

The Breaks for Carers of Disabled Children Regulations 2011

Service Statement October 2011

Hampshire County Council and NHS Hampshire

Introduction

1. The Breaks for Carers of Disabled Children Regulations 2011 requires local authorities to provide services to assist individuals who provide care for disabled children to continue to do so, or to do so more effectively, by giving them breaks from caring.
2. The Regulations define a disabled child as: “a child is disabled if he is blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed”.
3. The Regulations also define short breaks as a range of services which are sufficient to assist carers to continue to provide care or to do so more effectively. In particular, the local authority must provide, as appropriate, a range of:
 - (a) day-time care in the homes of disabled children or elsewhere;
 - (b) overnight care in the homes of disabled children or elsewhere;
 - (c) educational or leisure activities for disabled children outside their homes;
 - (d) services available to assist carers in the evenings, at weekends and during the school holidays.
4. Under the Regulations, Local Authorities must also consult with parents, carers and others and publish, by October 2011, a short break service statement addressing the following issues:
 - (a) the range of services provided;
 - (b) any criteria by which eligibility for those services will be assessed, and;
 - (c) how the range of services is designed to meet the needs of carers in their area.

The statement must be reviewed and updated.

Consultation

5. In order to assist the County Council and NHS Hampshire in developing services for disabled children and their carers, a service agreement has been established with Barnardos and The Rose Road Association to work in partnership to develop a Parent Voice and a Parent Forum.

6. Between 2009 and 2011 consultation has been undertaken with existing service users, a broad range of stakeholders and through the emerging Parent Voice and Parent Forum, with a particular focus upon the following areas:
 - Development of short break services within the former Aiming High for Disabled Children programme, and for the continuation of services from 2011/12 when the former grant ended;
 - Eligibility criteria for services to those with complex needs.
7. Work is also underway to develop Local Children's Partnerships to provide greater engagement with schools and other agencies on a local basis; Parent Voice and Parent Forum representatives will be included as the Partnerships develop. Over time these Partnerships will monitor and co-ordinate how local services are meeting need and could undertake local commissioning of services.

Service Statement

8. Services to support carers of disabled children are provided in three key areas:
 - a) to those children with complex needs following an inter-agency needs assessment;
 - b) to children who are likely to attend a special school or who are eligible to claim higher rate Disabled Living Allowances. These services are provided without a needs assessment;
 - c) Support for any child or young person who has a disability or needs support to access a broad range of community services in leisure and recreation activities through a 'Gateway Card'. This support is provided without a needs assessment.

Services to those disabled children with complex needs

9. Services to children with complex needs are offered following a needs assessment, jointly undertaken with Health and other agencies as necessary to ensure continuity in meeting social care and health care needs.
10. The criteria for undertaking a needs assessment and for making service decisions were reviewed following consultation in 2010; the revised eligibility statement was agreed by the Executive Lead Member for Children's Services in March 2010. Guidance has been made available to local managers to ensure equity of approach. The criteria and a flow chart showing the process of assessment are attached to this service statement.
11. In the order of 900 children and young people are accessing services following a needs assessment and the application of the eligibility criteria. These services include the full range of provision referred to in the Regulation, in particular:-
 - Overnight short breaks in a residential setting, in some cases provided jointly with NHS Hampshire where health care needs exist;

- Sitting services in the home, including during evenings;
- Access to family link carers for overnight and day breaks away from the family home;
- A range of local leisure and educational activities and after school and week end clubs;
- Day care, including in children's centres and with registered childminders;
- Direct payments for parents who wish to make their own arrangements for services.

12. In addition to these services, specifically for those with complex needs, many of these children will be eligible to also access targeted short break services developed within the former Aiming High for Disabled Children programme.

Targeted short break services for those children likely to attend a special school or who are eligible to claim higher rate disabled living allowances.

13. A range of targeted short break services are available for all children who are likely to attend a special school or are eligible to claim higher rate DLA. These services are available without a needs assessment and are provided directly by some schools and independent sector organisations, supported by grants and contracts. Many of the services are provided within local sport, arts and leisure services.

14. These services are targeted to over 3600 children and young people in Hampshire and during 2010/11 over 2300 children made use of these services. It is anticipated access will increase to 75% of the target group during 2011/12 (in the order of 2700 children and young people).

