

**SURREY COUNTY COUNCIL****CABINET****DATE: 18 JULY 2017**

**REPORT OF: MRS CLARE CURRAN, CABINET MEMBER FOR CHILDREN  
MRS MARY LEWIS, CABINET MEMBER FOR EDUCATION**

**LEAD OFFICER: GARATH SYMONDS, ASSISTANT DIRECTOR COMMISSIONING  
AND PREVENTION, CHILDREN, SCHOOLS AND FAMILIES**

**SUBJECT: RECOMMENDATIONS FOR AWARD OF CONTRACTS AND  
GRANTS TO PROVIDE SHORT BREAKS IN SURREY**

**SUMMARY OF ISSUE:**

High-quality, locally delivered short breaks make a huge difference to over 2,200 children and young people with special educational needs and/or disabilities (SEND) in Surrey each year. Short breaks enable children and young people to achieve better outcomes by having fun, seeing their friends and trying new activities, whilst also giving families a much needed break from caring. Alongside this, Surrey County Council (SCC) has a range of statutory duties and responsibilities that it needs to fulfil in relation to short breaks provision.

This paper sets out proposed funding awards for a range of short breaks in Surrey, including overnight residential and play and leisure services, and specific grant-funded projects. Acknowledging the vital role played by short breaks, SCC has maintained the budget at £3.1 million, at a time of significant financial challenge.

These proposals are the result of a countywide re-commissioning project, which has aimed to achieve better outcomes for families and better value for money for our residents. To do this we have co-designed and co-commissioned short breaks with families, in partnership with Family Voice Surrey. Families have worked with us to analyse need and review existing services, explore and design new options, and evaluate bids received by providers looking to deliver short breaks.

We know that developments to short breaks services can be unsettling for families and we are committed to working with current and new providers to manage any changes as smoothly as possible. This report summarises the impact of our proposals on families in an Equality Impact Assessment and sets out mitigation of any negative impacts, informed by a recent six-week public engagement with families about the proposals.

Due to the commercial sensitivity involved in the contract award process, the names of the providers are listed in this report; however, all financial details and a summary of evaluation scores have been circulated in a Part 2 report.

**RECOMMENDATIONS:**

It is recommended that Cabinet:

1. Approves the proposed contract and grant awards for short breaks in Surrey.

## **REASON FOR RECOMMENDATIONS:**

- i. The new proposals will enable families of children with SEND to achieve better outcomes from their short breaks, because they have been co-designed with families (supported by Family Voice Surrey) in response to what they told us was most important.
- ii. Current contracts for short breaks services are ending on 30 November 2017 and the Council has statutory duties to provide these services, so we have to secure future provision for families.
- iii. As a result of the legally compliant short breaks tender there will be a 4.5% increase in hours of play and leisure short breaks and these services will be provided more locally.
- iv. Awarding block contracts and grants for a minimum of three years and four months will give families certainty about the short breaks offer, whilst also securing high-quality provision and value for money for the Council.

## **DETAILS:**

### **Background**

1. SCC is committed to improving outcomes for all children and young people with SEND by transforming the whole system of support for families, which includes our short breaks offer. We know that this means improving our services and processes by listening to and working with families.
2. Short breaks provide a lifeline for many families in Surrey, supporting better outcomes for children and young people up to the age of 18 and providing early help to families when it is needed. They can be delivered in the day, in the evening, during the night or at weekends, and can be in a child's home, a carer's home, or at a club or specialist setting. Short breaks can range from a few hours a week to overnight breaks for those children and young people with more complex needs. They can also include Direct Payments, allowing parents and young people to manage their own support, and flexible short breaks such as carer's breaks. In 2016/17, 496 families received direct payments, with an average payment of £5,587.
3. As of June 2017, 876 children and young people in Surrey had been formally assessed as children in need as a result of their disability, are supported by the Children with Disabilities Teams and may access specialist short breaks (which could include residential short breaks). In addition, over 2,000 disabled children and their families access a range of subsidised, targeted play and leisure short breaks each year, to which families may have to make a contribution. These services do not require a social care assessment and have an important early help role to play in supporting families.
4. Acknowledging the value of short breaks to families in Surrey, the Council has retained the current level of budget for re-commissioning the new services and has sought to improve on the current offer and enhance service quality, although a budget overspend has had to be addressed.
5. Family Voice Surrey have worked in partnership with SCC throughout the re-commissioning project to help us co-design the offer with families, listening to and engaging them in developing proposals throughout the process. We want to

acknowledge the commitment of both Family Voice Surrey and the many families who have taken the time to work with us during the project for their ideas, input and feedback. Our joint-approach was positively acknowledged in the feedback letter received by SCC following the joint local area SEND inspection in Surrey by Ofsted and the Care Quality Commission (CQC) on 24 October 2016.

6. The short breaks re-commissioning project supports Surrey's wider strategy to improve outcomes for all children and young people with SEND. It also: supports the Council's strategic goal of promoting wellbeing; the Children's Schools and Families Commissioning Plan; and is a priority for the Children and Young People's Partnership.

### **Legal duties**

7. Surrey County Council has a range of statutory duties in relation to the provision of short breaks that Cabinet should take into consideration when reviewing the proposals set out in this report. These are summarised in Annex 1.

### **Project overview and summary of families' views**

8. Preparation for the re-commissioning of short breaks services commenced in early 2016 with an online survey completed by over 220 families and a series of drop-in events attended by over 80 families. The purpose at this stage was to better understand the key issues faced by children and young people with SEND and their families, who access or could access short breaks, and to inform the decision by the Council's Cabinet to re-commission the short breaks offer.
9. Using this information, SCC co-authored a thorough short breaks review and needs assessment with Family Voice Surrey. This highlighted that, whilst the quality of services was generally high, families felt there were gaps in provision, including less choice in some areas of the county and difficulties accessing services for those with complex health needs and/or behaviour that challenges. It also concluded that many families had low awareness of the range of services that are available and were also worried about the transparency of the assessment process for families before accessing some short breaks – contributing to their concerns about the level of unmet need in the county.
10. Informed by this report, on 24 May 2016 SCC's Cabinet decided to commission a new short breaks offer, seeking to develop the market for short breaks and improve the range of services, value for money and focus on outcomes.
11. During July and August 2016, SCC and Family Voice Surrey ran an online survey and held more drop-in sessions to understand the outcomes that families wanted short breaks to enable them to achieve. Some of the key outcomes we heard about were:
  - i. Children and young people develop their independence and prepare for adulthood;
  - ii. Children and young people are more emotionally and physically healthy;
  - iii. Parents and carers are more empowered to meet the needs of their children;
  - iv. Parents and carers are able to support their whole family to achieve good outcomes; and
  - v. Parents and carers are more emotionally and physically healthy.

We used these outcomes to develop a full outcomes framework (Annex 2), which has been central to the design of all services.

