FUTURE PROVISION OF OVERNIGHT UNIT-BASED SHORT BREAKS FOR CHILDREN WITH DISABILITIES AND ADULTS REPLACEMENT/RESPITE CARE

Recommendations

1. The Cabinet Member with Responsibility for Children and Families and the Cabinet Member with Responsibility for Adult Services recommend that Cabinet:

   (a) notes the information relating to short breaks respite provision for children with disabilities and overnight replacement/respite care for adults with disabilities contained in this report, in particular the results of the co-design activity as outlined in paragraphs 28 – 39 below and appendix 1 attached, and the progress in relation to the decisions made by Cabinet in July 2018 in relation to the need for further transformation in the way that the needs of families are met through short breaks provision of all types;

   (b) considers whether they are minded to agree the proposed future delivery model for the delivery by Worcestershire Health and Care NHS Trust of short breaks provision, and if so to authorise the Director of Children, Families and Communities to finalise the consultation documentation and carry out a consultation on the proposed changes to overnight short breaks provision to ensure future sufficiency, sustainability and quality of provision, as described in paragraphs 47 - 55 below;
(c) authorises the Director of Children, Families and Communities, in consultation with the Director of Adult Services, to continue co-design activity with parents, carers and wider stakeholders on short break/respite provision, as part of the continuous review of provision, including the provision for young people approaching the age of 18 to ensure appropriate transition to adult services and/or independent living; and

(d) receives a further report on the outcome of the consultation in paragraph (b) above in order to make a final decision on the future delivery model.

Background

2. This report is to update Cabinet on the provision of short breaks for families and replacement/respite care for adults with learning disabilities, to outline a proposed model for the future delivery by the Worcestershire Health and Care NHS Trust (WHCT) of overnight short breaks/replacement care provision and, if appropriate, to seek agreement to the launch of a consultation with families, professionals and wider stakeholders, on the proposed future delivery model for overnight unit-based short breaks for families in Worcestershire.

3. The findings and recommendations in this report have considered the decisions of Cabinet in July 2018 including those relating to the CMR response to the CYP Scrutiny Task Group report “Future provision of Overnight Unit-Based Short Breaks for Children with Disabilities”. Cabinet is referred to previous reports on the topic including the 14 December 2017 and 12 July 2018 Cabinet reports.

4. Schedule 2 to the Children Act 1989 and the Breaks for Carers of Disabled Children Regulations 2011 require local authorities to provide services which are designed to give respite breaks for parents and carers of children with disabilities in order to assist them to continue to provide care or to do so more effectively.

5. Regulation 4 of the 2011 Regulations states that: “In performing their duty …. 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”, including overnight care.

6. Short breaks are part of a continuum of services which support children in need and their families. Local authorities must provide, as appropriate, a range of provision including day and overnight, care as well as educational or leisure activities for disabled children outside their homes. Short breaks take place in the child’s own home, the home of an approved carer, or in a residential or community setting.

7. The duties on local authorities in relation to short breaks for individual disabled children and families can be summarised as follows:

- Duties to assess (both the child and their parent carer(s))
- Duties to decide, subsequent to the assessment, whether it is necessary to provide short breaks
- Duties to provide short breaks sufficient to meet needs where the decision is that it is necessary to do so, taking account of both the child's needs and the wider family context.
8. All disabled children are considered to be a child 'in need' (see section 17 of the Children Act 1989) and therefore the Council has a general duty to safeguard and promote their welfare by providing a range and level of services appropriate to their needs. If a disabled child or their parent requests an assessment then there is a duty to assess in each case, including any needs for carer support.

9. The National Health Service Act 2006 (as amended) states that a primary duty on Clinical Commissioning Groups (CCGs) is to commission healthcare services "to such an extent as it considers necessary to meet the reasonable requirements of the persons for whom it has responsibility." A specific duty rests with Clinical Commissioning Groups to assess for and meet continuing care needs for children, in line with a national framework. Packages of care for such needs which cannot be met from ordinarily commissioned services will be agreed in discussion with the parent/carer.

