

**Forward Plan reference number: FP/032/02/23**

<b>Report title: Recommissioning of Short Breaks Provision for Children with Disabilities</b>	
<b>Report to:</b> Cabinet	
<b>Report author:</b> Councillor Beverley Egan, Cabinet Member for Children's Services and Early Years	
<b>Date:</b> 21 March 2023	<b>For:</b> Decision
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<b>County Divisions affected:</b> All Essex	

## **1. Everyone's Essex**

- 1.1. Everyone's Essex sets out four strategic aims and 20 commitments to residents with specific commitments specifically for children and young people with special educational needs and/or disabilities (SEND) and their parents/carers
- 1.2. Essex County Council wants to support residents' health, wellbeing, and independence by creating a good place for children and families to grow and to enjoy good health at all ages.
- 1.3. The Essex Short Breaks offer comprises a wide suite of provision available to over 5400 registered children and young people and their families. Overnight Short Breaks form one part of the wider offer and is available to children and young people with SEND when a need is identified through social care assessment.
- 1.4. Parents who are carers often spend a lot of their time caring for their children in comparison to other parents. Overnight Short Breaks contribute to supporting the health and wellbeing of all the family thereby contributing to their resilience and stability. Furthermore, by having the opportunity to attend Overnight Short Breaks, good outcomes are delivered for children and young people through delivery of high quality social and independence skills development opportunities.
- 1.5. The Overnight Short Breaks offer provides parents and carers of children and young people with SEND an overnight break from their additional caring responsibilities, by offering care for the child or young person at an Ofsted registered home or with foster carers.
- 1.6. Since 2019, when a review of Overnight Short Breaks was presented to the Overview and Scrutiny committee, the offer has been developed to improve access to trained foster carers and externally commissioned provision. The offer also now encompasses care provided in the family home by paid carers whilst the parent carers take a break away from the family home.

- 1.7. The Short Breaks Commissioning Strategy, published in 2021, set an objective to review the current Overnight Short Breaks offer with a view to improving and diversifying the support available for parents/carers. This paper sets out the learning from the review and provides recommendations to improve the offer.

## **2. Recommendations**

- 2.1. Agree to maintain a mixed economy of internal overnight provision, home based provision, family based (delivered by ECC trained foster carers) and external provision for overnight short breaks for parents and carers of children and young people with special educational needs and/or disability which shall include:
  - 2.1.1 ceasing to use Lavender House in Colchester for overnight short night breaks with effect from 30 June 2023; and
  - 2.1.2 the extension of provision at the Maples in Harlow so that it operates with a minimum capacity of five beds and a maximum capacity of eight beds (dependent on the behavioural and social needs of the children staying) for seven nights of the week with effect from 30 June 2023.
- 2.2. Note that the Cabinet Member for Children's Services and Early Years will take a decision on the future use of Lavender House.

## **3. Background and Proposal**

- 3.1. The Children Act 1989 requires local authorities to provide short breaks for eligible families with disabled children. Short breaks give carers a break from caring while enabling children and young people to meet friends, take part in activities, develop independence and have fun.
- 3.2. Under the Breaks for Carers of Disabled Children Regulations 2011, local authorities must provide, as appropriate, a range of services for disabled children and their families which includes overnight care in the homes of disabled children or elsewhere. This must be provided where a need is identified through social care assessment.
- 3.3. The Council's current short breaks offer comprises a wide suite of provision from preventative approaches including Overnight Short Breaks as well as other early help offers such as Short Breaks Community Clubs and Activities which do not require a social care assessment for children and young people with SEND to access them.
- 3.4. This paper is concerned with the Overnight Short Breaks element only of this offer.
- 3.5. The current range of Overnight Short Breaks available includes:

