



Brent Short Breaks Statement

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Introduction

On April 1st 2011, the Government introduced 'the Breaks for Carers of Disabled Children Regulations 2011' These Short Breaks Regulations provide detail on how Brent Council must perform its duty under the Children and Young Persons Act 2008 to provide, as part of the range of services it

provides for families, **breaks from caring for carers of disabled children to support them to continue to care for their children at home** and to allow them to do so more effectively. The Short Breaks Regulations requires Brent to do three things:

- to ensure that, when making short break provision, it has regard to the needs of different types of carers, not just those who would be unable to continue to provide care without a break;
- to provide a range of breaks, as appropriate, during the day, night, at weekends and during the school holidays; and
- to provide parents with a short breaks services statement detailing the range of available breaks and any eligibility criteria attached to them.

The short breaks services statement must state:

the range of short breaks services available;

the criteria by which eligibility for services will be assessed; and

how the range of services is designed to meet the needs of families with disabled children within their area.

This Statement therefore sets out how Brent Council will discharge its duties in line with these regulations to meet these aims.

The Legislation

In addition to these duties under the Short Break Regulations, the provision of short breaks needs to take into account other legal requirements, such as

- Section 10 of the Children Act 2004, which provides the legal basis for partnerships working between Brent Council, local health authorities and other relevant parties. These may be used for the planning and delivery of short breaks services.
- Section 6 of the Carers and Disabled Children Act 2000, which places Brent

under a duty to carry out an assessment of a carer's needs when an assessment of the child as a 'child in need' is being completed and a carers assessment is requested by the parent.

- Under the Equality Act 2010, Brent is required to ensure its services are accessible to disabled people, to promote equality for disabled people, and to encourage their participation in public life.
- In Section 507B of the Education Act 1996, Brent is also required to ensure disabled young people aged between 13 and 25 have access to sufficient educational and recreational leisure-time activities which are for the improvement of their wellbeing.
- Section 17a of the 1989 Children Act places a duty on Brent to provide families the choice of receiving a direct payment in lieu of the support they would have been provided with under this Act.

Disabled Children Social Care Services in Brent

The Disabled Children Service in Brent is undergoing a review of its service structure to establish the most effective and accessible way in which families with a disabled child can access social care services including short breaks. Currently the service is divided into an Early Years team for children aged 0-5, co-located with the Child Development Service at the Wembley Centre for Health and Care, a Middle Years team for children aged 6-13 and a Transition team for disabled young people aged 14-18, both co-located with the Special Educational Needs and Assessment Service at Chesterfield House in Wembley. It is proposed that from April 2012, the service will be restructured in to a 0 -13 Disabled Children team and a Transition Team for young people aged 14 – 25 which will be based in Adult Services.

These proposals will be the subject of full consultation with parents and young people as well as other stakeholders. It is argued that establishing only 2 teams to work with parents and disabled children and young people will reduce the number of transitions that parents experience from team to team which currently takes place, will allow the 0-13 team to develop integrated working and care co-ordination across key agencies as well as the 'team

around the child' model and will allow transition planning for young disabled people to begin at an earlier age.

What is a Short Break?

A short break is defined as

- The provision of day-time care for disabled children in both their own homes and elsewhere, including befriending, sitting (for example where someone is commissioned to look after a child who for example cannot leave home) and sessional services;
- Provision of overnight care for disabled children in both their own homes and elsewhere;
- Provision which will enable disabled children to participate in educational and recreational activities; and
- Emergency care, for example, due to illness in the family.

The range of short break services available in Brent is:

Care within the family home – Brent Council commissions carers from a number of local registered domiciliary care providers to provide short breaks during the day, after school and at weekends within the family home. This can also include a carer accompanying a child to access social, leisure and recreational activities within the community agreed with the parents following a risk assessment to ensure these activities are accessed safely.

Brent Council acknowledges the need to ensure that the carers provided are equipped to deliver appropriate care specific to the child's needs. Brent is currently planning to tender for the future provision of domiciliary care services for disabled children and will invite suitable providers to bid to be approved under a 'Framework agreement' with the Council. Providers can bid for approval under 3 separate 'lots' to provide care to

- Disabled children with no additional needs
- Disabled children with complex health care needs
- Disabled children with challenging behaviour related to their disability

Providers will only be offered a Framework agreement if they meet stringent selection criteria approved by the Council Executive Committee.

