

Summary Sheet

Council Report – Commissioner Newsam’s Decision Making Meeting – Tuesday 12th January 2016

Title- Disability Short Breaks Commissioning Intentions

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

Ian Thomas, Strategic Director, Children and Young People’s Service

Report Author(s)

Nicole Chavaudra, Joint Assistant Director - Commissioning, Performance and Quality

Ward(s) Affected

Short Breaks are delivered borough wide

Executive Summary

There is a statutory duty for all Local Authorities to publish a Short Breaks Statement. The Short Breaks Statements must be reviewed annually and include information for services, practitioners, parents, carers and young people in their area and include:

- Details of the range of short breaks services provided;
- How to access the criteria against which eligibility to services will be assessed;
- How the range of services is designed to meet the needs of children, young people and carers.

This reports sets out background information on the development of a Needs Analysis to inform the 2015-16 Short Breaks Service Statement and the proposed

approach to the commissioning of Short Breaks provision post 31 March 2016, when current contracts cease.

Recommendations

- That Commissioner Newsam approves the proposed approach to Disability Short Breaks Commissioning post 31 March 2016.

List of Appendices Included

- Short Breaks Needs Analysis 2015-16 (Appendix 1)
- Short Breaks Statement 2015-16 (Appendix 2)
- Future Commissioning Options (Appendix 3)

Background Papers

- SEND Joint Commissioning Strategy

Consideration by any other Council Committee, Scrutiny or Advisory Panel

The report was endorsed by CYPS Directorate Leadership Team on 9th November 2015 and was published on the December 2015 Forward Plan.

Council Approval Required

Yes

Exempt from the Press and Public

No

DISABILITY SHORT BREAKS STATEMENT AND COMMISSIONING INTENTIONS

1 Recommendations

- 1.2 That Commissioner Newsam approves the proposed approach to Disability Short Breaks Commissioning post 31 March 2016.

2 Background

2.1 Short Breaks Needs Analysis 2015-16

An analysis of Short Breaks need has been undertaken. The Needs Analysis incorporates demographic information of service users and potential service users, met and unmet need, and makes recommendations on how to take the service forward.

Met need details what is currently available in Rotherham and how this addresses the needs of service users, including how the Council has acted on previous consultation.

Unmet need looks at stakeholder views of the current service and how the service could be improved. This information is based on consultation with:

- Children and Young People
- Parents and Carers
- Service Providers
- Universal Services

The Needs Analysis resulted in a number of recommendations which have been included in the Short Breaks Statement. The Needs Analysis is attached at Appendix 1.

2.2 Short Breaks Statement 2015-16

The Short Breaks Duty requires that the Council reviews the Short Breaks Statement and publishes an update on an annual basis.

The Statement has been updated by building on the Needs Analysis and working with partners and stakeholders to gather their views. A self-evaluation of the 2014-15 Statement was also undertaken by several officers involved in the Short Breaks programme. .

The refreshed draft Short Breaks Statement 2015-16 is attached at Appendix 2 and sets out current provision and recommendations which will be investigated and implemented, where applicable, during the year.

The statement has been made available electronically on the Council's webpage: www.rotherham.gov.uk/shortbreaks and on the SEND Local Offer website: www.rotherhamsendlocaloffer.org. Parents and carers of children on the voluntary disabilities register will be sent a copy of the

statement via the post and an electronic version will also be sent to mainstream and special schools across the Borough.

2.3 Commissioning Activity

Short Breaks provision was re-procured from 1 April 2014 for a period of two years and comprises of the YMCA 'Yours Project' Weekday Evening Project, the YMCA 'Yours Project' Weekend Project and the RMBC Autism Communication Team 'Chat n Chill' Project.

The current commissioning arrangements for Short Breaks provision has resulted in a range of activities that are of high quality and show a high level of satisfaction from young people and parents/carers. There is also a high level of uptake of the Short Breaks provision that has been procured.

The providers will, as in previous years, work alongside officers to implement the recommendations outlined in the Short Breaks Statement.

The current contracts for Short Breaks provision end on 31 March 2016. As such it is necessary to consider the options for future provision and agree the way in which we commission, so as to ensure that we have a robust menu of Short Breaks provision in place for 1 April 2016 to meet our Short Breaks Duty and the Children and Families Act requirements.

3 Key Issues

- 3.1 Current Short Breaks arrangements are procured on a block contracting basis, which does not allow provision to be responsive to personalisation or personal budgets. The offer of personal budgets to families is a requirement of the Children and Families Act.
- 3.2 The block contracting arrangement discourages the local market place developing in a way that is flexible and meets individual needs.
- 3.3 There are also capacity issues and pressures in relation to current provision i.e. there is limited provision for children aged 5-11 years and limited provision over the summer period.

4 Options Considered and Recommended Proposal

- 4.1 There have been three future options for commissioning Short Breaks that have been developed and considered:
 - 1. to re-procure on a block contract basis;
 - 2. to develop an approved provider framework with full personal budgets, or;
 - 3. to re-procure Short Breaks provision with a reduced budget and retain some budget to undertake a personal budget pilot project.These options are outlined at Appendix 3.