- **Internal Offer:** overnight short breaks at two sites run by ECC: The Maples in Harlow and Lavender House in Colchester.
  - **External Offer:** overnight short breaks commissioned provision through several providers and sites including Achieving Aspirations (with sites in Bury St Edmunds, Clacton and Sudbury), St Christophers Cottage (based in Southend) and Peartree (in Hertfordshire).
  - **Family based care:** Overnight short breaks provided by trained foster carers in the foster carers home.
  - **Home based care:** Overnight short breaks provided in the child or young person's home by a carer, affording the parent carers to take their short break away from the home. This is sometimes delivered through Direct Payment, and sometimes through Council-sourced provision.
- 3.6. Following a paper taken to the People and Families Policy and Scrutiny Committee in June 2019, and engagement with families, it was informally agreed that the wider short breaks offer would be reviewed in 2022 to ensure that parents, children and young people can access overnight short breaks provision which meets need and enables good outcomes within the available financial envelope.
- 3.7. The time enabled the development of a wider range of overnight short breaks and meant that some of the young people accessing provision would become adults, and no longer require provision, which would minimise the impact of any change.
- 3.8. In 2021, there was significant engagement with families using the service to develop the Short Breaks Commissioning Strategy 2021-2026 of which Overnight Short Breaks is one component. Over 400 families responded to this consultation and 20 families took part in interviews. The Short Breaks Commissioning Strategy was finalised in October 2021.
- 3.9. The Short Breaks Commissioning Strategy set out that the Council would review the range of Overnight Short Breaks provision and ensure existing provision is as efficient as possible and appropriately targeted to those most in need of support.
- 3.10. This review is now complete, and the proposals are set out in this report.

### **National Context and Local Authority Benchmarking**

- 3.11. As of 31 March 2020, there were 167 short-break-only homes in England.
- 3.12. A third of all local authorities had no short-break-only homes within their boundaries. Of the 100 local authorities that had short-break-only homes within their boundaries: 64 had one home, 21 had two homes and 15 had three or more.

3.13. Most short-break-only homes (64%) were local authority run, compared with around 15% of all children's homes.

3.14. Short-break only homes have the best inspection profile of any of the four sub-groups of children's homes. They had both proportionately more outstanding and proportionately more good outcome judgements (*Children's homes providing short breaks, published 10 August 2021, Ofsted*).

3.15. The commissioning team met with ten local authorities who are ECC's 'statistical neighbours' – having similar economic and demographic make up to Essex. Common experiences across local authorities included:

- A shortage of foster carers on the whole, alongside a lack of specialist foster carer availability due to complex long-term placements
- High demand related to behaviours that challenge
- Difficulty fulfilling support packages which leaves them reliant on the market
- Transitions to adult services could be improved
- Staff shortages across the board
- Some families do not like care within their home so refuse direct payments, although the need could be met for the child or young person in their own home/bed.

### Capacity and Demand

3.16. As at November 2022, there were 142 children and young people registered across all Essex Overnight Short Breaks, with a total number of 3,934 nights allocated between them. This is broken down below to reflect the quadrant and type of overnight short breaks.

Provision	Number CYP	Number of Nights	Quadrant information
Family Based Care	37	1079	Delivered across the County but minimally in South
External Provision	34	756	Heavily utilised in South with smaller numbers across the other quadrants
The Maples	23	702	Mainly used by children and young people in West
Lavender House	12	468	Mainly used by children and young people in Mid and North
Home Based Care	10	162	Mostly used in North and South
Combination of above	2	168	North and South
On Hold	5	160	This represents children and young people who are not currently able to take up Overnight Short Breaks, for example because they are in hospital.
To be confirmed	17	439	This includes children and young people who have had overnight short breaks agreed at panel, but those nights are being identified

			for them. For example, this may be time spent identifying and building a relationship with a foster carer.
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- 3.17. Analysis of registration data, alongside engagement with families and staff, also demonstrated that different provision meets differing needs. For example, the external market is well suited to responding to medical and healthcare needs and the internal provision is well suited to respond to complex behavioural challenges.
- 3.18. Over the previous three years the range of overnight short breaks has developed considerably, particularly the family-based care offer. The highest volume of overnight short breaks demand is now being met through specialist foster carers.
- 3.19. Family based care is well suited to children and young people for whom large groups can be overwhelming and home-based care is well suited to ensure that children and young people who require consistency or specific non-transportable equipment can remain in their own home, in their own bed.