12. During September and October 2016 we worked with families and current and potential providers to design our new short breaks commissions, in response to the feedback we had received throughout the process. This culminated in a new Short Breaks Commissioning Strategy (Annex 3), co-produced with Family Voice Surrey, and proposals for three short breaks commissions, as below.
- i. **Play and leisure short breaks:** These provide children and young people with SEND access to a wide range of experiences and opportunities, such as after school clubs, weekend activities and holiday schemes. They are designed to enable children and young people to have fun, socialise, learn new skills and have the same opportunities as their non-disabled peers. Funding for these services has been apportioned to boroughs and districts in line with the number of children and young people with SEND in each area, whilst specific funding has been allocated to countywide projects supporting those with autism and those with complex health needs.
  - ii. **Overnight residential short breaks:** These take place in settings as much like home as possible and often include overnight stays, where this is a part of a child's care plan. This is a countywide service, with referrals in settings accepted from across the county. They provide children and young people with SEND with the opportunity to interact with others as well as develop life, independence and communication skills whilst giving their families a break from caring.
  - iii. **Short breaks innovation grants:** These grants provide a mix of smaller, innovative and specific projects that complement and further enhance the overall short breaks offer. This includes after school clubs and holiday schemes delivered from Surrey Severe Learning Difficulty (SLD) and Autistic Spectrum Disorders (ASD) special schools alongside other projects delivered by the voluntary, community and faith sector (VCFS).
13. Some of the specific ways in which these new specifications responded to what families told us was most important include:
- a. Designing new services to achieve the outcomes that families told us short breaks should enable them to achieve;
  - b. Apportioning funding to local areas for play and leisure short breaks to ensure a fairer spread of provision across the county and that services are tailored to meet local needs, because families told us that access to local services and reduced travel was important;
  - c. Building new requirements on providers to ensure services are more accessible to those with complex health needs and behaviour that challenges, as families highlighted these as areas of unmet need;
  - d. Requiring providers to specify the level of social capital and social value (cash or in-kind) that they will deliver to improve outcomes for families in Surrey, on top of the funding that SCC is offering, to respond to families about how can we do more with the resources we have available; and
  - e. Requiring providers to increase their delivery each year of the commission through improving efficiency and developing more sustainable models, in response to concerns about potential unmet and rising need.
14. On 22 November 2016 SCC's Cabinet approved a longer timeline for re-commissioning short breaks, running until to 30 November 2017. This was to allow for a 6-week period of engagement with the public before grants and contracts are awarded to organisations providing short breaks services.

15. It should be noted that short breaks services are not provided in isolation, with many families also accessing other education, health or care support services, alongside those separately offered in the voluntary sector. Changes to these other services, outside the scope of this project, may therefore have a positive or negative impact on families over time, and could affect future need for SCC funded short breaks. Some examples of particular areas of development include: Surrey's SEND Development Plan; the special school residential review; and work to transform early help for families. It is therefore highlighted that capacity of services to meet need should be kept under review for the duration of this commission.

### **Overview of the procurement process**

16. Having developed our short breaks proposals, the next stage was identifying the best organisations to deliver the new offer in Surrey. Throughout 2016, SCC had engaged current and potential providers to develop the market for short breaks. Two specific provider events were held during September and December 2016, where we shared feedback from families and our future vision for services. Providers were also able to make suggestions and ask questions about the proposed services and process. A launch event was then held on 9 January 2017, supported by Family Voice Surrey, to start the formal tender process.
17. SCC ran a full, open tender process from 9 January to 10 February 2017. This ran under the Light Touch Regime and was compliant with the European Public Contract Regulations 2015 and the Council's Procurement Standing Orders. The process was endorsed by the Council's Sourcing Governance Meeting on 15 December 2016. The contract opportunity was advertised in the Official Journal of the European Union (OJEU) on 9 January 2017. An Innovation Grants bidding process, which ran from 9 January to 21 February was carried out in parallel in order to allocate grants to charitable organisations and special schools. The South East Shared Service e-sourcing portal was used for all bidding and communication with providers to ensure the procurement process was as efficient as possible and transparent for both providers and the council.
18. During the procurement process 12 organisations bid to deliver play and leisure short breaks, six organisations bid to provide overnight short breaks and 35 innovation grant proposals were received from 26 organisations (as well as a further three proposals submitted by internal SCC services).
19. These bids and proposals were evaluated by mixed teams including: Family Voice Surrey; parents of children with SEND; professionals from SCC Children's Services; officers from SCC commissioning, procurement, and finance teams; representative children and young people; and a representative from the Guildford and Waverley Clinical Commissioning Group. Through this process a range of preferred providers has been identified across the three commissions.
20. On 21 April 2017, the Cabinet Member for Children and Families Wellbeing, Councillor Clare Curran, endorsed a six-week period of public engagement in relation to the impact of proposed changes to short breaks services for children and young people with SEND in Surrey. This ran from 8 May to 17 June 2017.
21. During this engagement we shared our new proposals for short breaks with families, and listened to their views about the positive and negative impact of the changes. We also explored what the Council and its partners could do to mitigate any negative impact identified. The findings from this engagement period have informed the Equality Impact Assessment (EIA), which is provided in Annex 4.

## Summary of final proposals for contract and grant award

22. Having completed both the procurement and engagement processes, this report sets out recommendations for contract and grant awards for the provision of short breaks services commencing 1 December 2017. More detail about the proposed funding awards and the bid evaluation process is in Part 2 of this report.

### i) Play and Leisure - All SEND

Borough or district	Provider	% of available funding allocated
Elmbridge	Autism Sussex	50%
	Disability Challengers	50%
Epsom and Ewell	YMCA East Surrey	100%
Guildford	Disability Challengers	100%
Mole Valley	YMCA East Surrey	100%
Reigate and Banstead	YMCA East Surrey	100%
Runnymede	Disability Challengers	50%
	White Lodge Centre	50%
Spelthorne	Disability Challengers	50%
	White Lodge Centre	50%
Surrey Heath	Linkable	50%
	Disability Challengers	50%
Tandridge	Disability Challengers	50%
	YMCA East Surrey	50%
Woking	Linkable	100%
Waverley	Disability Challengers	100%

### ii) Play and Leisure - Autistic Spectrum Disorder (ASD)

Provider	% of available funding allocated
Barnardos	25%
KIDS	25%
National Autistic Society (NAS)	25%
YMCA East Surrey	25%

### iii) Play and Leisure - Complex Health

Provider	% of available funding allocated
Rainbow Trust	25%
Children's Trust	75%

### iv) Residential Short breaks

Provider	Borough or district
Cherry Trees	Countywide (East Clandon)
White Lodge Centre	Countywide (Chertsey)

\*These providers will be in addition to the services provided by Surrey County Council staff at Applewood (Tadworth), Ruth House (Woking) and Surrey Domiciliary Care Service. Spot-purchasing of individual places from alternative providers remains an option for children and young people whose needs cannot be met through these different services.

### v) Innovation Grants – VCFS providers

Provider	Area
Head2Head	Surrey wide
Sight for Surrey	Surrey wide
SPENSOL	Surrey wide

Rainbow Trust	Surrey wide
Wheels for all / Cycling projects	Surrey wide
Barnardos	Surrey wide
Rhythmix	Surrey wide
Linkable Scouts	Surrey Heath/Woking
YMCA DoE	One district/borough TBC
Freewheelers Youth Theatre	Mole Valley
Disability Challengers	Guildford

#### v) Innovation Grants – Surrey Special Schools

School	Borough / District (Quadrant)
Freemantles School	Woking (NW)
Linden Bridge (Interactive)	Epsom & Ewell (NE)
Pond Meadow	Guildford (SW)
Ridgeway	Waverley (SW)
Manor Mead (White Lodge)	Spelthorne (NE)
Woodlands School	Mole Valley (SE)
Portesbery School	Surrey Heath (NE)
Clifton Hill School	Tandridge (SE)
Walton Leigh	Elmbridge (NE)

23. By awarding contracts to the recommended providers for the provision of short breaks, the Council will be acting in accordance with its Procurement Standing Orders and with the Public Contracts Regulations and ensuring the delivery of high quality short breaks services that are delivered more locally, tailored to the individual needs of children and young people with SEND.
24. We absolutely acknowledge that any changes to services, particularly those that are relied upon as much as short breaks, may be unsettling for families affected. We are confident, however, that the proposed awards will provide families with a high-quality short breaks offer. Some of the key benefits arising from these proposals include:
- An overall increase in hours of play and leisure opportunities for short breaks in Surrey, in response to family feedback;
  - A fairer distribution of play and leisure short breaks across the county, so there is a better alignment between where the need is and where the short breaks are located, in response to family feedback;
  - Ensuring that funding for vital residential (overnight) short breaks has been prioritised, with providers required to safely and appropriately address a range of needs including complex health and behaviour that challenges; and
  - Securing quantified commitments from providers to deliver added social value and social capital (totaling around £3 million) to enhance SCC's funded offer and deliver better outcomes for families.
25. A particular change that Cabinet is asked to note is that one of the current providers of residential services, Surrey and Borders Partnership NHS Foundation Trust (SABP), took the decision not to bid for funding from SCC to

provide overnight short breaks in Surrey at Beeches in Reigate. We know that this setting has been really valued by the families using the service.