10. There are important co-operation duties on local authorities and CCGs including:

- the Children Act 2004 which requires local authorities and health bodies to co-operate to safeguard and promote the welfare of children in their area
- the National Health Service Act 2006 which requires NHS bodies and local authorities to co-operate to advance the health and welfare of their populations
- the Children and Families Act 2014 which imposes a range of duties in relation to co-operation including a requirement for joint commissioning arrangements to be in place.

11. From the age of 18, adults with disabilities who are eligible for Council-funded services under the Care Act 2014 can receive "replacement care", also known as "respite" from caring or "short breaks". This is the support provided to an individual due to a carer having a break from their usual caring role, and usually involves overnight care for one or more nights. These can be planned breaks or short notice in emergency situations. Planned replacement care is identified in an individual's needs assessment and support plan, which sets out the number of nights of replacement care required for that individual per year. Planning the transition from children's short breaks to adults' replacement care provision is an important part of a young person's transition into adulthood.

Commissioning of Short Breaks Provision in Worcestershire

12. Improving outcomes for vulnerable children and young people, which includes those with a special education need and/or a disability (SEND), is a key priority within the Children and Young People’s Plan.

13. Worcestershire’s Strategy for Children with Special Educational Needs and Disabilities and Worcestershire Local Area SEND Action Plan recognise the need for improved joint assessment of children and young people’s needs, the need to build better relations with parent carers and the need to improve joint commissioning arrangements including the provision of personalised budgets and better joint planning and preparation for the transition into adulthood. The five key workstreams of the Action Plan, which are informing the design of a range of services which is sufficient to assist carers, are:

- The Local Offer
- Embedding the graduated response
- Assessment and planning
Joint Commissioning and Leadership and
Workforce and Engagement

Within this plan section 4.16 relates specifically to the redesign of overnight short breaks. Furthermore, within the Joint Commissioning and Leadership workstream, a new project has recently commenced to develop strategies across Education, Health and Social Care for ensuring effective transition into adulthood for young people with SEND aged 14-25.

14. In Worcestershire a range of short breaks is available, including community-based provision (including holiday and term-time play-schemes) to specialist services including residential (unit based) and family-based overnight and weekend care.

15. Commissioning of short break provision must have regard to the needs of carers who would be unable to continue to provide care unless breaks from caring were given to them, as well as the needs of those carers who would be able to provide care more effectively if breaks from caring allowed them to undertake education, training or any regular leisure activity, meet the needs of other children in the family more effectively, or carry out day to day tasks which they must perform in order to run their household. Short breaks in themselves should:

Help to support a child or young person’s social and emotional development
Helps to support a child or young person learn new skills
Provide a child or young person with new experiences
Promote the welfare and safeguard children and young people

16. Re-commissioning activity during 2018 has increased the number of providers able to deliver 1:1 support, in turn increasing choice and flexibility for families, and community short breaks (group-based activity) continue to be delivered by providers in school and community settings across the county. See paragraph 32 below for further details of these changes.

17. Direct payments are also available to families who wish to access support in a way that meets their individual circumstances and the local authority has a duty, where requested, to prepare a personal budget, which is an amount of money identified by the local authority to deliver provision as set out in an Education, Health and Care Plan and to give greater choice and control for parents and young people over how their support is delivered. The number of families accessing these payments has increased as outlined in paragraph 32 below.

18. Overnight short breaks prioritise support for those families with children and young people who require a high level of support and where an overnight short break is needed to give carers a break from caring. They are available to children and young people via a social care assessment of need. This assessment is carried out by the Children with Disabilities team (0 – 16 years) or the Young Adults Team (16 to 18 years). Overnight short break provision can be delivered in a family home (foster care) or residential overnight units.

