

**CABINET MEETING – 13 March 2013**

**EXECUTIVE SUMMARY SHEET – PART I**

**Title of Report:**

Commissioning of Short Breaks for Disabled Children from September 2013

**Author(s):**

Executive Director Children's Services

**Purpose of Report:**

To seek the agreement of Cabinet to procure Short Breaks for disabled children from September 2013 for a period of three years

**Description of Decision:**

That Cabinet:

- a) note and consider the process and consultation undertaken to shape and influence the commissioning of Short Breaks for disabled children
- b) agree that these services can be procured for a period of three years from September 2013; (with a break clause exercisable by the Council. This break clause needs to be inserted due to the right from September 2014 for families to request individual budgets)
- c) Agree to receive a further report in October 2013 on the outcomes of this process.

**Is the decision consistent with the Budget/Policy Framework? \*Yes/No**

**If not, Council approval is required to change the Budget/Policy Framework**

**Suggested reason(s) for Decision:** Existing contracts had already been extended by 12 months to end of July 2013 on the understanding that there would be a full re-commissioning of contracts from July 2013. Following consultation they have now been further extended to the end of August 2013 so that there is not a change of provider during the school summer holidays. The new contracts will be based upon new specifications focusing on outcomes for children and young people. Extending existing contracts would not allow this important improvement to be made

**Alternative options to be considered and recommended to be rejected:**

Extension of current contract not possible as it has already been extended.

**Impacts analysed:**

Equality  Privacy  N/A Sustainability  N/A Crime and Disorder  N/A

**Is this a "Key Decision" as defined in the Constitution? Yes/No**

**Is it included in the 28 day Notice of Decisions? Yes/No**

**Scrutiny Committee**



**COMMISSIONING OF SHORT BREAKS FOR DISABLED CHILDREN****REPORT OF THE EXECUTIVE DIRECTOR OF CHILDREN'S SERVICES****1. Purpose of the Report**

- 1.1 To seek the agreement of Cabinet to procure Short Breaks for disabled children from September 2013 for a period of three years.

**2. Description of Decision (Recommendations)**

- 2.1 That Cabinet:
- a) note and consider the process and consultation undertaken to shape and influence the commissioning of short breaks disabled children;
  - b) agree that these services can be procured for a period of three years from September 2013;
  - c) agree to receive a further report in October 2013 on the outcomes of this process.

**3. Introduction/Background**

- 3.1 In April 2011 the *Regulations on Breaks for Carers of Disabled Children* placed a statutory duty on English local authorities to prepare a statement for parents and carers on what short break services are available and how they can be accessed. The regulations state that local authorities must provide a range of services for disabled children, both within and outside the home, in the evenings, at weekends and during school holiday periods.
- 3.2 Sunderland's Short Break Statement states; "*For disabled children who require additional support to access leisure activities, and for those whose family need more breaks from caring to support them in continuing to care for their disabled child at home, a range of short break services may be available following an assessment*".
- 3.3 Short breaks cover a range of services designed to promote inclusion and enable disabled children and young people to have a positive experience doing purposeful, fun activities, while also giving their parent/carer a break from caring. These short breaks are delivered after school, and/or at the weekend and/or in the school holidays.
- 3.4 The current contract for short breaks has been in place since 1<sup>st</sup> August 2009. This was commissioned as part of the Aiming High for Disabled Children programme. The original 3 year contract was extended from 31<sup>st</sup> July 2012 for 1 year and following consultation has been further extended until the 31<sup>st</sup> of August 2013 so that there is not a change of provider during the school summer holidays.

#### **4. Current Position**

- 4.1 There are three strands to the current short break service. These are After School Provision, Weekend Clubs and School Holiday Activities. There are currently 13 activity providers. All are Special Schools and Youth based organisations based in Sunderland, apart from Houghall College which is based in Durham. The activities are all held in Sunderland apart from trips to Houghall College.
- 4.2 The After School Provision is specialist after school provision provided for children who have a range of disabilities and/or complex health needs. Most of these children require additional support and some have personal care needs.
- 4.3 The Weekend sessions are group activities including supported sports activities, play activities and outings to various local places. Most of the children accessing these sessions require additional support and some have personal care needs.
- 4.4 School Holiday Activities are provided through specialist provision for children who have a range of disabilities and/or complex health needs. Most providers are Sunderland schools. The majority of these children require additional support and have personal care needs.

#### **5. Commissioning intentions**

- 5.1 To ensure that Sunderland has a wide range of short breaks available for families, a full commissioning and procurement exercise has commenced. This has included a full consultation with families, both those using short breaks and those not currently accessing the provision, providers, staff from the disabled children's service and carers' organisations.
- 5.2 A current needs analysis is being produced from these consultations which will provide the evidence base to inform the re-commissioning of short breaks. The needs assessment document will be used to ensure the future Short Break service is fit for purpose and develop a commissioning strategy that meets our obligations.
- 5.3 Included within the Commissioning intentions is the need to ensure that the range of short breaks commissioned reflect the needs of the child and family in terms of culture, gender, age and additional needs. The consultation has identified the need to increase access for children with disabilities from Black and Minority Ethnic backgrounds as many are not currently accessing short breaks. In terms of types of disability, the range of short breaks will need to meet the needs of an increasing proportion of children with autism or behavioural problems, and also complex health needs. All providers will be required to demonstrate commitment towards equality of opportunity for disabled children and young people.
- 5.4 The intention is to re-commission for a 3 year period with a break clause exercisable by the Council. This break clause needs to be

inserted due to the right from September 2014 for families to request individual budgets.

## **6. Next Steps**

6.1 Should Cabinet approve the recommendation to procure new services for short breaks for children from September 2013 the timeline to progress this is broadly as follows:

- March/April 2013 - Evaluation criteria developed and procurement exercise begins
- May/June 2013 - Evaluation of tenders and engagement with providers
- June 2013 - Award of contracts
- September 2013 - New services begin

## **7. Financial Implications**

7.1 The total available budget for 2013/14 is £318,225.

## **8. Legal Implications**

8.1 The procurement of new services will be undertaken in accordance with the Council's procurement procedures with the intention to begin new services from 1st September 2013.

## **9.1 Reasons for the Decision**

9.1 Existing contracts have already been extended by 12 months to end of July 2013, and are being extended for a further month until 31<sup>st</sup> August 2013, on the understanding that there would be a full re-commissioning of contracts from September 2013. In addition, the new contracts will be based upon new specifications focusing on outcomes for children and young people and extending existing contracts would not allow this important improvement to be made.

## **10. Alternative Options**

10.1 The alternative option would be to further extend current contracts. However the contracts have already been extended twice and as the contract terms do not now provide expressly for an extension this option could be subject to a successful legal challenge. Also a further extension would not provide the most effective method of delivering this service as it would not take reflect the current needs assessment or the focus upon outcomes.

## **11. Relevant Considerations/Consultations**

11.1 Consultation has been extensive and is described above at Section 5 above.

## **12. Impact Assessment**

- 12.1 An equality impact assessment will be completed as part of the commissioning process and factored into the timeline. The service specification requires all providers bidding to deliver service to undertaken their own equality impact assessment. Sunderland City Council will require all service providers to comply with the Council's Equality Policies.

**13. Background Papers**

None