26. 22 children and young people are currently accessing overnight short breaks at Beeches. Of these, 5 young people will be turning 18 before the end of the current contract and moving to Adult Social Care. This means 17 families will need to access their overnight respite at other settings from 1 December 2017.
27. The families affected by this decision have been offered a number of opportunities to discuss this with SCC officers and are being offered individual support from their Social Workers. In addition Councillors Clare Curran and Mary Lewis met with the affected families to hear their views and concerns first-hand.
28. Based on latest discussions, over half of the families have indicated that they would consider taking up provision at Applewood, which is the closest alternative provider within our current proposals, whilst others remain undecided or are in discussions with Children's Services to explore alternative options. Whilst acknowledging the changes will have an impact on families, we are confident that there is sufficient capacity for overnight residential provision countywide.
29. The Council is aware that this change will be unsettling for families and will mean disruptions to established routines and relationships for a number of children and young people who will find change difficult. We also know that it will mean increased travel distances and times for a number of families. To provide an indication of potential changes for families we have done some initial modelling of these, by comparing journeys from family homes to Beeches in Reigate and Applewood in Tadworth. The average journey to Beeches is estimated to be 6.1 miles and takes an average of 14-19 minutes, whilst the average journey to Applewood is estimated at 9.6 miles and takes an average of 21-31 minutes. The largest increase in journey distance for any family would be 6.6 miles, whilst the largest decrease for any would be 10.0 miles. The shortest journey time to Applewood is estimated to be 5-7 minutes and the longest journey is estimated to be between 30 minutes and 50 minutes, depending on traffic. We do acknowledge that these changes will have an impact on families, but feel that the changes to travel distance will not be unreasonable in the majority of cases.
30. In these and other discussions, families, partners and colleagues have put forward a number of ideas that the Council could consider in relation to providing additional overnight short breaks in the Reigate area, some of which are shorter-term and some which require a longer timeframe. These include: buy or lease Beeches from SABP; lease residential facilities at a local special school; build a new respite unit; run a targeted campaign to increase short breaks foster carers; or implement proposals with additional mitigation in place.
  - **Model 1a – Buy Beeches and commission SCC or a third party to provide overnight short breaks.** Initial indicative modelling suggests an estimated capital investment of between £0.6 million and £1.0 million, with ongoing revenue costs of around £0.5 million. This is not deliverable within the current budget, would create greater capacity than the current identified countywide level of need leading to unfilled capacity at other providers, and is contingent on SABP agreeing to sell the building to SCC (costs are estimates at this point). It is estimated that this would take up to 2 years to implement.
  - **Model 1b – Lease Beeches and commission SCC or a third party to provide overnight short breaks.** Initial indicative modelling suggests an estimated annual revenue cost of around £0.6 million per annum. This is not deliverable within the current budget, would create greater capacity

than the current identified countywide level of need leading to unfilled capacity at other providers, and is contingent on SABP agreeing to lease the building to SCC (costs are estimates at this point). It is estimated that this would take 6 months to a year to implement.

- **Model 2 – Lease residential facilities in a local special school and commission SCC or a third party to provide overnight short breaks.** Initial indicative modelling suggests that there will be an unknown amount of capital investment required, to cover equipment and adaptations to make the building compliant for those with complex needs (cost not yet confirmed) and revenue costs of £0.3 million per annum (not including additional costs for lease, maintenance and utilities). This is not deliverable within the current budget, would create greater capacity than the current identified countywide level of need leading to unfilled capacity at other providers, and is contingent on a local school agreeing to lease the building to SCC. It is estimated that this would take 1 to 2 years to implement.
  - **Model 3 - A new build respite unit ideally in close proximity to an existing special school for children with severe and complex learning disabilities, potentially making use of an SCC site.** Initial indicative modelling suggests that this could require a capital investment of between £1.3 and £1.5 million, with ongoing revenue costs of around £0.5 million per annum. This is not deliverable within the current budget, would create greater capacity than the current identified countywide level of need leading to unfilled capacity at other providers, and would require an appropriate site to be identified. It is estimated that this would take 2-3 years to implement.
  - **Model 4 - A targeted campaign to recruit overnight short break foster carers to provide an alternative overnight provision.** Initial indicative modelling suggests that this could require a capital investment for home adaptations and accessible transport of around £0.1 million (dependent on individual circumstances) and ongoing revenue costs of around £80,000 per annum, plus staffing for local campaigns. It should be noted that it will take time to build a strong foster care offer in the east of the county. Whilst not included in current budget, the level of investment required is less prohibitive and could be considered as part of our approach to mitigating the impact of changes on families and building future capacity. It is estimated that this could be implemented in 6 months, but it is likely to be a further 1-2 years before a significant increase in capacity is realised.
  - **Model 5: Build confidence in proposed offer with additional mitigating action and some spot purchasing where required.** Initial modelling of additional staffing and spot purchasing costs suggests that this could require a revenue investment of around £0.1 to £0.4 million per annum (depending on the options taken forward). The current budget includes £147,000 of unallocated funding, so funding for this option will be tight with a risk of overspend. This would take 3-6 months to implement, which could be achieved during the contract mobilisation period.
31. This analysis has indicated that there will be significant capital and/or revenue costs associated with models 1a-3 that make them unaffordable without additional SCC investment and would create additional capacity beyond that currently identified in Surrey. Whilst models four and five will require SCC investment, the budget required is less and aspects of these should be considered as part of the mitigation of impact of changes on families. This is

considered further below, as part of mitigation to address adverse impact highlighted in the EIA. Cabinet is asked to note that should the level of need for services change in the future, the work done in considering these options could be drawn on for further development in response. It will be important that ongoing market development work is undertaken within the overnight short breaks sector, including further exploration of these options, given the long-time it would take to develop new overnight residential provision.

#### **CONSULTATION:**

32. As set out previously in this report, the short breaks re-commissioning process has been underpinned by extensive engagement with families. We have received approaching 600 responses, the vast majority of which have come from families, across three online surveys run during the process and there have been over 200 attendances at our drop-in and engagement sessions for families and market development sessions with providers.
33. We have also worked in partnership with Family Voice Surrey throughout the process. Given our approach to date, we welcome Family Voice including a statement about the key reflections, considerations and concerns that they would like Cabinet to take account of in reaching a final decision.

#### **Family Voice Statement**

34. Family Voice Surrey welcome some positive outcomes for families resulting from the review and re-procurement of Short Breaks provision in the county, in particular:
- a. The decision to base the service specification (describing the quality standards that successful providers had to meet) directly on feedback from families about what they need from Short Breaks services
  - b. The increase in the number of overall hours of play and leisure opportunities available
  - c. The involvement of parents and carers as partners with an equal voice in evaluating the quality of bids in a fair and transparent process
  - d. The intention to create a more consistent and equitable offer of services and provision across the county
35. We are concerned that, in practice, some changes resulting from the re-procurement process will lead to a better offer in some areas than others. For example, families in some areas will have more options to choose from in future than others. Some families will have services provided closer to home than previously and others will need to travel further to access the services they want to use. These are unintended consequences from running a public procurement process where the weighting given to individual quality criteria is set in advance and cannot be changed part way through the process.
36. Although the retender is run as a competitive process, we want to encourage and support providers to work together in a collaborative way once the council have confirmed the award of contracts and grants:
- a. to make the transition for families moving from a familiar service to a new service as smooth as possible, including use of existing locations and transfers of staff
  - b. to develop the quality of the offer available to families by sharing skills – such as high quality staff-training, ideas for improving services- such as a consistent easy to use booking system