19. In Worcestershire, CCG’s contribute to the cost of providing short breaks/respite care for children with exceptional healthcare needs in a number of ways, including unit based provision, in the family home and/or at Acorns hospice.
### Summary of commissioned overnight short break respite provision in Worcestershire

<table>
<thead>
<tr>
<th>Name/location of provision</th>
<th>Name of provider</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Osborne Court, Malvern</td>
<td>Worcestershire Health and Care NHS Trust</td>
<td>All age site with two bungalows for CYP use – one 5 bed unit and one single occupancy bungalow. Site is CQC registered and the CYP main unit is also registered with Ofsted as a Children’s Home. (Note: whilst the main unit is registered as a six bed unit, WHCT are currently commissioned to provide 5 beds) Ofsted registration of the single occupancy bungalow as a Children’s Home is underway</td>
</tr>
<tr>
<td>Ludlow Road, Kidderminster</td>
<td>Worcestershire Health and Care NHS Trust</td>
<td>Single 4 bedroom bungalow CQC registered and registered with Ofsted as a Children’s Home. Transition to 4 bed occupancy (from 6) to be completed by August 2019 as required by Ofsted</td>
</tr>
<tr>
<td>Kidderminster Short Breaks Unit, Moule Close, Kidderminster</td>
<td>Worcestershire County Council</td>
<td>4 bedroom unit Registered with Ofsted as a Children’s Home</td>
</tr>
<tr>
<td>Bromsgrove Short Breaks Unit, Providence Road, Bromsgrove</td>
<td>Worcestershire County Council</td>
<td>6 bedroom unit of which 4 are currently funded/registered for use with Ofsted as a Children’s Home. Application has been made to Ofsted to make the necessary changes to the registration to include the existing additional 2 bedrooms.</td>
</tr>
<tr>
<td>Family based overnight provision</td>
<td>Barnardo’s Services Limited</td>
<td>Currently accessed by 18 CYP Registered with Ofsted as an Independent Fostering Agency</td>
</tr>
<tr>
<td>Acorns Hospice, Worcester</td>
<td>Acorns</td>
<td>Overnight short break provision can be purchased by the Council when appropriate. Registered with CQC as a hospital.</td>
</tr>
</tbody>
</table>
20. The pre-consultation review of unit-based overnight provision in 2017 highlighted the differences in regulation of the short break overnight residential units. In line with published guidance it has since been confirmed that each of the four overnight units falls under the regulations for Children's Homes and requires registration with Ofsted.

21. The application to register Osborne Court Short Breaks Units is progressing. Ofsted have undertaken the pre-registration inspection and confirmation of registration is expected shortly. Regulation 44 (independent) visits have commenced. On the pre-registration visit, Ofsted informed the Trust that the two-bedroom bungalow on the Osborne Court site requires a separate Ofsted registration. The application to register this bungalow is underway.

22. The unit at Ludlow Road is now registered by Worcestershire Health and Care NHS Trust with Ofsted. An unannounced inspection is anticipated to take place in the next few months.

23. The two Trust led units are also registered with the Care Quality Commission (CQC) and are rated as Good.

24. All overnight units receive a monthly independent visit (known as Regulation 44 visits) to ensure that standards are maintained and that any actions required are being addressed.

25. The two Council-led units are both judged by Ofsted as Good (Providence Road, Bromsgrove, July 2018 and Moule Close, Kidderminster, October 2018). Application to make amendments to the registration for the unit at Providence Road, to bring into use the additional two beds as agreed by Cabinet in July 2018, has now been submitted to Ofsted.

26. Barnardo’s Independent Fostering Agency, which delivers the family based overnight short break service was rated Good in February 2016 by Ofsted and Acorns Hospice were rated overall by the CQC as Good in April 2016.

27. In July 2018 Cabinet agreed a number of recommendations in relation to the provision of overnight short breaks for children with disabilities. This report updates on action taken following that report and makes a number of recommendations for provision going forward.