### **Engagement with Families, foster carers and internal staff**

- 3.20. As part of a robust communications plan, parents have been engaged and kept informed throughout the review and then formally consulted. Efforts have been made to ensure engagement and consultation is accessible through one-to-one meetings, both face to face and online. The intention is that, should the recommended option be taken forwards, parents will continue to be engaged and supported through any transitions because of changes to provision.
- 3.21. In April 2022, the commissioning team asked families using the service how they would like to engage with the review. A survey and interviews were then undertaken to explore families' experiences of overnight short breaks. The engagements sought to understand what was working well and what could be improved.
- 3.22. To recognise and garner views of the highly skilled and experienced Overnight Short Breaks staff teams, several meetings and workshops were held, and they were kept updated on developments through regular communications. An open survey link was also shared to ensure staff could raise concerns or offer ideas anonymously if they preferred.
- 3.23. The insights from the parent carer interviews and survey are set out below:

Theme	
Referral Process	The referral process is straightforward. "All brilliant, no stress". However, there is a perception that families are offered Overnight Short Breaks as last resort.
Environment	There was consistent praise for the environmental set up of the internal and external overnight short breaks homes, particularly in relation to safety features, fixtures, and equipment. Several families accessing Lavender or

	Maples commented that family-based care was not appropriate for their child or young person as it was not robust enough and their children might damage the foster carers home.
Staff	There was also consistent good feedback relating to staff across the offer. <i>‘There are trained LD professionals – we really value them in our team around the child meetings, they are really involved. They have helped him reach developmental goals – he can now go to the toilet himself – something we were not convinced he would ever be able to do’ – parent carer accessing the Maples</i>
Support provided and outcomes	Support provided and outcomes: There was consistent praise for the offer but desire for more of it, and for more families to be able to access it. There were also comments relating to improved availability, particularly at weekends. Several positive outcomes for both the children, parents and siblings were captured – from life skills, to confidence, to impact on parent carer relationships. <i>‘The benefits... well, it saved our marriage. I don’t say that lightly.’ – parent carer accessing the Maples</i>
Improvements	Families spoke of a lack of preparation for when a young person reaches adulthood, and anxieties from parent carers that when they reach 18, they will be mixing with older people in adult’s provision. There were also comments made relating to support needed for parents from the wider social care system.

3.24. The insights from foster carer interviews are set out below:

Theme	
Foster carer motivation	Every foster carer interviewed had a background in social care, SEN education, care sector or residential homes. Several were nearing retirement, or their own children had become adults and they wanted to support their communities. <i>‘It’s not just a job. It’s not just to pay the bills. You have to have some passion and understanding for these families and for the children. And you need to get something out of it too – it’s got to be rewarding.’</i>
Referrals	There was good feedback for social workers, supervision and support offers. Foster carers favoured slow relationship development with family with introductions to be done in neutral venues or in their home. Many set out that they would have children to attend teas or dinners before staying overnight for example
Outcomes	Several foster carers mentioned the children they provide Overnight Short Breaks for require quieter environments, and that the stay is led by the child. Several spoke of their continuous professional development and desire to be able to take children with more complex needs but the

	environment (or need for specialist equipment) did not always make this possible
Improvements	One foster carer explained that she was often called last minute on a Friday afternoon for emergency placements, which led to many foster carers no longer taking emergencies as a result. There was also feedback related to unclear and burdensome processes to receive pay.

3.25. The insights from internal staff engagements are set out below:

Theme	
Perception of cost	There was a perception from staff that internal is easier to access, offers better outcomes and costs less than external provision.
Meeting need	Staff set out that as children aged, and physically grew their physical and behavioural needs were becoming more difficult to manage at home. Staff also set out that families with wider needs, such as financial deprivation, solo parenting, parental conflict, mental and emotional health needs were able to receive emotional support from the Overnight Short Breaks home.
Working together	There was feedback that the system works well together, across the social worker, Overnight Short Breaks home, education and family. <i>'We've known young people for long time so are able to pick up when they're feeling down and to support them as well as share our finding with families and other professionals'</i> – Residential worker
Mapping outcomes	Through an exercise to better understand outcomes for children and young people accessing internal provision it became apparent that recording of outcomes could be strengthened and that there was a wide range of social, developmental, and aspirational outcomes being delivered for children and young people with SEND
Ideas and aspirations:	Several staff were keen to develop the offer and gave suggestions such as developing skills workshops for young people or doing direct work with parent carers to understand the developmental needs of their young people
Staff welfare	Staff expressed their anxieties about any changes and that they would like to see definitive answers as to the future of the Overnight Short Breaks offer.

### Options considered and formal consultation

3.26. Following this informal consultation, four options were considered by the project team which included member representatives from Commissioning, Children's Social Care, Finance, and Procurement.