- c. those providers with surplus social capital capacity – such as the ability to draw on large numbers of volunteers or to raise significant amounts through fundraising - to work to keep open services that will no longer be funded by Surrey County Council
37. Increased costs for providing specialist residential services have led to reductions in grants for smaller projects and special schools clubs. The support available to families currently will be reduced in future and will almost certainly mean they will be less resilient in future and may need more costly intervention as a result.
38. In May 2016 cabinet made two recommendations to address risks identified in a review by Family Voice Surrey in collaboration with Surrey CC officers, that there were considerable levels of unmet need for Short Breaks services, particularly for specialist services. Firstly, the risk that eligibility criteria are not well communicated, sufficiently transparent, or necessarily set at the right level and secondly, that the assessment process is difficult to negotiate for families. Family Voice argued strongly that work to properly address these barriers to an accurate identification of need and access to service should happen before, or at least in parallel with, the re-procurement process. Instead the council has gone out to commission new provision in the knowledge that they could not be confident about the level of need they had a duty to meet. This inaction risks undermining families' faith in the council's commitment to respond appropriately to key concerns raised through engagement with families.
39. The closure of Beeches specialist residential provision will mean reduced capacity and choice in the east of the county particularly for children with complex health needs or challenging behaviour. It has not been possible to fully evaluate the possible options to mitigate the negative impact of closing Beeches in the time available. We are not confident that the evidence gathered so far is sufficient for cabinet members to make an informed decision with confidence. Option 4 is unlikely to have much impact as the council has already tried for several years without success to substantially increase the number of foster carers able to meet complex needs. Option 5 does not include the full likely increase in travel costs as a result of children moving to a range of different providers. There has not been time to explore in any depth the potential alternative sources of funding to support model 1 (families' preferred option). The gap in costs between the council's recommended proposal to mitigate for closure of Beeches and parents' preferred option could be very slight, if all these factors were taken into consideration and explored. Our recommendation is that the council should approve a plan to lease the existing Beeches provision for six months to allow time to explore these options fully. Otherwise the council may find itself in a year's time needing to commission additional capacity at greater cost than that of retaining the existing provision, with its key benefits linked to its location next to a Surrey special school and the continuity of the offer valued by current family users.

#### **Surrey County Council response**

40. We have valued the strong commitment of Family Voice to work with us through the short breaks re-commissioning project and welcome their feedback on the process and our final proposals, as set out above. Whilst the whole report and EIA address many of the points raised, two key areas highlighted by Family Voice are: the potential level of unmet need in Surrey, resulting from concerns raised by families about Surrey's assessment and a perceived lack of a sufficient SCC response; and the depth of consideration of alternative ideas for Beeches due to time available to complete the work, including full consideration of transport costs incurred as a result of the change and alternative sources of income that could be explored. With regards to potential unmet need, the Service Development Action

Plan highlights that we will routinely monitor changes in level of need during this contract period to ensure there is sufficient capacity, as well as a commitment to work with Family Voice to ensure the assessment process is transparent and clearly communicated to families. With regards to alternative ideas for Beeches, transport costs have been modelled using a high-estimate of the average cost for increased transport, rather than a case-by-case approach. Whilst there are limitations with this, we feel it provides a good approximation of the likely level of cost involved. We welcome the suggestion about exploring alternative sources of income that Family Voice have made and will continue to work with Family Voice to do this. Finally, Cabinet should note and consider the specific recommendation that Family Voice have made that Cabinet agree to seek to lease Beeches from SABP for a period of 6 months, to allow for further exploration of options for use of the site, building on work undertaken to date. Please note that this would require additional investment by SCC, which would need to be identified, and agreement to a short-term lease from SABP secured,

### **Summary of latest engagement with families**

41. SCC recently completed a formal six-week engagement period with families, which ran from 8 May to 17 June 2017. The purpose of this engagement was to share our new proposals for short breaks with families and hear their views about what the positive and negative impact of the changes would be. The findings from this engagement period have underpinned the Equality Impact Assessment (EIA) on our proposals, including a set of actions and mitigations in response. This is a key part of how the Council is fulfilling its duties as set out in Section 149 of the Equalities Act 2010 – to ensure that Cabinet understands the impact (or likely impact) of their decisions on those with protected characteristics.
42. During this latest engagement, we have received 171 responses to the online Surrey Says survey and spoke to 42 individuals who attended our local morning and evening drop-in sessions. Some of the headline messages from families are:
  - different options from new providers in some areas are welcome;
  - it is positive to focus on improvement and growth in the short breaks offer, helping to keep services competitive and providers accountable;
  - changes to current providers, that are valued by families, will be difficult and emotional for children with SEND and families, as they adapt to the new services – in particular we heard that consistency of staff and familiarity of the venue, location and facilities are very important.
  - uncertainty as to whether the proposed new providers are able to deliver particular activities and outings.
  - parental confidence in training levels and standards in new providers and the need to have staff with the right mix of skills are really important.
  - specific concerns in relation to whether: new services will be as inclusive as current provision, leading to children being refused or asked to leave; siblings can be included in provision; and there will be enough levels of 1:1 and 2:1 support for those who need it.
  - uncertainty as to whether children with high medical or care needs will be met in overnight respite services, for example tube feeding, seizures, special diets and medication.
  - new locations may lead to increases in travel time for some (although some families may also see travel time reduce) – as even a short additional journey

can be difficult for some children with additional needs and can reduce the benefit that families get from the short break.

43. Families have also made a range of suggestions to help us ensure we put in place the best offer. The Council is keen to make use of this feedback, alongside other feedback received from families during the project, as there are areas where we know we need to do better, as we seek to continue to improve our offer to families. Some of the suggestions are reflected in the short breaks EIA (Annex 4) but we have also set out a range of actions in a Service Development Action Plan (Annex 5) that will inform developments within Children’s Services and our work with our providers and partners to improve the SEND system. Some of key issues addressed, in partnership with Family Voice Surrey, are:

- Planning, communicating, delivering and resourcing of the mobilisation programme, so as to have services fully in place by 1 December 2017;
- Clarity of information and advice about the short breaks offer for families (also identified as an area of focus by Cabinet in Mary 2016);
- The transparency and accessibility of the short breaks assessment process (also identified as an area of focus by Cabinet in Mary 2016);
- Completion of a revised Short Break Statement, in consultation with families;
- Involving families in oversight of services and contract management; and
- Improvement of booking systems used by different providers

44. In particular, we want to highlight the lead role that we will be asking our providers to play in realising some of these improvements. We will be looking to the provider networks to work with us, families and one another to develop and grow the short breaks sector over the contract period in response to what families have told us.

45. The feedback received from families during the re-commissioning process will inform our work with providers to set-up and establish new services during the mobilisation period. The Council needs to ensure work with providers in this period is well resourced to achieve the necessary changes for families.

**RISK MANAGEMENT AND IMPLICATIONS:**

46. The terms and conditions include relevant termination clauses which will allow the council and the provider to terminate the agreement with six months’ notice. In addition, immediate termination is possible if the service provider commits a breach of the terms of contract or the provider at the time of the contract award, has committed an offence under the Public Contract Regulations 2015.

47. The following key risks associated with the contract and contract award have been identified, along with mitigation activities:

Category	Risk Description	Mitigation Activity
Reputational	Poor quality of service not delivering the required outcomes.	A robust approach to contract management, with regular contract review meetings and clear measures, will allow us to mitigate the risk of poor quality services. We will work with the providers collaboratively to help them improve their performance and involve families in assessing service performance and impact on outcomes.