28. In September 2018, two co-design events were held by the Council and Families in Partnership (Worcestershire’s Parent Carer Forum) with parent carers, professionals and providers to work together to design future provision of overnight short breaks. Full notes of the themes from the discussions at the events are contained in Appendix 1 (as shared with participants following the events). The themes and response can be summarised as:

- *Where appropriate, reduce/delay the need for overnight short breaks by providing support together with improved information and guidance (before families reach crisis point) and improving the system around direct payments to families.*

29. The Children with Disabilities social care team are currently reviewing the process and support for direct payments and the Worcestershire Local Area SEND Action Plan covers a number of these areas of required improvement including the provision of information and guidance.
30. It is a fundamental principle that we are providing services based on need and therefore it is important that there are a range of services in place that meet a range of need. We need to ensure that we have the right children and young people accessing specialist short break provision and that we work with families and extended families to care for their children with our support.

31. Re-commissioning in 2018 of short break provision delivered by 1:1 support workers has increased the availability of this as an option either instead of or in some cases in addition to overnight short breaks provision.

32. The impact of these activities is shown in the table below:

<table>
<thead>
<tr>
<th>March 2018:</th>
<th>March 2019:</th>
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<tbody>
<tr>
<td>29 children accessing short breaks via support workers</td>
<td>128 children accessing short breaks via support workers</td>
</tr>
<tr>
<td>5000 support hours delivered (per year)</td>
<td>18,000 support hours delivered (per year)</td>
</tr>
<tr>
<td>150+ families accessing Direct Payments</td>
<td>180+ families accessing Direct Payments</td>
</tr>
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</table>

33. As a result of feedback, including from the co-design events, changes are being made in the way the Council’s Short Breaks Statement is presented. This is information that the Council has a duty to provide but parent carers have said that they are confused about what a short break is, the different types of short breaks available and the process of accessing support. To address this, all information about short breaks will in future be presented clearly on the SEND Local Offer website, instead of in a separate document.

34. The content for the website is being drafted with the parent carer forum, Families in Partnership and a short video explaining about short breaks is in draft. The key messages will be the same in all formats and the directory of short break groups and activities will also be reviewed to make sure it is easy for parent carers to search for and find a group that is most suitable to the needs of the whole family.

- **Help short break units be more cost effective (i.e. use the resources we have in the best way).** A number of ideas related to this theme were discussed including wider use of the units themselves, increasing availability of family based overnight provision (by the use of foster families), technology to assist families and short breaks providers to care for and keep children safe, and to reduce the number of times that overnight short break provision is booked but not used.

- **Bringing in additional funding.** Ideas included selling space in the units at times when it is available (for compatible uses such as childcare or groups and meetings) and sharing the cost of units with other adult services or other authorities.
35. A number of changes have been implemented by managers of the Council-led units to trial different ways of using these units more effectively. These are outlined in more detail in Appendix 2 to this report. They include greater use of the units for day and tea-time visits, for both overnight and other users, and flexibility for families in the holidays.

36. A short breaks steering group, of commissioners, social care professionals and other officers and Families in Partnership representatives (Worcestershire’s parent carer forum) meets monthly to develop responses to these themes and provides regular updates via the Local Offer website and directly to those who participated in the co-design events.

37. At the end of April 2019, the Council held its first joint short breaks provider forum. The event brought together providers of groups and activities (schools and community groups), one-to-one support work and overnight short breaks (unit-based and family-based) as well as social workers from the Children with Disabilities and Young Adults Team and a parent carer representative from Families in Partnership (the parent carer forum). Providers were asked to introduce themselves and share information about what they deliver; to each other and to social work teams. This was well received as it allowed social workers to find out more detail about the services available to the families they work with, and similarly allowed support work providers to find out about the range of groups and activities they could access with young people.

38. Attendees provided positive feedback about the flexibility in the new contracts for providers to change their offer to best meet the needs of families. It was also noted that communication had improved between providers, social workers and commissioners which helped services to run more smoothly. Those attending supported the proposal to hold this forum every term to allow continued networking opportunities and as an effective way to contribute to the continuous review of short breaks delivery.