The Council also contracts with voluntary sector providers to provide care within the home to disabled children funded through the Early Intervention Grant and currently commissions the National Autistic Society and the Asian Peoples Disability Alliance to provide these services within Brent. Parents can refer directly to these agencies if they meet their referral criteria.

Overnight care within the family home and elsewhere

Registered domiciliary care providers can also provide overnight care within the family home where it has been assessed that the disabled child requires care and supervision at night at a level and frequency which it would not be reasonable to expect a parent to provide. Parents will be encouraged to work with the specialist CAMHS service for advice and guidance on establishing an appropriate night time routine which minimises the need for support in this area and enables their short breaks to be provided during waking hours to the benefit of the child.

Brent is committed to offering parents choice in the provision of their short breaks and understands that parents may prefer the break to take place away from the family home. Following a review of the provision of residential short break services, Brent plans to relocate residential short breaks previously provided both at Clement Close and Crawford Avenue to Clement Close, which will be reconfigured from February 2012 to offer short breaks to both children with a physical and a learning disability. In addition, Brent is planning to open later in 2012 a purpose built residential short breaks unit on the site of the new Village school, which is also currently being rebuilt. Clement Close will then be decommissioned.

For younger children, where the provision of residential care is not in their best interests, overnight breaks can be provided by approved short break or Family Link foster carers.

Disabled children can also be provided with residential short breaks with other registered providers – such as residential schools with a short break service or private or voluntary sector residential units - where it has been assessed

that the child requires specialist care which cannot be provided by Brent's own residential unit, or where the child requires a continuity of care between their educational and care support which only their school can provide.

Day Care

Whilst all children between the ages of 3 to 5 are entitled to 15 hours per week nursery grant, this grant does not cover the additional day care costs for disabled children of this age. It is also recognised that disabled young children may require access to day care provision at an earlier age to promote their development and provide parents with short break support. In addition, mainstream day care settings may not be able to meet the special care needs of the disabled child. Brent therefore offers specialist day care provision for disabled young children who are assessed to be in need of additional support, in exceptional circumstances, from the age of 2. Disabled children with complex health needs can be referred to the Willows Children Centre whilst those with autism can access day care at the Fawood Children centre or Granville Plus ASD unit. .

In addition, Brent Community Childminders, a part of the Brent Children Information Service, will put parents in touch with suitably experienced childminders who are willing to provide short breaks for disabled young children.

Educational and Recreational Activities

Disabled children have the right to access universal services providing social, leisure, recreational and educational activities to all children and all providers have the duty to make reasonable adjustments to the services they provide to ensure that no disabled child is discriminated against. Brent Libraries and Sports Services are committed to developing services which meet the needs of disabled children in partnership with other providers. In summer 2011, the Sports Service arranged a free 8-week yoga class for children with special needs. Also last summer, a play scheme was provided at the Wembley Stadium and delivered by Wembley Stadium Learning Zone which provided spaces for children with additional needs. Future initiatives include Brent

Home Library service which is currently developing its services to be more accessible to disabled children.

Access to educational and recreational activities for disabled children can also provide parents with short breaks. Where a disabled child has additional needs which prevents them from accessing activities offered by universal providers, Brent will commission specialist play provision to meet this need. In 2011, Brent Play Services, in co-ordination with Brent Disabled Children Services, commissioned Brent Play Association, Brent Mencap and Resources for Autism to deliver play opportunities over the summer holidays to disabled children in a number of venues across the borough. Arrangements are under way to commission future play provision for disabled children in 2012. This will also include access to after school activities available at the Village School and Manor school,

To meet the needs of disabled young people, Brent also provides access to the Summer University scheme delivered by Brent Youth Service for young people aged 13 upwards who require additional support. The Youth Service also operates the Ability Youth Club at the Roundwood Club and has recently started the 'Learning 4 Life' programme; a 10 week training programme to help young people live more independently.

Direct Payments

A Direct Payment can be made to parents of a disabled child in lieu of the support they would have been directly provided with by the Council under the Children Act 1989, including short breaks. Brent Disabled Children Service encourages parents to consider a Direct Payment at the time the care plan for their child has been agreed. To enable parents to make an informed decision as to whether a Direct Payment is suitable to them, Brent commissions the Penderels Trust to provide an Independent Advisor to meet with a parent to discuss the Direct Payment and explain how the Direct Payment can be used, what responsibilities the parent has to manage the Direct Payment and what monitoring arrangements are required to ensure the Direct Payment is properly used.