	Some services currently offered to families will change or cease, being replaced by others, which will have an impact on families.	Whilst services will change in some areas, and this will be unsettling for some families, the Council has been working and will continue to work closely with current and new providers to ensure smooth transitions between services.
	Risk of legal challenge to decisions taken by Cabinet that change current short breaks provision.	The Council has taken a consultative, robust and transparent approach to commissioning short breaks, including a strong focus on co-design with families, including bid evaluation.  A full EIA has been completed and this has been informed by a six week period of engagement with families and providers in relation to the impact of proposals on families.
Financial	Risk of budget overspend on statutory short breaks services, as a result of changes to other services offered to families, unforeseen increases in the level of need or families affected by proposed changes accessing different services to those anticipated	The vast majority of the budget will be allocated to block contracts and grants for fixed sums of money, which will limit the risk of budget overspends.  In response to likely increases in demand the Council has commissioned an increased level of hours of play and leisure short breaks for families.  There will be a robust contract and budget monitoring to ensure that there is no overspend outside the contract.
	Rise in need for short breaks due to demographic trends, legislative changes and developments within other parts of the SEND system to enable more children and young people to be educated closer to home	Bidders have put forward sustainable models of delivery that grow capacity and draw in more social capital over time. To reflect this providers committed to increase their delivery each year of the commission and this will be monitored.  In parallel to this project, SCC is also planning a transformation of its early help offer to families. The needs of children and young people with SEND and their families will be considered in the design of the new offer.

#### **Financial and Value for Money Implications**

48. The re-commissioning process has assumed services will be funded in line with the budget set out in the Council's Medium Term Financial Plan (MTFP). This addresses a historic overspend in relation to residential (overnight) short breaks.
49. The detailed financial implications are covered in Part 2 and earlier in this report for the ideas considered relating to Beeches. The financial implications of any TUPE issues have not been determined and therefore considered yet.

### **Section 151 Officer Commentary**

50. The County Council is facing a very serious financial situation, whereby there are still substantial savings to be identified and delivered to achieve a balanced budget in the current year and a sustainable budget plan for future years.
51. The Section 151 Officer can confirm that the costs of the proposed short break contracts are within the budget envelope for these services and has been included within the Medium Term Financial Plan. It is recognised that these contracts and grants provide support to families of children with disabilities and provide important learning and development outcomes for children. The use of such services are key to preventing increasing costs in social care and SEND.
52. In spite of these factors, it is important to recognise that agreeing to this recommendation will reduce the council's options to balance the budget, although if such preventative services are not used, the total costs would probably be higher.

### **Legal Implications – Monitoring Officer**

53. The Council's statutory duties to provide short breaks are set out in Annex 1 in particular Regulation 4 of the Breaks for Carers of Disabled Children Regulations 2011 sets out the detailed requirements.
54. Under Section 3(1) Local Government Act 1999 the Council has a duty to "make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness". This duty applies to commissioning short breaks.
55. The Council has an obligation under the Public Contracts Regulations 2015 to conduct a competitive tendering process before it can award new contracts to service providers when the value of the contracts is over threshold as it is in this case.
56. The public sector equality duty (s.149 of the Equalities Act 2010) applies to the decision that Cabinet is being asked to make. In agreeing to the recommendation, there is a need to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups and eliminate unlawful discrimination. These matters are dealt with in the equalities paragraphs of the report below and the Equalities Impact Assessment (Annex 4) attached. Members will see that negative impacts have been identified and will need to take account of these and the mitigating actions that have been identified.

### **Equalities and Diversity**

57. An Equalities Impact Assessment has been written and sets out the impacts of the recommendation on each of the protected groups who are affected by the decision (Annex 4). Mitigating actions have been identified for any potential negative impacts.
58. Whilst full details of the positive and negative impacts of these proposals and the mitigations have been set out in the EIA, a summary of the key impacts are included below:

Information and	<ul style="list-style-type: none"> <li>Approaching 600 responses to online short breaks surveys since</li> </ul>
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engagement underpinning equalities analysis	<p>January 2016, in partnership with Family Voice Surrey</p> <ul style="list-style-type: none"> <li>• Around 200 attendances at short breaks engagement events by Surrey families and partners since January 2016</li> <li>• Surrey's Joint Strategic Needs Assessment and other SCC needs assessments</li> <li>• Data provided by Surrey Short Breaks Team and Surrey Children's Services</li> <li>• Other local and national research</li> </ul>
Key impacts (positive and/or negative) on people with protected characteristics	<ul style="list-style-type: none"> <li>• Provision will better meet the needs of children, young people and families, as services have been re-designed and re-commissioned to enable them to achieve the outcomes families told us were most important.</li> <li>• Increased hours of play and leisure opportunities for families across Surrey and a more equitable spread of provision between boroughs and districts in response to need.</li> <li>• New requirements of proposed providers of play and leisure and overnight short breaks to ensure services are accessible to children and young people with complex health needs or behaviours that challenge.</li> <li>• Increased commitments from providers to grow use of social capital (cash or in-kind) to realise additional benefits for families, on top of core SCC-funded delivery, and increase their capacity each year of the commission.</li> <li>• Impacts associated with changes to services, including: families finding changes unsettling, leading to additional stress and anxiety; travel times increasing for some families, where service locations change as a result of new providers; and valued relationships with peers or members of staff may be disrupted as a result of changes in provision.</li> <li>• Some parents have communicated a lack of confidence in the ability of some new providers to meet the needs of children and young people with complex health needs and challenging behaviours.</li> <li>• Changes to provision for children and young people with SEND may well be challenging for families affected, as continuity of routine, relationships and venues are particularly important.</li> <li>• Increased stress for the 22 families currently accessing Beeches in Reigate as a result of SABP decision not bid to seek SCC funding to continue to deliver this service. This impact could be increased if the transition is not well managed.</li> </ul>
Changes you have made to the proposal as a result of the EIA	No changes proposed, although mitigation is set out in EIA (Annex 4)
Key mitigating actions planned to address any outstanding	<ul style="list-style-type: none"> <li>• Ensure that providers plan to and deliver the full requirements of the service specification and their bid commitments, including greater focus on complex health and behaviours that challenge, mobilisation of new services, increased social capital commitments and</li> </ul>

negative impacts	<p>implementing new approaches to outcomes monitoring.</p> <ul style="list-style-type: none"> <li>• Work with providers to develop local proposals wherever possible, in response to family feedback, but ensure arrangements for transport support are robust if this is not possible.</li> <li>• Work collaboratively with current and new providers to plan for changes with families affected and deliver successful transfers between providers.</li> <li>• Develop proposals for a joint-funded nurse trainer role, with Health, in response to lack of parental confidence in the ability of provision to meet complex health needs.</li> <li>• Supportive, individual approach to work with families who are affected by changes to the Beeches provision in Reigate.</li> <li>• Support providers to work together collaboratively to develop a comprehensive offer of services across the county.</li> <li>• Implementing aspects of model 5 (identified earlier in this report) that are deliverable within the currently agreed budget (accepting that parental choice about services cannot be pre-empted at this stage).</li> </ul>
Potential negative impacts that cannot be mitigated	<ul style="list-style-type: none"> <li>• Reductions or changes to short breaks services provided at Pond Meadow and Portesbery Special Schools, as a result of reduced grant funding allocations</li> <li>• Reduced choice in overnight provision in Mole Valley, Reigate and Banstead and Tandridge, resulting from the closure of Beeches, which will reduce flexibility for all families as to when overnight short breaks can be taken in other settings</li> </ul>

59. Following SABP's decision not to bid for SCC funding to continue providing overnight short breaks there is the potential of staff currently employed at Beeches being TUPE transferred to SCC. This will depend on decisions by families currently using the service about where they may take up provision of overnight short breaks in the future. There could be positive benefits for families associated with this situation should it arise, as well as financial risks to the Council. This will be kept under review.