39. The Council and CCGs recognise the value of feedback in shaping services and, as noted above, are committed to improving engagement with service users in the co-design of quality services that provide value for money. Commissioners appreciate the time and effort that parents continue to make in respect of this redesign activity.

40. Further research into factors impacting on current and future demand for overnight short breaks has been carried out by the Council’s Research & Intelligence team. These factors were shared at the co-design events include

- Birth rate
- Birth rate of children with disabilities
- Prevalence of disability
- Severity of disability
- Children with needs moving in or out of the county
- Availability of other, similar services in the area – e.g. Acorns Hospice short break provision
- Design and availability of other services accessed by families e.g. 1:1 support, day care, community and school based provision
- Design and access to alternative overnight short breaks provision E.g. home based provision (foster families), personalisation and direct payments

41. Further data on the numbers of children with disabilities can be found in the Joint Strategic Needs Assessment – Profile on Children with Special Educational Needs & Disabilities in Worcestershire published recently on the council’s website.
42. Using population estimates and applying current levels of need for SEND, it is estimated that by 2037 there is forecast to be an increase in the number of children with SEND. This forecast estimate is across the spectrum of SEND need and therefore it is not possible to translate this as a forecasted need for an increase in overnight short breaks requirements.

43. It is evident, from the potential impact of factors that may increase or reduce the demand for overnight short breaks in the future, that provision of a number of different types of specialist short break provision, which are responsive to fluctuating demand, are required. Sufficiency of provision of all short break provision, and an understanding of demand, is kept under constant review.

**Commissioning of replacement care for adults in Worcestershire**

44. The majority of replacement care provision for adults is commissioned by the Council on a block purchase basis, including a block contract for provision at Osborne Court in Malvern and Church View in Bromsgrove via a contract with Worcestershire Health and Care NHS Trust.

45. Cabinet received reports on 8 February 2018 and 14 June 2018 on "Future Provision of Replacement Care Services for Adults with a Learning Disability". Following Cabinet approval, pre-consultation engagement was carried out with individuals using replacement care services, family carers, professionals and wider stakeholders, on how learning disability replacement care services should be delivered in the future. The engagement work identified the importance of replacement care for adults using services and their carers and generated many ideas about how services could be organised differently in the future.

46. Cabinet endorsed the aim of improving outcomes and efficiency of replacement care provision for adults with a Learning Disability and requested the Director of Adult Services and her commissioners to work with the providers of commissioned replacement care services to remodel the way services are provided, ensuring maximum value for money by exploring options and implementing improvements as appropriate. This work included a strategic review of current provision based on current and future identified needs in order to maximise usage and potentially reduce or increase capacity where appropriate, and continued partnership working with Health (Worcestershire Health & Care NHS Trust and Worcestershire Clinical Commissioning Groups) to ensure best use of health-led services.

**Delivery of overnight short breaks and replacement/respite care by WHCT**

47. As agreed by Cabinet in June and July 2018, officers from both Children, Families & Communities and Adult Services, have worked collaboratively and with Worcestershire Health and Care Trust to provide clarity on the cost, capacity and monitoring arrangements for the current service delivery of overnight short breaks provision. In addition, the same group of officers from both organisations have worked together to consider the changes needed, in order to remodel the way services are provided to meet current and future needs and ensure maximum value for money, by exploring options and implementing improvements.
48. In order for the Council to meet their sufficiency duty in relation to the provision of short breaks (see paragraphs 4 - 7 above), as far as reasonably practicable, and taking into consideration the decision to increase provision at Providence Road unit by two beds (July 2018 Cabinet decision), consideration of the options for the delivery of overnight provision has looked at ensuring overnight short breaks for adults and children can be delivered by the Trust in an appropriate setting that is both sustainable and cost effective. Increasing provision at Providence Road together with the impact of Ofsted requirements on bed capacity at Ludlow Road, and a review of capacity required from WHCT, has resulted in the proposal of a revised delivery model by the Trust.