3.27. Three options were discounted as they were either not achievable within the financial envelope or were not able to meet demand.

- 3.28. The conclusion arrived at following the informal consultation is that there are advantages to a mixed economy of provision: an internal, external and family and home-based provision. This enables the offer to meet a range of needs and choice.
- 3.29. The two internal sites (Lavender and the Maples) run with small staff teams adequate to meet current demand. However, this means that they cannot run at maximum capacity as the staff to children ratio would not be appropriate or meet Ofsted requirements. From October 2022 through to March 2023, Lavender House was running with one child or young person in the provision for 86% of the time. This impacts the outcomes for the child, who is not staying alongside their peers, and is not best value for public money.
- 3.30. There is not the funding available to expand the teams at both internal sites and expanding two teams would mean excess capacity in the service, which is not required to meet current demand.
- 3.31. A single internal premises running at higher capacity with increased staffing levels can meet demand and offer improved availability of nights (both weeks and weekends), something families had identified as an improvement.
- 3.32. The Maples in Harlow is specifically built for these services and, although needs some general updating, it is structurally sound, meets Ofsted requirements and attracts consistently good feedback relating to its secure and robust environment. It is also fully up to date with tracking hoists and specialist equipment.
- 3.33. Lavender House in Colchester, however, would require more investment over time due to its age and likely future maintenance requirements. It is also not as attractive to Ofsted as it is on two levels which impacts who can stay, and how many. Lavender House would also require additional tracking hoists and equipment to meet likely future demand.
- 3.34. As a result, a proposal was developed to deliver the internal Overnight Short Breaks offer from one premises, the Maples in Harlow. Having one team at the Maples would allow for an increased capacity to deliver nights to more children at any one time. The proposal would mean a minimum capacity of five children and a maximum of eight dependent on scheduling requirements based on the individual needs of the children. It would also be open 7 nights a week instead of 5 nights per week in term time.
- 3.35. This proposal would enable ECC to meet current demand and future-proof the offer for potential future increases in demand for the internal provision. A higher ratio of staff to children will also enable improved opportunity to respond to a wider range of needs, which enables more capacity to focus on independence skills development.
- 3.36. A formal consultation was launched in November 2022 and closed on 31 January 2023. It was widely circulated on the Short Breaks Facebook page, emails to families and every family accessing Lavender House were offered a face-to-face direct consultation meeting. We received 44 responses.



3.37. The consultation received mixed responses which are summarised below:

- For most of the families who access Overnight Short Breaks, the proposal to condense the ECC internal provision at the Maples and Lavender House sites to The Maples will have minimal impact and many families feel that it is positive that there will be more availability and flexibility on when they are able to access overnight short breaks.
- For families that currently access overnight short breaks via direct payments or family-based care only, there will be no impact from the proposed change.
- Some families who are eligible for short breaks clubs and activities and who do not currently access overnight short breaks feel that they need to be more aware of what Children's Social Care services are available and how they may be able to access Overnight Short Breaks.
- Of the 14 families currently accessing Lavender House, seven are not in support of the proposal primarily because of the increase in travel times and the financial impacts of the cost of that travel together with worry about being further away from their child.
- The remaining seven families are either in support of the proposal because it would offer the opportunity to block book nights for longer than 5 nights or are unaffected as their young people reach 18 before April 2023 and therefore will no longer be using the overnight short breaks provision.
- It is recognised that the 7 families who access Lavender House that live in the Colchester and Tendring districts are the most impacted by the proposal through increased travel times and costs.
- These families who live in the north east of the county have told us they will feel anxious about their child/young person being so far from home during the duration of their short breaks if the only option is to travel to the Maples in Harlow. Two have indicated that they may have to cease using the internal provision if the proposal is approved.
- For most families living in the west, mid and south of the county, travel times and costs from home or school setting to access the Maples remains the same or improves.

3.38. Full details of the consultation response can be found in Appendix 2. A full breakdown of the impact on the directly impacted families can be found in Appendix 1: Equalities Comprehensive Impact Assessment.

3.39. This proposal enables ECC to repurpose Lavender House to service delivery needs across the children's social care system in Essex.

3.40. If this is agreed a consultation with employees will determine opportunities for the 18 staff based either at Lavender House or at the Maples in Harlow. There may be opportunities to redeploy people in other roles in the service.