To reduce the complexity of the Direct Payment scheme, Brent is also planning to introduce in 2012 a Pre Payment Card, which will allow parents to pay for short break services via a payment card pre loaded with their monthly Direct Payment and to manage their Direct Payment on line. Brent will also be able to access the Direct Payment account which will reduce the monitoring returns parents are required to submit on a quarterly basis.

By March 2012, 130 parents of children aged 0 -18 where in receipt of a Direct Payment.

Eligibility for short breaks

As part of the Aiming High for Disabled Children programme, Brent has revised its eligibility criteria for short breaks and from January 2011, introduced new eligibility criteria. This criteria falls into parts:

- Eligibility for an assessment of need
- Eligibility for short break provision following an assessment.

Eligibility for assessment

Children and young people are eligible for an assessment of their needs from the Brent Disabled Children Service when:-

- they live in the Borough of Brent and
- are under 18 years of age and
- Have a physical or mental disorder which is permanent or substantial which affects that ability to carry out day to day activities.

This may include a physical or learning disability, substantial hearing or visual impairments and includes children on the autistic spectrum and those that have challenging behaviour as a result of their learning difficulties. It also includes children who have complex health needs and who may have palliative life limiting or life threatening conditions.

Children who have mild to moderate disabilities i.e. those that do not require on going specialist support and children with emotional and behavioural difficulties which are not a result of their learning disabilities are not normally eligible for services from the Disabled Children Service. However they may be able to access services from their local Children Centre, health visitor or school and may be offered a 'Common Assessment' known as a CAF.

'Child in Need' and CAF assessments provided through the Disabled Children Service will be used to establish what support a disabled children needs to live an "ordinary life" and promote the Every Child Matters outcomes

- To be healthy
- To be safe
- To achieve economic wellbeing
- Make positive contributions
- To enjoy and achieve

Child in Need assessments will be completed using the Framework for the Assessment of Children in Need and their Families, which provides the statutory guidance for Brent Council to assess the impact of any disability on family life by considering:

- the child's developmental needs;
- the parents' parenting capacity; and
- family and environmental factors.

There are 2 kinds of 'child in need' assessments that can be completed:

An initial assessment. This may be used in Brent as an alternative to a CAF where parents are asking for limited support and we have been given lots of information about your child for example we may have a copy of your child's medical assessment from the Child Development Centre or a Statement of Special Educational Needs. This assessment has to be completed within 10 working days.

A core assessment. This is a more detailed assessment which requires contributions from health and education and can follow on from the initial assessment. This assessment has to be completed within 35 working days.

There are many things that parents may need to be asked when an assessment is carried out. Some of the examples of the questions that may be asked are:

- How does the severity of the child's disability impact on family life?
- The number of children or caring responsibilities a parent may have in addition to their disabled child
- If a parent has limited support within their social /family network
- If there are any concerns about the child or their siblings safety
- Relationships with friends, family and professionals outside of the family home
- Their financial circumstances

Carers Assessments

Brent also has a duty to assess the needs of carers, taking account of their wish to undertake work, education, training or leisure activities. It is acknowledged that parents value the opportunities to participate in ordinary everyday activities. It enables them to overcome the social isolation and stresses often associated with having a disabled child. Having a break from caring responsibilities also reinforces the long-term resilience of families to continue to care for disabled children. A Carers Assessment will be offered to parents if requested during the completion of the Child in Need Assessment. Part of the Carers Assessment will also address the issue of what emergency arrangements can or will need to be put in place in case of an emergency which prevents the parents from carrying out their caring responsibilities. Where appropriate, an emergency Care Plan will be agreed.

In addition, the impact of a child's disability on their siblings will form an integral part of the family's assessment. One of the benefits to families of a short break for their disabled child is time to attend to the needs of their non-disabled children.

Eligibility for short break support

Following the completion of a Child in Need Assessment or CAF, the eligibility for short break support will be assessed against a 'Matrix of Need' (see Appendix A). This sets out the child's needs against the 5 'Every Child Matters' Outcomes and identifies if these needs are low, moderate or high. Depending on the severity of need, the Matrix will be used to inform the decision on what level of short breaks can be offered to individual families. This decision will usually be made at the Disabled Children Resource Panel which meets monthly and will be chaired by the Head of Service for Locality and Disabled Children who will be supported by the Principal Officer for Disabled Children Social Care. The Panel will be attended by the team manager or social worker/key worker who completed the assessment. For children aged under 5, the Panel will also include representatives from Children Centres which provide specialist day care and other Early Years professionals as appropriate.