49. A number of options were modelled by the Trust which could meet the revised capacity requirements. These were considered by both the Council and the Trust and the preferred option would look to consolidate provision at Osborne Court, as outlined below, and to cease the delivery of provision at the Ludlow Road unit, which as a four-bed self-contained unit is not an operationally viable or cost-effective provision. Currently the Osborne Court site provides both children's and adults' services and the existing configuration includes 5 children's beds and 4 adult beds.

50. The proposed option includes a significant upgrade to two currently mothballed bungalows and further improvements to the existing units at Osborne Court. This will result in additional capacity with a further 4 beds for children, of which 2 will be commissioned by the Council, and additional capacity for adults with the proposed commissioning of an additional bed. This also creates an option for a self-contained 1- to 2-bedded area for adults at some point in the future if required.

51. The proposed investment into the site is significant and involves a reconfiguration of accommodation resulting in two children’s units located next to each other and the adult service moving into the refurbished bungalows. A further additional single occupancy unit is available for those children and young adults with the most challenging behaviours who require a service on their own. This unit is currently designated as children’s provision only (and is subject to Ofsted registration) but the intention is that in the future young people reaching the age of 18, with an assessed need for respite provision, will be able to be funded by adult services to continue to use the provision. This change is already being implemented for current users of the service, where appropriate, as they reach 18.

52. The proposals respond to the views expressed by both parent carers and families accessing adult replacement/respite care in relation to the availability of provision, particularly for those transitioning between the two services, and would deliver a site with all-age provision. Engagement with families and individuals using adult services provision during 2018 highlighted that replacement care is a vital service for carers enabling them to sustain their caring role. For people using services it was highlighted that any changes for people with learning disabilities can cause huge anxiety and have a massive impact; they often rely on routine and continuity. The services give carers peace of mind that their family members are being well looked after, and the continuity of staff in the services is very important. It was felt that services could be more effectively co-ordinated by working more closely together.

53. In relation to this set of proposals, the Trust have stated: “An increase of service on the (Osborne Court) site will provide greater resilience than a small isolated service and provide some benefits of economy of scale, particular with regards to staffing skill mix and out of hours cover. The investment also provides a higher quality and suitable environment..."
and offer to all our service users, adults and children, from the Osborne Court campus which has facilities such as the Hydrotherapy pool, sensory rooms, extensive gardens including an adventure playground and polytunnel and two vehicles (one being wheelchair accessible) for off-site community-based activities. The additional capacity in an enhanced environment ensures the current and future services for both adults and children’s is more sustainable and responsive to changing demand and young adults will be better supported when transitioning into adult services. A single site allows familiarity at the point where young people transition into adult provision and from a value for money and resourcing perspective; single site provision is more sustainable, flexible and responsive to future changes in demand and need.”

54. The proposed future delivery model for overnight unit based short break provision by the Trust, is considered by social work services and commissioners as meeting sufficiency, sustainability and quality requirements and does not include any proposal to stop or reduce delivery of overnight respite that families need. The care needs of children, young people and their families are assessed through their social work assessment – overnight respite will continue to be provided to any family who needs it.

55. Cabinet are asked to consider the proposed future delivery model as outlined above. If Cabinet are minded to agree the proposed changes they are also asked to authorise the Director of Children, Families & Communities to carry out a consultation, with families and professionals in relation to the proposed future delivery model as outlined in the draft consultation document attached as appendix 3, and to bring a future report to Cabinet in the autumn with a recommendation on whether the proposals should in fact be agreed.

Financial Implications

56. The Council's 2019/20 Base Budget for Children's Replacement Care is £2.331m. This includes additional funding of £0.540m approved by Council in February 2019 to rebase the budget to reflect current replacement care costs and to remove a shortfall in the Children's Budget following the withdrawal of Public Health Ring Fenced Grant funding for Ludlow Road.

57. The following table sets out the financial impact of the options now available to the Council and shows:

- **Current Costs** - The current budgeted costs of replacement care in 2019/20 broken down by provision type.