#### **Other Implications:**

60. The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
Corporate Parenting/Looked After Children	Short breaks play an important role in preventing disabled children and young people from becoming looked after and supporting those who are looked after.
Safeguarding responsibilities for vulnerable children and adults	All Surrey County Council short breaks provision complies with the Council's safeguarding policy and officers regularly monitor the implementation of this policy.
Public Health	No significant implications arising from this report
Climate change	No significant implications arising from this report
Carbon emissions	No significant implications arising from this report

### **Corporate Parenting/Looked After Children implications**

61. Short breaks provide support to Looked After Children with disabilities and provide early help and support to enable families to continue to provide excellent care for their disabled children, building their resilience and reducing the risk of children becoming looked after. It is therefore vital that the Council continues to fund and commission a sufficient short breaks offer in Surrey.

### **Safeguarding responsibilities for vulnerable children and adults implications**

62. Short breaks support some of the most vulnerable children and young people in Surrey. It is therefore vitally important that robust safeguarding standards and practice are maintained by all providers and this will be scrutinised as part of a robust approach to contract management.

### **WHAT HAPPENS NEXT:**

63. The timetable for implementation is as follows:

<b>Action</b>	<b>Date</b>
Cabinet decision to award (including 'call in' period)	25/07/2017
Providers notified and 'Alcatel' Standstill Period begins	26/07/2017
Mobilisation period	August-November 2017
Contract Commencement Date	1 December 2017

64. Following the Cabinet decision, Procurement will send out successful award letters to providers.

65. Procurement, Children, Schools and Families Commissioning Team and Children's Services will work closely with the successful providers and if applicable current providers to ensure a successful mobilisation of new grants and contracts and a smooth transition from the current arrangements to the new services for families

66. During the lifetime of the contracts, the Surrey Short Breaks Team will monitor providers to ensure they are meeting KPIs, outcomes and supporting families in developing and improving personal outcomes. We are keen to develop new approaches to working with families as part of this monitoring process. Providers are also required to demonstrate through contract monitoring that they are seeking feedback from families in placement and how this feedback is being used to further improve and develop services to achieve better outcomes for families.

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#### **Consulted:**

Family Voice Surrey, Public engagement  
 Short Break Re-commissioning Steering Group, including representatives from Family Voice Surrey, Surrey Children's Services, Health, Children, Schools and Families Commissioning, SCC's Procurement, Legal and Finance Teams

**Annexes:**

Annex 1 – Summary of key short breaks legal duties for cabinet to consider

Annex 2 – Surrey short breaks outcomes framework

Annex 3 – Surrey

Annex 4 – Equality Impact Assessment

Annex 5 – Service development action plan

**Sources/background papers:**

- Cabinet Report, Short Breaks for Disabled Children, 24 May 2016
- Cabinet Report, Re-commissioning Short Breaks for Disabled Children, 22 November 2016
- Cabinet Member Report, Proposals for Public Engagement on Outcome of Short Breaks Procurement Process, 21 April 2017

## Annex 1 – Summary of key short breaks legal duties

- The Council must provide short breaks to children where it has assessed them as having a statutory need for a short break. The Council also has the power to provide short breaks to those who do not have a statutory need. Section 17 of the Children Act 1989 defines a child in need to include all disabled children. Schedule 2 of this act imposes a duty on Local Authorities (LAs) to give carers of disabled children “breaks from caring”.
- Regulation 4 of the Breaks for Carers of Disabled Children Regulations 2011 sets out the “types of services which must be provided”. The Regulation states a local authority must provide “as 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”. Regulation 4(2) sets out that the local authority “in particular” and “as appropriate” must provide “a range of: (a) day-time care in the home or elsewhere, (b) overnight care in the home or elsewhere, (c) educational or leisure activities outside the home and (d) services available to assist carers in the evenings, weekends and during schools holidays”.
- Section 11(2) of the Children Act 2004 imposes a duty to make arrangements for ensuring functions of local authorities are discharged having regard to the need to safeguard and promote the welfare of children.
- Section 27 of the Children and Families Act 2014 imposes a duty on local authorities to keep under review its social care provision for children with disabilities and to consider the extent to which that provision is sufficient to meet their needs.

## Annex 2 – Surrey short breaks outcomes framework

Overall purpose	Sub-outcomes	I statements
Children and young people develop their independence and readiness for adulthood	Children and young people develop skills that enable them to be more independent	I am developing my communication skills I am learning and developing practical life skills I am developing my social skills
	Children and young people develop their self-confidence within and outside their family setting	I have tried new things I am able to succeed and achieve I feel safe and supported I have fun
	Children and young people make informed choices about their short breaks	I have the information I need about different short breaks I know the choices that are available to me
	Children and young people communicate their choices and preferences	I have the support I need to communicate my views I contribute to decision making regarding my care My choices and preferences are listened to My choices and preferences are acted upon
	Children and young people prepare for and achieve successful transitions to the next stage of their development	I am better prepared to start at my new school, college or place of education I am happy in my school, college or place of education I am able to get a job or to access further training and support as an adult I am prepared to live as independently as I am able
Children and young people are more emotionally and physically healthy	Children and young people's health needs are met	I have opportunities to be physically active, with the right support I am confident that I can get the medical help I need I am confident that I can get the mental health help I need I am more able to make choices to keep myself safe
	Children and young people overcome challenges	I know where to go for help when I need it I know I am not on my own and feel supported I feel more prepared to face problems
	Children and young people recognise and manage their feelings and emotions	I understand my feelings better I recognise when my feelings change I am more able to manage my behaviour when my feelings change
	Children and young people form and develop supportive relationships	I mix more with people my own age I am making new friends and developing friendships I feel more comfortable in groups I have opportunities to spend quality time with different members of my family My family relationships are stronger

		I have positive role models in my community
Parents and carers are more empowered to meet the needs of their children	Parents and carers are able to make informed choices to plan the support that is best for their family	<p>I can access information and guidance about my child's needs</p> <p>I can find information about the different short breaks that are available and how to access these</p> <p>I have choice and control in planning support for my family</p> <p>I can access local services that meet my family's needs</p> <p>I can pay for services that meet my family's needs</p> <p>I feel confident that those supporting my children have the skills required to meet their needs</p>
	Parents and carers feel able to ask for help when it is needed	<p>I know where to go for help when I need it and feel able to ask</p> <p>I understand the process (including access criteria) to access the right support to meet my family's needs</p> <p>I feel supported by professionals and not judged</p> <p>I feel confident that the needs of my family will be fairly assessed</p>
Parents and carers are able to support their whole family to achieve good outcomes	Family life is enhanced	<p>I have opportunities to spend quality time with my family as a whole</p> <p>I have opportunities to spend quality time with the different members of my family, including all my children</p> <p>My children who do not have disabilities can access a range of activities that meet their needs</p>
	Parents and carers are able to work or undertake activities not possible without short breaks	<p>I am able to go to work or get the training I need to prepare for work</p> <p>I am able to carry out housekeeping and household activities to support my family</p> <p>I have opportunities to undertake hobbies and activities that are important to me</p>
Parents and carers are more emotionally and physically healthy	Parents and carers form and develop supportive social networks	<p>I have opportunities to talk with parents and carers in similar positions</p> <p>I am able spend time with my friends and wider family</p> <p>I am able to work with other parents and carers locally to develop solutions to the challenges we face</p> <p>I feel less isolated</p>
	Parents and carers are able to look after their own wellbeing	<p>I have opportunities to rest and recuperate</p> <p>I feel less stressed</p> <p>I feel less exhausted</p> <p>I feel more able to face problems when they happen</p>

## Annex 3 – Surrey short breaks commissioning strategy 2017-22

### 1 Introduction

Surrey County Council and Family Voice Surrey want to develop and improve Surrey's offer of short breaks to achieve better outcomes for children and young people with Special Educational Needs and/or Disabilities (SEND) and their families. The purpose of this commissioning strategy is to communicate how we will seek to achieve this between 2017 and 2022.

#### 1.1 Vision and purpose of short breaks

Through accessing short breaks children and young people with SEND will develop their independence, readiness for adulthood and physical and emotional health, by having new experiences, learning, having fun and meeting their friends. Short breaks also support parents and carers to meet the needs of their children, enabling their whole family to achieve good outcomes, have choice and control, and look after their own emotional and physical health, by giving them breaks from caring.