3.41. ECC will explore how best to support families currently attending Lavender House through each child's individual care plan to ensure that all families are offered suitable alternative provision which meets the needs of those families as well as Lavender House. This might include:

- Working with the families to access alternative overnight short breaks provision at the Maples, with an externally commissioned provider or through family or home based care.
- Home to School Passenger Transport assistance to alternative overnight short breaks provision
- Arrangements with families who provide transport themselves to be awarded direct payments to assist with costs
- Assessing whether there are suitable alternative provisions in the wider short breaks offer.

3.42. The Maples does not require specific development to enable it to meet the additional demand, although improvements to some specialist equipment would enable children and young people to have access to equipment that supports their sensory, social and physical developmental needs..

#### **4. Links to our strategic ambitions**

4.1. This report links to the following aims in the Essex Vision:

- Provide an equal foundation for every child
- Connect us to each other and the world

4.2. This report links to the following strategic priorities in the emerging Organisational Plan:

- Health wellbeing and independence for all ages
- A good place for children and families to grow

4.3. Approving the recommendations in this report will have the following impact on the Council's ambition to be net carbon neutral by 2030:

- Improving access to provision in terms of geographic spread, families will not be required to drive as far to access the offer.

## 5. Options

### **Option 1: Maintain a mixed economy of internal, external, family based and home-based provision which includes delivery from one ECC-run site at The Maples and the closure of Lavender House. (Recommended)**

- 5.1. This option will enable demand to be met through internal provision at The Maples in Harlow, externally commissioned provision across and outside the County, family based and home-based care.
- 5.2. This is the option with the most amount of opportunity to deliver service improvements by delivering from a single premises, which is built for purpose, and can have a single staff team that will enable increased service capacity through more flexible scheduling. This will result in improved availability of placements at weekends and placements for 7 nights of the week.
- 5.3. This option will include increasing the staff capacity at The Maples and increasing the number of nights that The Maples is open. Dependent on scheduling around children and young people's needs, the capacity will be a minimum of 5 children and a maximum of 8 children visiting each night. This equates to 1,820 – 2,912 nights per year.
- 5.4. This is more than is currently delivered through the two internal premises (which are open 5 nights per week in term time) due to the two premises having limited staff capacity to have multiple children staying with high levels of need. For example, between October 2022 and March 2023, for 86% of the time, there was only one young person visiting Lavender House.
- 5.5. This will mean ECC no longer delivering Overnight Short Breaks from Lavender House in Colchester.
- 5.6. The benefits and risks to this option are set out in the table below:

Benefits	Risks
A mixed economy of provision enables the offer to meet demand, need and to offer choice in the provision available to families.	A staff consultation and restructure will take place to determine recruitment requirements. Recruitment is challenging across the care and residential sector and so there are likely to be vacancies whilst the team at the Maples expands.
One staff team at the Maples means an increased capacity to deliver nights, meeting current demand and future-proofing the offer for potential future increases in demand. This means a higher ratio of staff to	A small number of families are disadvantaged by an increase in travel time from home/school to alternative provision. This will also impact on Home to School Transport arrangements. The

children to enable improved outcomes.	Equality Comprehensive Impact Assessment sets out the impact on the 7 families affected in relation to journey time, fuel costs, and carbon emissions.
The Maples requires low levels of maintenance and refurbishment to ensure it meets ongoing need.	Transitions to alternative provision for families currently accessing Lavender House will need to be managed sensitively. In some cases, direct payments will need to be considered to ensure no additional full costs are passed to families. All transition support requirements will be considered and agreed through the child or young person's care plan.
The proposal would not require lengthy design phases to develop a new build/new premises, and there would be no cessation of the service.	
This option also has the potential to improve staff training and equipment so that children and young people with specific healthcare needs can access the provision, improving the capacity of the internal offer to meet a wider range of needs over time.	
Improved staff capacity supports independence skills development of young people to support the move to more independent living.	
An indicative budget of £471,000 would ensure the current level of externally commissioned nights is maintained	
This option would enable Lavender House to be repurposed to service delivery needs across the children's social care system. If the space was used to deliver services for CWD then it is possible that existing staff could be retained.	