- 4.2 The three options were consulted upon at a meeting with Short Breaks providers and also at a meeting with parents and carers from the Rotherham Parents' Forum and the National Autistic Society Rotherham. The favoured option across all of those consulted was option 3, which is the recommended action.
- 4.3 The recommended option is to undertake a competitive tendering exercise in late January 2016, with a view to having providers in place from 1 April 2016 with flexible contracts that reflect the introduction of personal budgets and allow providers to income generate.
- 4.4. In addition, with the remaining budget, there would be a personal budget pilot with a representative sample of between 20 and 40 families, with a Resource Allocation System (RAS) in place that would determine the level of personal budget. These families would be able to either purchase from the procured Short Breaks provision or from a provider of their choosing. The pilot would be subject to ongoing evaluation within 2016/17 and if successful would be further rolled out in 2017/18 and 2018/19. If not all the budget for the pilot was used it would be returned as a contribution to savings at the end of the financial year.

The contracts with Short Breaks providers would be for a three year period from 1 April 2016 to 31 March 2019. The current budget for commissioned Short Break activity is £347,250 and we propose that the budget be £295,162 (a 15% reduction on the current level) in 2016/17 and then further 15% reductions in 2017/18 and 2018/19. There would be flexibilities built into the contracts to allow these allocations to reduce further if the take-up of personal budgets exceeds expectations.

It is important to point out that although the funding for directly commissioning Short Breaks activity will reduce year on year, the current budget level of £347,250 would have to remain for at least 2016/17, as these monies would be required to fund the personal budget element of Short Breaks.

Alongside the Short Breaks pilot and new commissioning approach, it is crucial that we develop the local Short Breaks market, so as to ensure that there is a range of alternative provisions that families could purchase with their personal budgets. There will therefore be work undertaken by Commissioners and Disability Leads to develop the market in partnership with the local Voluntary and Community Sector.

5 Consultation

- 5.1 There has been extensive consultation with young people, parents/carers and key stakeholders in the development of the Short Breaks Needs Analysis, particularly around their views on current provision and what they would like to see going forward. This consultation formed the basis of the recommendations outlined within the document.
- 5.2 The Short Breaks Statement is based upon the key recommendations

that came out of the Needs Analysis and the draft Statement has been consulted upon with parents/carers and key stakeholders.

- 5.3 The future commissioning options were consulted upon with current providers and separately with parents/carers, and their preferred options were taken into account when formulating the recommendation going forward.

6 Timetable and Accountability for Implementing this Decision

- 6.1 The recommendation outlined in section one of this report requires approval by Commissioner Newsam's Decision Making meeting on 12 January 2016.

7 Financial and Procurement Implications

- 7.1 The contracts with Short Breaks providers would be for a three year period from 1 April 2016 to 31 March 2019. The current budget for commissioned Short Break activity is £347,250 and we propose that the budget be £295,162 (a 15% reduction on the current level) in 2016/17 and then further 15% reductions in 2017/18 and 2018/19 to £250,888 and £213,255 respectively. There would be flexibilities built into the contracts to allow these allocations to reduce further if the take-up of personal budgets exceeds expectations.

It is important to point out that although the funding for directly commissioning Short Breaks activity will reduce year on year, the current budget level of £347,250 would have to remain for at least 2016/17, as these monies would be required to fund the personal budget element of Short Breaks.

8 Legal Implications

- 8.1 The draft contract and associated tender documentation will be shared with Legal Services prior to a tendering exercise being undertaken.

9 Human Resources Implications

- 9.1 Consideration will need to be given to the staffing resource which will need to be allocated to support the transition and maintenance of a Personalised Budget approach. There are currently in the region of 500 families accessing Short Breaks, not all will be eligible for a personalised Budget once the assessment tool is initiated. However those that meet the criteria will require an assessment and regular review.

10 Implications for Children and Young People and Vulnerable Adults

- 10.1 The recommendations outlined in this report will have a positive impact for children and young people and their families, as the Short Breaks Statement promotes the Short Breaks provision that is available in Rotherham and is also the vehicle for taking the service improvements that children and young people and their families have requested.

- 10.2 The recommended commissioning approach will have a positive impact for children and young people and their families, through introducing personal budgets and personalised Short Breaks.

11 Equalities and Human Rights Implications

- 11.1 There are no negative impacts identified as a consequence of taking forward the recommendations identified within this report. The recommendations will bring about a positive contribution to promoting equality, as Short Breaks provide a range of respite opportunities for disabled young people and their parents/carers.

12 Implications for Partners and Other Directorates

- 12.1 There are no identified negative implications for partners and other directorates. The recommendations will have a positive impact on promoting relations with the voluntary and community sector.

13 Risk and Mitigation

- 13.1 Failure to publish a short breaks statement would be a breach of the council's legal requirement.
- 13.2 The Short Breaks market is currently under-developed and there will, in all likelihood, be limited Short Break activities for families to purchase other than the commissioned activity. To mitigate this risk, there will be work undertaken in 2015-16 and beyond to develop the local market.
- 13.3 The introduction of personal budgets may cause financial pressure on the Short Breaks budget, as it's unclear as to what the RAS scores would be and therefore there may be more higher level packages than anticipated. The process would also be challengeable. To mitigate this risk, a robust RAS will be developed and there will be ongoing evaluation built into the pilot project.

14 Accountable Officer (s)

- 14.1 Nicole Chavandra, Joint Assistant Director - Commissioning, Performance and Quality.

Approvals Obtained from:-

Strategic Director of Finance and Corporate Services:- Joanne Robertson

Director of Legal Services:- Neil Concannon

Head of Human Resources: Paul Fitzpatrick