15. Hampshire County Council has identified a budget of £3.25m for these services in 2011/12, which includes an additional £1m in 2011/12.

16. Services provided in special schools are directed by engagement with parents and it is intended that Local Children's Partnerships will develop, during 2011/12, a greater engagement with parents to ensure an integrated local service opportunity.

17. These targeted services include:-

- A broad range of local after school, weekend and school holiday activities;
- Special activity schemes for children with complex needs, where integration within local day care, sport and leisure services may not be possible;
- A buddy scheme developing in 2011/12 to support older disabled children accessing local services;
- Provision of individual care support to facilitate access to local services where necessary;
- A number of special theme days during school holidays – sports taster days and art, drama and music events;
- A pilot to consider if some form of voucher scheme could be made available, including perhaps by extending the existing Direct Payment scheme.

Gateway Card

18. Following consultation with parents, a Gateway Card has been introduced to encourage any child or young person to access a broad range of short break activities.
19. The approach encourages families to register their needs and interests in order that when they approach service providers, duplication of information gathering can be reduced.
20. Once a family approach a service, support will be offered to the service to meet the additional needs of children and young people in order that they may have access to a wide range of local leisure, sport, music, art and drama activities.
21. Within this arrangement families would pay for access to the service in the usual way and any additional support needs will be funded from the short break budget.

Resources

22. Hampshire County Council and NHS Hampshire work in close partnership to assess the needs of disabled children and their carers and also to commission and provide some joint services.
23. Considerable consultation has been undertaken with existing service users and a broad range of stakeholders to review the eligibility criteria for access to services for those with complex needs; also to develop a broad range of short break services within the former Aiming High for Disabled Children programme. This work has assisted the County Council in addressing equity of opportunity at a local level and in identifying resources to support the intended target population, expressed within the eligibility criteria and targeted service options for disabled children and their carers.
24. The following sets out some key facts regarding resources and service targeting:-
 - Over 900 children and young people access services for those with complex needs following a needs assessment;
 - Over 350 children and young people used a residential overnight short break service in 2010/11, for on average 27 nights a year;
 - The overall service provision budget for those with complex needs was £11m in 2010/11;
 - Over 2300 children and young people accessed the short break service targeted to those attending a special school or eligible to claim higher rate DLA;
 - The budget for the targeted short break services is £3.25m in 2011/12.

Consultation and review of the service statement

25. Local Children's Partnerships are developing, which will support better opportunities for engagement with parents of disabled children. This work is supported by Parent Voice and the emerging Parent Forum and will provide a local means to ensure monitoring of services and to review future needs and service requirements.
26. The Gateway Card will provide further information to support service review and planning.
27. It is intended that the position is reviewed by each Local Children's Partnership by 2012, in order that any necessary service re-design can be considered as the budget for 2012/13 is confirmed.
28. Subject to guidance it is intended to review, undertake the necessary consultation and to publish a service statement before April 2013.
29. This review and consultation process is likely to focus upon the following key issues:
 - Take up and equity of opportunity for those interested in the short break service targeted to those likely to attend a special school or eligible to claim higher rate DLA;
 - The pattern of targeted short break services available, including the balance of opportunity in school holidays and during term time evenings and weekends;
 - For those with complex needs, to consider the pattern of overnight residential short break service in relation to more local alternative overnight short breaks provided by family link carers and sitting services. In particular, to consider equity of opportunity and the need to develop a greater choice of an overnight short break;
 - The development of the existing Direct Payment scheme towards personalised budgets to support greater choice of a local service.

Eligibility Criteria for accessing services for those with complex needs

In order to achieve outcomes appropriate to their potential, and as a result of their disability, the child requires total or substantial support, appropriate to their age, from another person, which is not available within the family network

For example

- Child uses specialist equipment for mobility
- Child requires support for all basic self care functions when no longer age appropriate.
- Child needs constant supervision throughout the day and for prolonged periods at night when no longer age appropriate
- Child has behaviour as a result of disability that is a serious risk to self and/or others, including self harm.
- Child has communication needs which, without support, severely affect personal safety. i.e. deaf, blind, without speech.
- Child has been assessed as having Profound and Multiple Learning Disability, Severe Learning Disability, or Autism with challenging behaviour, which results in a significant risk of self harm or harm to others

Eligibility Criteria – process flow chart