5.7. The costs of this option are based on an internal staff team at the Maples made up of:

- 1 FTE Residential Home Manager
- 1 FTE Deputy Home Manager
- 6 FTE Advanced Skills Workers
- 20 FTE Residential Workers (Days)

- 8 FTE Residential Workers (Nights)
- 1 FTE Caretaker

- 5.8. The remaining savings will need to be identified from the wider Short Breaks and CWD budgets including External Overnight Short Breaks, the Light Touch Care Hours budget and Short Breaks Community Clubs and Activities budgets.
- 5.9. It is also anticipated than in year one staff consultation and recruitment will mean potential underspend due to staff vacancies as the new offer mobilises.
- 5.10. Families currently accessing Lavender House would be supported to transition to appropriate alternative provision by the end of June 2023.
- 5.11. The Premises Maintenance/Development Requirements are set out in Appendix 3. The Maples does not require specific development to enable it to meet the additional demand, although improvements to some specialist equipment would enable children and young people to have access to equipment that supports their sensory, social and physical developmental needs. This is marked as desirable rather than essential in the Appendix.

**Option 2: Reform the overnight short breaks offer, maintaining a mixed economy of internal, external, family based and home-based provision which includes delivery from one ECC site, Lavender House and not the Maples. (Not Recommended)**

- 5.12. This option is similar to option one, but the internal offer would be from Lavender House rather than from The Maples.
- 5.13. Lavender House requires considerable investment to ensure that it remains fit for purpose in the long term which is set out in detail in Appendix 3: Premises Maintenance/Development Requirements.
- 5.14. Lavender House was a former care home. The building is split over two levels, it is not permissible to place children and young people with mobility needs upstairs due to fire risks. This has an impact on scheduling and the level of capacity that Lavender House can offer. This impacts our ability to increase capacity to meet demand. The Maples is built for purpose and therefore there are not limitations on the rooms that can be used and thereby offers the opportunity to increase capacity for families to access.
- 5.15. There are currently fourteen young people accessing Lavender House. In March 2023, five of those will no longer require access to Lavender House due to turning 18 years old or due to changes in their care plans. A further four will turn 18 within a year of any change to service being implemented.
- 5.16. There is an external market provider presence in the north of the county which can increase the options available to families, but not in the west which could increase the number of families impacted by the change significantly. This means that Option 2 would increase risks of not being able to find appropriate provision for families.

5.17. As a result, this option is not recommended.

**Option 3: Commission the entire offer externally via a procurement exercise (not recommended)**

5.18. The cost per night is considerably lower when commissioning externally, even when considering the need for higher ratios of staff to children for some needs. This would enable significant savings to be met.

5.19. However, there is not the capacity in the market to deliver all allocated nights and therefore this option could mean ECC has limited mechanisms to meet its obligations under the Children Act 1989.

5.20. This option would not meet all types of need or offer choice to families, for example those with significant behavioural needs. As a result, it is not recommended.

**Option 4: No change (not recommended)**

5.21. This option would mean maintaining provision as it currently stands. This option represents missed opportunities to ensure demand is met whilst offering value for money and improved outcomes for children and young people.

5.22. It would mean risk in the longer term as, without significant investment, Lavender House may become not fit for purpose and may impact Ofsted outcomes.

5.23. The current staffing levels across each of the premises also means that for considerable amounts of time only one child is staying overnight. For that child they are missing out on social connection with peers, shared activities and therefore are not experiencing the full spectrum of potential outcomes that they would in a busier, fully staffed home.

5.24. The benefit of this option is that the increased travel times will not impact the 7 families currently accessing Lavender House.

## **6. Issues for consideration**

### **6.1. Financial implications**

6.1.1 The recommended option of delivery of the internal offer of overnight short breaks from The Maples only will require the two flats and eight beds being operational seven nights per week. This is a change from the current offer of one flat with four beds being available for Overnight Short Breaks for five nights per week. The forecast cost of the new service model for 2023/24 from July 2023 is set out below. Due to the new operating model commencing in July residual costs will be incurred at the Lavender site for the 3 months for the period of April to June.