- **No Change** - The forecast impact of making no change to the current configuration of WHCT delivered provision for which the implications would be:
  - Current costs reflect the budget for this provision for 2019/20, however WHCT have indicated that without any change to the delivery model there would need to be an increase in costs in future years to cover the costs of delivery across two sites. This equates to an increase in costs of £0.113m, in order to meet the existing cost of service (currently £68k more than income from Council) and additional NHS pensions and pay award pressure from 2019/20, and
  - Refurbishment costs at Ludlow Road are not included and are likely to be higher than £0.3m estimated in 2018 due to OFSTED requirements.
**Proposed Costs** - The proposed cost of the revised delivery model which, if agreed, would result in a net cashable saving against 2019/20 budget of £0.124m based upon:

- A reduction in the cost of WHCT unit-based provision of £0.287m,
- The proposed contract value supporting the WHCT investment of approximately £0.6m
- The estimated increased costs of £0.150m to fund additional provision at the Council-run Providence Road (based on 2018 estimate), and
- Additional Support costs of approximately £0.013m.

The proposals would also avoid the additional "no change" cost of £0.113m.

<table>
<thead>
<tr>
<th></th>
<th>Current costs</th>
<th>No Change</th>
<th>Proposed costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>WHCT unit-based provision</td>
<td>£1,043k</td>
<td>£1,156k</td>
<td>£756k</td>
</tr>
<tr>
<td>WCC provision</td>
<td>£931k</td>
<td>£931k</td>
<td>£1,081k</td>
</tr>
<tr>
<td>Additional support costs and alternative provision (Thorn Lodge)</td>
<td>£140k budget</td>
<td>£140k budget</td>
<td>£153k</td>
</tr>
<tr>
<td>Family based</td>
<td>£217k</td>
<td>£217k</td>
<td>£217k</td>
</tr>
<tr>
<td><strong>Totals</strong></td>
<td><strong>£2,331k</strong></td>
<td><strong>£2,444k</strong></td>
<td><strong>£2,207k</strong></td>
</tr>
</tbody>
</table>

**Legal Implications**

58. The statutory duty to provide short break provision is contained in Schedule 2 to the Children Act 1989 and the Breaks for Carers of Disabled Children Regulations 2011 which require local authorities to provide services which are designed to give respite breaks for parents and carers of children with disabilities to assist them to continue to provide care or to do so more effectively. These provisions are summarised in paragraphs 4-8 above. In performing these duties, local authorities must have regard to the needs of those carers who would be unable to continue providing care without respite breaks, and those who would be able to provide care more effectively if respite breaks were given. More generally, Section 27 of the Children and Families Act 2014 requires the Council to keep under review the social care etc. provision for children and young people who have SEN or a disability and consider the extent to which that provision is sufficient, having regard to the assessment of needs and joint health and wellbeing strategy.
HR Implications

59. There are no direct HR implications for the Council arising directly from this report. Worcestershire Health and Care NHS Trust continue to work with their staff regarding any implications in relation to the provision of overnight short breaks.

Public Health Impact Assessments

60. A Public Health Impact Assessment of the proposals will be completed at the conclusion of any consultation agreed as a result of this report.

Privacy and Data Protection Impact Assessments

61. No implications.

Equality and Diversity Implications

62. The Council is fully aware of its Public Sector Equality Duty obligations as set out in numerous reports to Cabinet. We have determined that a detailed Equality Impact Assessment in respect of the proposed delivery model would be beneficial and this will be included as part of any future recommendation report.

Supporting Information

Appendix 1: Themes from the co-design events
Appendix 2: Changes to service delivery at Council-led units
Appendix 3: Draft consultation document

Contact Points

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Specific Contact Points for this report
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Email: dherbert2@worcestshire.gov.uk

Background Papers

In the opinion of the proper officer (in this case the Director of Children, Families and Communities) the following are the background papers relating to the subject matter of this report:

Agenda and background papers for the meetings of the Cabinet held in July 2015, on 16 May 2016, 14 December 2017, 14 June 2018, and on 12 July 2018.