'Confident in our future', Surrey County Council's Corporate Strategy, sets out three key strategic goals – wellbeing, economic prosperity and resident experience. The re-commissioning of short breaks will support three key priorities in relation to our wellbeing goal: helping families thrive; keeping families healthy; and protecting our vulnerable children.

The Surrey Children and Young People's Partnership is developing a new joint-commissioning strategy focussed on tackling inequality in the County. Short breaks have a contributory role to play in reducing inequalities experienced by those with additional needs, including increasing inclusion in their wider community and society as a whole.

#### 1.2 Who are short breaks for?

The core target group for our short breaks are children and young people with SEND aged 0-17 in Surrey. This includes those with a wide range of needs covering: learning disabilities; physical disabilities; sensory impairments; complex health needs; autistic spectrum disorders (ASD); attention deficit hyperactivity disorder (ADHD); and behaviour that challenges - as well as associated mental health needs.

Through providing quality short breaks to children and young people in the target group we will also support their parent carers (this term covers parents, grandparents, foster parents and special guardians) and siblings.

#### 1.3 What do we know about the needs of these groups?

We have sought to ensure our re-commissioning strategy is underpinned by clear data and information about the needs of children and young people in our target group. We have produced a [detailed needs assessment](#) that summarises what we know, which we have published online.

Here is a selection of the key messages from this needs assessment:

- 2,225 Surrey children and young people accessed short breaks in 2015/16
- 5,751 Surrey children and young people with Education, Health and Care Plans (EHCPs) in January 2016
- If current trends continue, the number of children and young people with an EHCP in Surrey is forecast to increase by more than 1,600 by 2026
- The number of children and young people with ASD is forecast to increase by around 30% by 2026

- 9.4% of children and young people in Surrey live in poverty, and those with disabilities are more likely to live in poverty than their peers

#### 1.4 What are short breaks and why are they important?

Short breaks are an essential part of the support available to children and young people with SEND, and their families. They allow children and young people to spend time away from their parents and carers, developing their independence and readiness for adulthood, whilst enabling them to relax and have fun with their friends. They also support parents and carers by giving them a break from their caring responsibilities, allowing them to rest and unwind and spend time with other family members, so they are able to provide better, more sustainable support to their family in the future.

A wide range of activities and opportunities can be short breaks and different things will work best for different children, young people and families. Examples could be attending a youth club or play scheme, being supported to access an opportunity in the local community, an overnight stay in a specialist centre, or activities and support delivered in the home. This list is by no means exhaustive. Short breaks can take place during the day, in the evening, overnight or at weekends, depending on the needs of the child or young person and their family.

## 2 What is our commissioning strategy for short breaks?



### 2.1 Our context

- We know that the number of children and young people with SEND is increasing, including those with the most complex needs
- Surrey County Council and our partners are facing significant budget pressures and growing demand for services across the board
- Alongside this, we know that we have a short breaks offer that is highly valued by many children, young people and families, but we need to continue to raise their aspirations and increase community inclusion. This context means we need to develop our response – building on what works well and refocussing our

resources on the things that children and young people with SEND, and their families have told us are most important

## 2.2 Our strategy

- We will enable and empower more children and young people with SEND to access inclusive opportunities in their local communities – this will require us, our commissioned providers and our wider partners to work together in new and innovative ways.
- In doing so, we will develop children and young people's independence and readiness for adulthood, improving their opportunities later in life, whilst ensuring that those with the greatest need are able to access the essential specialist services they require.
- Alongside this we will work with providers who are committed to developing more sustainable models of delivery over time, strengthening the use of social capital, untapped local assets and peer support, to achieve better outcomes for children, young people and families within our resources.

## 2.3 Our response

We will achieve this strategy through our commissioning intentions, priorities for service development and priorities for strategic influence.

Our **commissioning intentions** for short breaks are:

- 1) Commission services that increase resilience and prevent family breakdown through early help, targeted and specialist support
- 2) Commission inclusive approaches that enable children and young people to access more opportunities in their local communities, whilst delivering the best value for money from our investment in residential provision
- 3) Respond to identified gaps in provision and to the changing needs of children and young people over their life journey
- 4) Commission and develop sustainable models that draw on social capital to achieve better outcomes

Our **priorities for service development** are:

- 1) Improving clarity of and access to information about short breaks
- 2) Improving the transparency of processes to access services
- 3) Enabling children, young people and families to have choice and control over their short breaks

Our **priorities for strategic influence** with our partners, the wider system and communities are:

- 1) Developing more inclusive communities and mainstream services, allowing the fullest possible participation of children and young people with SEND and their families
- 2) Enabling children, young people and parents to support one another through peer relationships and networks

### 2.3.1 What do our commissioning intentions mean?

**1) Commission services that increase resilience and prevent family breakdown through early help, targeted and specialist support** – short breaks have a vital preventative role to play, providing support to families early so that they do not reach

a point of crisis and require significant intervention. This support could range from early help for a child who has recently been diagnosed with an additional need or be part of a package of specialist services to families of children and young people with multiple and complex needs.

#### **How will we achieve this?**

- We will build a formal early help role into our commissioned short break services, to improve joint working to support for families in need of early help.
- We will work with providers and families to enable children and young people with the most complex needs to get timely access to the most appropriate services for them.
- We will strengthen family relationships by developing more whole family opportunities, covering the child or young person, their siblings and their parent carers.

**2) Commission inclusive approaches that enable children and young people to access more opportunities in their local communities, whilst delivering the best value for money from our investment in residential provision** – the Council is currently over spending on overnight residential, whilst there is under-used capacity within existing services. This position is unsustainable. Whilst some children and young people will absolutely continue to need support through overnight short breaks, we will seek to be as efficient as possible in how we make use of this valuable provision, so that we can prioritise funding of our community based services.

#### **How will we achieve this?**

- We will run an open and transparent procurement process to identify the providers that will achieve the best outcomes and value for money, so that we make the best possible use of the available funding to meet the needs of children and young people
- If there is a need to change any current provision, we will consult with families and providers affected and work with them to mitigate the impact of this on children and young people
- We will prioritise funding for our community based services and work with our providers to innovate, develop and enhance these, so capacity within specialist services is available to those in greatest need

**3) Respond to identified gaps in provision and to the changing needs of children and young people over their life journey** - Our analysis has highlighted that there are growing numbers of children and young people with autistic spectrum disorders (ASD), complex health needs and behaviours that challenge. We will look to our providers to offer more opportunities that meet these needs. This will require training by providers to develop the skills that give confidence to parent carers that the needs of their children will be met, and to provide 1-to-1 and 2-to-1 support as appropriate. We will also work to ensure that short breaks provision is as fairly distributed across the county as possible in response to need, and is accessible to a wide range of communities and groups. Finally we want to work with our providers and partners to improve the skills, knowledge and experience of children and young people at key transition points in their lives.

#### **How will we achieve this priority?**

- We will seek to commission more provision that can be accessed by children and young people with ASD, complex health needs and behaviours that challenge.

- We will work with providers and parents to share training, learning and expertise.
- We will commission appropriate levels of 1-to-1 and 2-to-1 care to enable access to services.
- We will share funding for short breaks between areas of the county in response to the level of need.

**4) Commission and develop sustainable models that draw on social capital to achieve better outcomes** – we know that the level of need in the county is forecast to increase, at the same time as the Council is having to re-balance its budgets due to funding cuts and rising pressures. This means we will need to develop new, sustainable models of delivering services that are rich in social capital. We think social capital means: harnessing untapped community assets, like buildings, equipment and natural resources; empowering children, young people and parents through co-production to offer and receive peer support; and drawing in other resources through fundraising, partnership or generating income.

