

WIRRAL COUNCIL

CABINET

22 SEPTEMBER 2011

SUBJECT:	SHORT BREAKS STATEMENT
WARD/S AFFECTED:	ALL
REPORT OF:	INTERIM DIRECTOR OF CHILDREN'S SERVICES
RESPONSIBLE PORTFOLIO HOLDER:	COUNCILLOR ANN MCLACHLAN
KEY DECISION?	YES

1.0 EXECUTIVE SUMMARY

1.1 Following on from the Aiming High for Disabled Children project, the 'Breaks for Carers of Disabled Children' Regulations came into force on 1st April 2011. Within these regulations it stated that each local authority must prepare a Short Breaks Statement by 1st October 2011. This report details the requirements of the statement, the process for the drafting of Wirral's statement and the final version for approval.

2.0 RECOMMENDATION/S

- 2.1 The Short Breaks Statement for Wirral (Appendix 1) to be approved and the statement to be produced by the authority and published as required.
- 2.2 The statement to remain under review and to be revised when new services become available.

3.0 REASON/S FOR RECOMMENDATION/S

- 3.1 It is a statutory requirement to produce the statement to inform parent/carers of short break services available.

4.0 BACKGROUND AND KEY ISSUES

- 4.1 Each local authority received funding to develop short break services through the Aiming High for Disabled Children project (2009-2011). The monitoring and evaluation of the project demonstrated clearly the need for short breaks services and the positive impact they can offer a family with a child with a disability.
- 4.2 In 2011 the local authority received the Early Intervention Grant, this was a single grant to deliver programmes of work that had previously been sourced through several different funding streams, including Aiming High for Disabled Children, which had previously been a ring fenced grant.
- 4.3 To coincide with this the 'Breaks for Carers of Disabled Children' regulations came into force on 1st April 2011. These Regulations are the first regulations to be made

under paragraph 6 of Schedule 2 to the Children Act 1989, which imposes a duty on local authorities, as part of the range of services they provide for families, to provide breaks from caring to assist parents and others who provide care for disabled children. The regulations state that each local authority must:

- Have regard to the needs of carers of disabled children who may be unable to continue to provide care or will be able to provide care more effectively if breaks from caring were given to them.
- Provide, so far as is reasonably practicable, a range of services which is sufficient to assist carers to continue to provide care or do so more effectively. This should include day-time care, overnight care, leisure activities and other activities during evenings, weekends and school holidays.
- Each local authority must prepare a Short Break Services statement for carers in their area setting out details of range of services provided, any criteria by which eligibility for those services will be assessed and how the services meet the needs of carers.

4.4 The regulations also state the local authority must:

- Publish the statement in a variety of ways to ensure families are informed of it. This must include on the local authority website.
- Keep the statement under review and, where appropriate, revise the statement.
- In preparing the statement must have regard to the views of carers in their area.

4.5 The statement was drafted by Project Manager for Short Break Services in consultation with the Service Manager for Children with Disabilities. Both attended a workshop delivered by Together for Disabled Children, which provided guidance on producing the statement.

5.0 RELEVANT RISKS

5.1 None applicable.

6.0 OTHER OPTIONS CONSIDERED

6.1 This is a statutory duty.

7.0 CONSULTATION

7.1 To ensure carers were fully consulted, a draft version was taken to the Wirral Family Forum. The statement was presented including detail of the regulations and the background. Parent/carers present were asked to provide feedback on the readability of the document and accuracy of its content. Feedback obtained was used to make some changes to the original draft. This revised version was then emailed to the circulation list of parent/carers of the forum (over 100 families) detailing the reason for the statement and a copy of the draft for any comments/questions.

7.2 The statement was then approved by the Executive Group for Short Break Services which consists of:

- Head of Branch for Social Care
- Strategic Service Manager- Childcare

- Joint Commissioner (NHS Wirral secondment)
- Head of Integrated Children's Services, NHS Wirral Council
- 2 parent/carer representatives from Wirral Family Forum
- Project Manager for Short Break Services.

7.3 Wirral Council hosted a meeting to discuss the statement with other authorities within Merseyside and Cheshire. Wirral were able to produce more accurate statement due to the re-commissioning of short break services.

8.0 IMPLICATIONS FOR VOLUNTARY, COMMUNITY AND FAITH GROUPS

8.1 Within the statement, reference is made to the production of a directory which will detail all available Short Breaks, a large proportion of these are delivered by the voluntary sector.

9.0 RESOURCE IMPLICATIONS: FINANCIAL; IT; STAFFING; AND ASSETS

9.1 There are no implications directly related to the production of the statement.

10.0 LEGAL IMPLICATIONS

10.1 Section 17 of the 1989 Children Act places a duty on local authorities to provide services to children in need. Disabled children are considered to be children in need within the meaning of the act.

10.2 Under the Breaks for Children with Disabilities Regulations 2010 it is a statutory requirement for local authorities to produce a statement to inform parent/carers of the short break services available.

11.0 EQUALITIES IMPLICATIONS

11.1 One of the reasons for the statement is for each local authority to demonstrate that Children with Disabilities have the same opportunities to accessing leisure based activities as all children.

11.2 Equality Impact Assessment (EIA)

(a) Is an EIA required?

No

12.0 CARBON REDUCTION IMPLICATIONS

12.1 None applicable.

13.0 PLANNING AND COMMUNITY SAFETY IMPLICATIONS

13.1 None applicable.

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APPENDICES

Appendix 1- Wirral Short Breaks Statement

REFERENCE MATERIAL

Breaks for Carers of Disabled Children Regulations:
<http://www.legislation.gov.uk/uksi/2011/707/made>

SUBJECT HISTORY (last 3 years)

Council Meeting	Date
None Applicable	