	<b>The Maples</b> April 2023 to March 2024 <b>£000</b>	<b>Lavender House</b> April 2023 to June 2023 <b>£000</b>	<b>Total</b> <b>£000</b>
Staff	1,095	160	1,287
Non-staff Costs	78	22	100
<b>Total Cost</b>	<b>1,173</b>	<b>182</b>	<b>1,387</b>
Budget 2023/24 (before savings)	671	738	1,409
<b>Variance (under) / over</b>	503	(556)	(54)
<b>Savings 2023/24</b>			400
<b>Residual Savings to be delivered</b>			346

6.1.2 The Short Breaks service has a savings target in 2023/24 of £400,000 and delivery of Overnight Short Breaks from The Maples is forecast to make a small contribution of £54,000.

6.1.3 Delivery of the remaining Short Breaks savings in 2023/24 will be achieved through the rightsizing and re-shaping of the following budgets:

<b>Service</b>	<b>2023/24 Base</b> <b>£000</b>	<b>2023/24 Saving</b> <b>£000</b>	<b>2023/24 Original Budget</b> <b>£000</b>
External Overnight Short Breaks	687	(216)	471
Light Touch Care Hours	100	(55)	45
Short Breaks Community Clubs and Activities	1,492	(75)	1,417
<b>Total</b>	<b>2,279</b>	<b>346</b>	<b>1,933</b>

6.1.4 No additional capital investment is required to allow The Maples to operate the two flats for seven nights per week with ongoing maintenance costs and equipment purchases funded within the permanent revenue budget. Request for capital investment will only be made when necessary.

6.1.5 There is a financial risk to the delivery of the savings target in 2023/24 due to the following:

- a) The transition to The Maples is expected to be completed by the end of June 2023 at which point Lavender House will cease to be an overnight short breaks provision. However, the re-purpose of Lavender House to meet children's social care delivery needs is not expected to be completed before the Autumn 2024. The monthly cost of running Lavender House per month is £61,000 and will need to be absorbed into the overall cost of the Lavender House proposal.
- b) No redundancy costs are expected to be incurred in the change in Overnight Short Breaks provision as staff could transfer to The Maples, re-deployed within the Council or remain at Lavender House as the site is re-purposed. If, however redundancy costs are incurred these will need to be funded through the Children and Families budget.

- c) Families currently attending Lavender House may require additional support during the initial transition of young people to The Maples. This will be considered on a case-by-case basis determined by the needs of the young person.

6.1.6 Changes to home to school transport arrangements for the families currently attending Lavender House but who are to transition the Maples have been considered as part of this decision. Out of the 14 families, only 8 will be affected, however these currently do not receive support for home to school transport, therefore an additional cost to the Council is not expected.

## **6.2. Legal implications**

6.2.1 The Children Act 1989 requires local authorities to provide short breaks for families with disabled children. The Breaks for Carers of Disabled Children Regulations 2011 place a duty on local authorities to provide a range of services for disabled children and their families which includes “overnight care in the homes of disabled children or elsewhere.

6.2.2 The proposals are a way of meeting statutory need. Commissioners believe that the re-procured service will better meet the needs of service users.

6.2.3 Affected service users have been consulted on the proposal.

## **7. Equality and Diversity Considerations**

7.1. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:

- (a) Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
- (b) Advance equality of opportunity between people who share a protected characteristic and those who do not.
- (c) Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that ‘marriage and civil partnership’ is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).

7.2. The equality comprehensive impact assessment (ECIA) indicates that, although the recommended proposal in this report will positively impact most families impacted by the change, it does have a disproportionately adverse impact on 7 children and young people with SEND currently accessing Lavender House.



- 7.3. A full understanding of the impacts is set out within the ECIA including the potential cost implications of increased travel times and/or distances.
- 7.4. ECC will explore ways to support families currently attending Lavender House through the child's individual care plans. This might include:
- Home to School Passenger Transport assistance to alternative overnight short breaks provision
  - Arrangements with families who provide transport themselves to be awarded direct payments to assist with costs
  - Assessing whether there are suitable alternative provisions in the wider short breaks offer.

## **8. List of Appendices**

- 8.2 Appendix 1: Equality Comprehensive Impact Assessment
- 8.3 Appendix 2: Children with Disabilities (CWD) Consultation and Key Findings Report
- 8.4 Appendix 3: Premises Maintenance/Development Requirements

## **9. List of Background papers**

- 9.1. Short Breaks Commissioning Strategy 2021-2026
- 9.2. Children and Young Peoples Plan Refreshed September 2020
- 9.3. Essex Local Area SEND Strategy 2022-2027: My Life, my rights
- 9.4. Sufficiency Strategy 2023-2026