#### **How will we achieve this?**

- We will ask our providers to be innovative in designing their offer and develop more sustainable models of providing short breaks throughout this commissioning period, to grow capacity as need increases – this might mean use of volunteers, working in new partnerships, or fundraising and generating income
- We will ask our providers to make better use of the untapped physical assets in our communities, such as buildings, equipment and Surrey's natural resources
- We will empower children, young people and families to co-produce services in an equal and reciprocal relationship with professionals, through models that promote peer support

### **2.3.2 What do our priorities for service development mean?**

**1) Improving clarity of and access to information about short breaks** – children, young people and families have told us that finding out what short breaks are available can be difficult and this is a barrier to accessing the right services at the right time. We will review our information offer, in partnership with families and other professionals, to ensure that it meets their needs, building on Surrey's Local Offer website. We will also work in partnership with Family Voice Surrey to develop networks of parents and organisations who can share information and advice with one another, to efficiently signpost to the available services.

#### **How will we achieve this priority?**

- We will work with families, through Family Voice Surrey and other parent carer groups, to review our information offer in relation to short breaks to ensure it meets their needs, making better use of social media and building on the Surrey Local Offer website
- We will refresh the statutory Surrey Short Breaks Statement by autumn 2017, in partnership with Family Voice Surrey, clearly setting out details of the services available, and the eligibility criteria and access arrangements for these services
- We will pro-actively strengthen, promote and support existing parent and family networks that provide invaluable support, advice and guidance to families across Surrey, working in partnership with Family Voice Surrey and Action for Carers

**2) Improving the transparency of processes to access services** – we have heard from families that current assessment processes can be difficult to go through, are hard to understand and it can be some time before services are accessed. It must

be acknowledged, however, that it is of vital importance that children and young people are kept safe, access services that provide support appropriate to their needs, and that the most specialist services are fairly allocated to those in greatest need. We will increase the transparency of our eligibility criteria and assessment processes, so that children, young people and families are clear about what to expect, and we will seek to improve where we can. We will press ahead with implementing our Safer Surrey Approach, which will allow us to identify and build on the strengths of families, whilst also managing the risks that children and young people may be facing.

#### **How will we achieve this priority?**

- We will increase the transparency of our Children's Services assessment processes, so that children, young people and families are clear about what to expect and how services can be accessed
- We will work with families to improve our processes, whilst also being clear and open about the things that are required to comply with our statutory requirements
- We will press ahead with implementing our Safer Surrey Approach, which seeks to identify and build on the strengths of families, whilst also managing the risks that children and young people may be facing

**3) Enabling children, young people and families to have choice and control over their short breaks** – we want to increase choice and control for children, young people and families as part of the short breaks offer. This will mean developing the market for short breaks so that more options are available and increasing the role of children, young people and families in decision making about the services that meet their needs. At a provider level, we will be looking for organisations to co-design and co-produce services in an equal and reciprocal relationship with children, young people and families. We will continue to support growth in the use of direct payments for families who are able to access these.

#### **How will we achieve this priority?**

- We will be looking to providers to increase local commissioning of services, through co-design with children, young people and parents
- We will encourage families to pool their resources to buy short breaks that better meet their needs
- We will continue to build on the success of personal budgets in Surrey, increasing choice and control for families to design packages of support and improving the support and advice we offer
- We will ensure that commissioned services are at an affordable level for families

### **2.3.4 What do our priorities for strategic influence mean?**

**1) Developing more inclusive communities and mainstream services, allowing the fullest possible participation of children and young people with SEND and their families** – children and young people with SEND, and their families have told us how they want more opportunities to access their local community – the sorts of opportunities that others might take for granted. By developing more inclusive communities we will help children and young people to develop their independence and readiness for adulthood and provide greater choice to families about the resources they can access.

#### **How will we achieve this?**

- We will work with our partners to develop more opportunities for children and young people with SEND, and their families within their existing services
- We will look to our short breaks providers to forge local links and partnerships with mainstream community groups and clubs, to share their learning and expertise
- We will work with partners to develop and promote inclusive opportunities for children and young people with disabilities in mainstream settings, such as health services, youth services and sports clubs.

**2) Enabling children, young people and parent carers to support one another through peer relationships and networks** – children, young people and families themselves are one of our most vital assets. They have told us they would like more opportunities to support and be supported by one another, as they have experience and learning to share and feel that their peers can better understand their situation.

#### **How will we achieve this?**

- We will look to our different partners and short breaks providers to work together to develop more opportunities for families to network and support each other, building on the many initiatives that already exist - some examples of these might include: coffee mornings; developing local parent carer networks; informal or formal buddying schemes; or opportunities to share their experience and ideas with others.
- We will continue to work with Family Voice Surrey to develop solutions that mean families feel less isolated, that they are listened to and that they can share their experience and expertise

### **3 Outcomes for children, young people and families**

We are taking an outcome-based approach to this commissioning strategy. This means focussing on the outcomes (positive changes in the lives of children, young people and families) that we want to achieve through our short breaks, rather than describing what services we want delivered. During 2016, we have worked with children, young people and families to co-design the outcomes that they would like short breaks to help them to achieve. These are set out in our short breaks outcomes framework, which includes our overall and supporting outcomes, as well as “I” statements that describe what these overall points mean for individual families. This outcomes framework will be at the heart of all our short breaks commissioning and is provided at the end of this document.

### **4 National context**

Under the **Children Act 1989**, disabled children are defined as children ‘in need’. As such, they are eligible for support under the general duty on local authorities established by Section 17(1) of the Act to ‘safeguard and promote the welfare of children in need in their area through providing a wide range of services’. Statutory assessments of disabled children are governed by statutory guidance, Working Together to Safeguard Children 2015.

The **Children and Young Person’s Act 2008** requires local authorities to provide short breaks services that are designed to assist individuals who provide care for disabled children to continue to do so, or to do so more effectively by providing them with breaks from caring.

The **Breaks for Carers of Disabled Children Regulations 2011** (also referred to as the ‘short break duty’) prescribed the manner in which local authorities must make provision for short breaks for carers of disabled children and young people in their

area. The regulations state that local authorities must have regards to the needs of those carers who caring and the needs of those carers who would be unable to continue to provide care unless a break was offered to them.

In performing their duty, the local authority must provide, as appropriate, a range of: daytime 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; and services available to assist carers in the evenings, at weekends and during the school holidays.

The **Children and Families Act 2014** made a range of changes to Local Authorities duties in relation to children and young people with special educational needs and disabilities: extending the SEND system from birth to 25; introducing Education, Health and Care Plans, to improve planning between agencies to meet the needs of children and young people; and giving children, young people and their parents greater 'choice and control' in decisions, to ensure their needs are properly met.

The **Care Act 2014** strengthens the rights and recognition of carers in the social care system. Carers and the people they care for have a clear right to an assessment of their needs regardless of their income and finances and level of need.

The council expects providers to keep up to date with future legislative changes which would have an impact on short breaks services for disabled children and young people.

Please note that where children and young people access 75 days of respite a year they become 'looked after', even though they still live in shared arrangements.

## 5 Local context for re-commissioning short breaks

Surrey currently has a well-established short breaks offer, including play and leisure services, specialist residential opportunities, personal care and support services, and also personal budgets for some families. We are looking to build on the strengths of this offer and improve where we can.

SEND 2020 is Surrey County Council's programme to improve the offer to children and young people with SEND and their families. Short breaks are a key part of this programme and we will seek to commission services that support and complement this overall initiative.

## 6 Surrey County Council's budget position

Surrey County Council's Medium Term Financial Plan includes provision for continuing short breaks funding at the current level, although there is a need to address a current budget overspend in relation to current residential respite provision. This funding acknowledges the vital preventative role played by these services in offering early help to families when it is needed. Overall, the council is facing unprecedented financial pressures, due to significant funding reductions from central government and rising demand for services. Considering this financial context, we are particularly interested in working with partners who are developing models that are sustainable, flexible and resilient, drawing increasingly on social capital to improve outcomes, grow capacity and enhance geographic reach, range and quality of short breaks that are available.