Apart from agreeing the level of short break entitlement, the Panel will also consider the most appropriate way in which the short breaks can be provided and will expect the views and preferences of the parent to be available to the Panel. As far as is reasonably practicable, the wishes of the parents will be given paramount consideration. The range of short break services that can be provided is set out in this Statement as above.

Where it is assessed that a residential short break is the best option for the child, the child will be referred to the Clement Close residential short breaks unit for an assessment whether this unit can meet the child's needs. If it is assessed that the child's needs cannot be met at Clement Close, the child will be referred to the Children's Placement Panel for a funding decision on whether a residential short break can be provided by the private, voluntary or independent sector.

Review arrangements

Once short break services have been put in place, the Disabled Children Service will review the short break care plan with the parents on a 6 monthly

basis. These reviews will be completed in line with the 'Statutory Guidance on how to safeguard and promote the welfare of disabled children using short breaks' issued in 2010.

The guidance was issued together with the Care Planning, Placement and Case Review Regulations (2010) which set out how local authorities should carry out the full range of responsibilities in relation to care planning, placement and review for looked after children, including disabled children where relevant.

The review may take the form of a 'Team around the Child' meeting, which enables other professionals for example from Brent NHS, the child's school and the care provider to be involved in contributing to the review of the care plan. Where the child is accessing residential short breaks provided by Clement Close, the review will be based at the unit. Most of these reviews will be held under 'Child in Need' arrangements and the child's care plan will be updated following the review. Where a child is receiving residential short breaks at a level significantly in excess of the standard level of support – 28 nights per year - a decision will be made prior to start of the placement whether this short break is provided as 'accommodation' under Section 20 of the Children Act 1989 and therefore whether the child should become 'looked after' whilst receiving their short break. This will involve 6 monthly 'looked after' child reviews, chaired by an independent reviewing officer

A 'local short breaks offer'

Brent Council in discussion with parents, young people and other agencies will seek to develop a 'local short breaks offer' which will present a choice of short break opportunities to families. This will enable Brent to direct resources to services, rather than funding unnecessary assessments. Families accessing a local offer would not be subject to any additional assessment but would instead provide existing evidence of a disability. For example, where a child is registered disabled or already registered with health or other local authority services relating to their disability, those registered would be able to access the local offer. Families will need to find the local offer accessible and in keeping with their wish to lead lives which are as ordinary as possible.

Not all families with disabled children require extra help as they will be sufficiently supported by **universal services**. These are services that are provided in the local community which include local leisure centres, parks and community groups. Some local services may have more targeted provisions like a hoist in a swimming pool or ramps for wheel chair access. Some children because of their complex needs require a specialist targeted service for example a specialist play schemes or trained carers to support them.

Transition and short breaks

Effective multi agency planning with young disabled people, their parent/carers and key professionals is essential for their smooth transition into adulthood. From 2nd April 2012, Brent Council will establish a Transition Service for all young disabled people aged 14 to 25 who are eligible for transition support. The Service will be based in the Adult Social Care Department, and will comprise workers from both Children and Adult Services under a unified management structure to provide an integrated approach to transition planning. The role that short breaks can play in supporting a young person's transition is crucial. Whilst short breaks can continue to support parents in their care of their young disabled person, the breaks also need to be provided in a way that supports the young person to develop their confidence, competence and independence skills and provide them with the opportunity to access social, leisure and community activities relevant to their interests and abilities. Short breaks for young people will be delivered using a Self Directed Support model, supported by Direct Payments and Individual Budgets, to enable the young person to be at the centre of the identification and management of their short breaks.

Continuing Care and Short Breaks

Brent NHS has a significant role to play in the provision of short breaks for disabled children in its area. The NHS currently directly provides and commissions short break services as part of its wider continuing care responsibilities, particularly, for example, short breaks for children with

complex health needs. For some children, this involves spending some time in a hospice. For other children, this will involve the provision of nursing care in the family home. Brent NHS also supports the local authority in its delivery of short breaks for example, by training the short break workforce and providing timely access to necessary equipment.

Joint planning for the delivery of short breaks by the local authority and Brent NHS is co-ordinated by the Tripartite Funding Panel, chaired by the Children's Health Commissioner, which meets monthly to agree an integrated approach to the delivery of short breaks for disabled children who are eligible for support from both agencies.

Continuing health care support will be agreed following a Continuing Health Care assessment, usually completed by a Community Nurse or other health professional. Brent NHS is working to implement the requirements of the National Framework for Children and Young Peoples Continuing Care (2010) in particular to establish a Health Assessor who will have lead responsibility for co-ordinating Continuing health Care assessments and developing continuing care pathways for children with complex health needs.

