk management considerations:

10.1 There is a risk of legal challenge from parents and carers should suitable provision not be in place.

11.0 Equalities considerations:

11.1 Children with a disability are regarded as children first and as children with an impairment second. They are not classified by assessment according to their impairment but according to the impact this has on their quality of life. The majority of children in Blackpool who require services will receive them through universal provision in the community.

11.2 The Council promotes inclusion and removes the barriers to play and leisure activities, for all children and young people with disabilities within universal and mainstream settings. We work closely with all local mainstream and special schools to encourage, promote and educate about the importance of inclusion.

12.0 Sustainability, climate change and environmental considerations:

12.1 None.

13.0 Internal/external consultation undertaken:

13.1 As part of the commissioning review of Short Breaks consultation was undertaken with parents and carers in 2020 via an online survey (due to Covid restrictions), and the views of parents sought and incorporated into the recommissioning of the short breaks service provision, 134 parents responded in total. Children and young people were also invited to contribute their opinions and views of services, 81 responses to the survey were received.

13.2 The Parents Forum is represented on SEND governance structures, they were involved in the development of the Short Breaks Statement and had an opportunity to comment on the final version which was approved by the SEND Board on 17 September 2021.

14.0 Background papers:

14.1 None.

15.0 Key decision information:

15.1 Is this a key decision? No

15.2 If so, Forward Plan reference number:

15.3 If a key decision, is the decision required in less than five days? No

15.4 If **yes**, please describe the reason for urgency:

16.0 Call-in information:

16.1 Are there any grounds for urgency, which would cause this decision to be exempt from the call-in process? No

16.2 If **yes**, please give reason:

TO BE COMPLETED BY THE HEAD OF DEMOCRATIC GOVERNANCE

17.0 Scrutiny Committee Chairman (where appropriate):

Date informed:

Date approved:

18.0 Declarations of interest (if applicable):

18.1 None.

19.0 Executive decision:

19.1 The Executive agreed the recommendations as outlined above namely:

1. To approve the revised Short Breaks Statement attached at Appendix 8a, to the Executive report, with effect until 30 September 2024.
2. To approve the associated criteria for assessment and support attached at Appendix 8b, to the Executive report, with effect until 30 September 2024.
3. To approve the publication of both documents on the Local Offer website.

20.0 Date of Decision:

20.1 11 October 2021

21.0 Reason(s) for decision:

21.1 Local authorities have a legal duty to provide a range of short breaks to support children and young people with SEND and their families/carers. The regulations require Councils to publish and keep the Short Breaks Statement under review.

This statement replaces the previous statement written in 2018 and reflects feedback from the 2018 and 2020 Short Breaks Consultations which gathered the views and opinions of children and young people and their parents/carers as part of a review of short breaks and care at home services during 2020.

The Eligibility Criteria has been reviewed and a tiered approach adopted, which differentiates between Inclusive Short Breaks (Universal and Universal Plus) and Targeted and Specialist Short Breaks.

22.0 Executive Members in attendance:

22.1 Councillor L Williams

Councillor Benson, Brookes, Farrell, Hobson, Smith and I Taylor

23.0 Call-in:

23.1

24.0 Notes:

24.1 The following non-Executive member was in attendance: Councillor Hunter.