The option to provide Continuing Health Care support via personal health budgets is being explored by pilot NHS trusts and the Council and Brent NHS will monitor the outcome of these pilot studies to establish the viability of social care and health care support for short breaks being drawn together into one combined budget for individual families.

Consultation

Short Break Services in Brent have been developed under the Aiming High Agenda between 2008 and 2011 during which time consultations were held with both parents and young people over the delivery of social care services, including short breaks. In May 2009 Brent conducted a survey of disabled young people asking the question 'which activities do you think Brent should

be offering young people with disabilities'. The responses from the children and young people in Brent reflected those of consultations carried out nationally. Some comments made by young people were:

'I want to play more after school and go on holidays.'

"I want to be a pop star and sing!"

"I'd like there to be more evening and after school clubs, so I could play games and meet my friends"

An Aiming High survey was also conducted in which 313 completed questionnaires were returned by the parents or carers of disabled children and young people in Brent. When asked about the type of short breaks service they would like to receive to provide help and support in looking after their disabled child, parents identified a range of provision. The survey confirmed that parents and carers were overwhelmingly (48.2%) in support of short breaks for their children that have an element of activity. This is entirely consistent with the vision for short breaks which should be fun, provide opportunities for children to make new friends have new experiences and develop abilities. A large numbers of parents and carers in the survey (43.9%) expressed an interest in receiving direct payments to purchase services themselves, demonstrating a greater confidence in their own ability to provide suitable services for their children.

Parents from across Brent were also invited to attend specific focus group and consultation events. As a result of the views of twenty four parents and carers were obtained from two focus group discussions to consolidate the findings from the survey. The focus groups were conducted by Brent Council in June 2009. Two focus groups were held; one for parents with autistic children and the second for parents of children with complex health needs. Both groups identified similar challenges and impacts of looking after their disabled children which included:

- Lack of time to spend with other family members

- Lack of sleep
- Difficulties of obtaining a diagnosis
- Concerns around the consistency of support provided by social care services
- Adapting to the changing needs of their child

Overall, parents identified the need for a short break service that is flexible, offers a range of services at different times, including during the day, evening, weekends and during school holidays. Specifically, it was noted that parents and carers of children with autism wanted a short break service in the evenings, weekends and during school holidays. They were interested in more group outings, play schemes and activities which involved siblings and non-disabled children. Parents and carers of children with complex health needs expressed the need for short breaks within the family home as the complex health needs of their children meant it was difficult for them to access activities outside the home.

The views of short break providers were obtained through a providers meeting held in Brent. Provider stakeholders identified the following areas for development to meet the needs of disabled children, young people and their families:

- Flexible short break services that include overnight care in parents own home
- Short breaks that mean that young people can also have fun
- More choice about the types of breaks
- Activities that involve the whole family
- Better information and communication about services, eligibility and
- Training for parents, providers of short breaks and all professionals who work with disabled children to manage children with complex behaviour and health needs
- Better co-ordination of service delivery, especially when children are newly diagnosed
- Continued involvement and consultation with parents and children and young people in planning, delivering and developing services
- increased capacity of therapy and community paediatric services to meet the

needs of children with complex health needs including those with sleep difficulties

- increased capacity of CAMHS and other emotional well-being services to support families of children who have complex and challenging behaviour including those with autistic spectrum disorder

Based on these consultations, the Aiming High Joint Commissioning Strategy for Short Breaks and Preventative Services 2008 – 2011 was developed and a Joint Commissioning Action Plan agreed. As part of the overall review of the Action Plan, this Short Breaks Statement will be finalised once carers' views have been taken into consideration as well as the views of disabled children and young people, local voluntary sector and statutory organisations, including the NHS, schools and the Education Service. Arrangements will be made for consultation to take place with the Parents forum '1 Voice', and local voluntary and statutory organisations to establish their views. In addition, schools and other agencies working directly with disabled children will be involved in identifying opportunities to consult further with disabled children and young people.

Publication and review

Once agreed, the Short Breaks statement will be published on the Brent Council website to enable families with disabled children to have access to the statement. Consideration will also be given to additional ways of making the information available, particularly to groups of parents who may be more difficult to engage, for example in paper format for people without computer access which can be made available at venues which parents and disabled children visit, including schools, hospitals and GP surgeries etc.

Arrangements will be made for the Statement to be reviewed and revised under the direction of the Strategic Group for Disabled Children in a timely manner towards the end of 2012.