

# Brighton & Hove City Council

## Children, Families & Schools Committee

## Agenda Item 34

**Subject:** Proposal for the future delivery of short breaks and holiday activities for parents/carers of children and young people with a disability

**Date of meeting:** 6 November 2023

**Report of:** Executive Director for Families, Children & Learning

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**Ward(s) affected:** All

**For general release**

### 1. Purpose of the report and policy context

1.1 The purpose of this report is to provide information for members about Brighton & Hove City Council's (the "Council") duty under to provide short breaks for parents/carers of disabled children and young people under the Breaks for Carers and Disabled Children Regulations 2011.

1.2 This report includes details of how the duty referred to above in 1.1 will be met in the City of Brighton & Hove (the "City") and proposes a newly refreshed offer for children and young people who have a disability aged 4 (and who have started school) to 25 years.

1.3 The Council's Special Educational Needs and Disability (SEND) Short Break and Holiday Activities Programme (the "Programme") is being produced through a co-production agreement and will inform commissioning intentions for the new arrangements, which will ensure that the Programme is in place for Easter 2024.

1.4 This Programme supports the Council's [SEND Strategy \(2021 – 2026\)](#) and the six co-produced key priorities. The priorities that are accountable for delivery on this Programme are: [Priority 1: Inclusion \(Inclusion 5\)](#) and [Priority 3: SEND Pathways \(Pathways 10\)](#).

### 2. Recommendations

2.1 That the Committee instructs the Executive Director for Families, Children & Learning to take all necessary steps to award grants to multiple providers for up to a maximum annual award of £130,000 per annum for an initial term of one (1) year with an option to extend for a further period or periods of up to two (2) years (as two 1 year extensions) subject to good performance for the

provision of short breaks and school holiday activities for parents/carers of children and young people with a disability.

### **3. Context and background information**

- 3.1 Following on from the announcement that The Charity Extratime which ran clubs, holiday schemes and family events and activities for children and young people with and without disability aged 4-25 years announced a winding up of its services for October 2023 – the original contract entered into between the Council and Extratime comprised after school clubs, a holiday scheme, and a youth scheme. The after-school clubs' provision has already been presented to Committee on 11<sup>th</sup> September 2023 (Item 22), and the proposal approved. This report therefore focuses on addressing the gaps in short breaks for the school holiday activity provision and putting in place plans for a co-produced programme which would start in Easter 2024.
- 3.2 There was also a need to review our short breaks offer to expand it so that it offers a wider range of short breaks for a broader range of children and young people, providing increased support to those families with children and young people who are neurodivergent and/or have social, emotional, and mental health needs.
- 3.3 With the aim of producing a more comprehensive offer across numerous providers, which increases the range of good quality holiday provision resulting in more choice for parents/carers and their children the following approach was deployed by officers:
- 3.3.1 On 13<sup>th</sup> July 2023, the Council organised a provider engagement event at the King Alfred Leisure Centre, Hove with the purpose of bringing a variety of activity and short break providers together to invite them to host a table with information about their organisation and discuss what services they may be able to offer, as well as giving them the opportunity to speak to both Council leads and the parent/carer community directly. The event was attended, by 12 potential providers and representatives from the parent/carer community and the feedback was that it was a useful opportunity for people to come together and further explore respite options.
- 3.3.2 Officers then undertook the next stage in the process which was to send out an expression of interest survey. A key part of this was to see whether there was enough interest that covered different age groups, as well as the range of activities requested by parents and carers such as:
- play schemes
  - sport and multi-sport clubs, including football, martial arts, boxing, kayaking, tennis, cricket, boccia, gymnastics, climbing, etc.
  - art and performance arts, including art and craft clubs, drama, music, dance, lego
  - youth specific clubs, including young people up to the age of 25
  - sensory play and therapeutic sessions, including music therapy
  - swimming, including supported sessions or drop in quiet sessions

- sessions for young women, LGBTQIA+, BAME, Black and Brown unity groups etc
- outdoor activities, including forest school and gardening projects.

This also provided an indication of capacity within the sector and associated costs.

3.3.3 Working in collaboration and awarding funding to a range of providers would allow the Programme to support more families, SEND needs, age ranges, and diversify activity across the city.

3.3.4 Providers were encouraged to consider offering an activity programme under three main categories of need:

**1. Universal Services**

Everyday community services or activities which can be accessed by everyone, but with a focus on widening this offer to include children and young people with SEND.

**2. Targeted Services**

Specific short break activities for children and young people who cannot access universal services without requiring additional support. Cohorts for this group would include:

- an award of middle or higher rate disability living allowance (DLA)
- a personal care plan payment (under 16) or personal independence payment (16+)
- an Education, Health, and Care Plan (EHCP)
- attendance at a Special School or Special Facility Placement

**3. Specialist Services**

Designed to meet the needs of individual children and young people and their carers, following a social care assessment. Specialist short breaks are highly specialised or bespoke services for children and young people who have:

- Severe and enduring cognitive delay and learning disability
- Low functional abilities
- Physical disabilities

3.3.5 The results of this Expression of Interest Survey are attached at [Appendix A](#)

3.3.6 Alongside this, offers analysed the dataset for those families registered on the Compass Card across five categories of need:

- Communication and Interaction (including Autistic Spectrum Condition (ASC), Speech, Language and Communication Needs (SLCN))
- Cognition and Learning (including Dyscalculia, Dysgraphia, Dyslexia, Dyspraxia, Down Syndrome, Moderate Learning Difficulties (MLD), Severe Learning Difficulties (SLD), Profound and Multiple Learning Difficulties (PMLD))
- Social, Emotional and Mental Health Difficulties (including ADHD)

- Physical and/or Sensory Needs (including Hearing and Visual Impairment, Sensory Processing Difficulties)
- Complex Medical Needs.

3.3.7 The results of the dataset are attached at [Appendix B](#).

3.4 These two pieces of work ensured that there was a direct correlation between the identified SEND needs and the providers wishing to deliver holiday activities. It also gives a clear picture of where resources need to be directed to deliver within the finances available.

3.5 The following options to deliver were considered:

**Option 1 - The Short Break and Holiday Activity provision could be spot purchased each holiday provision on an as and when required basis.**

- This option would be expensive, and not offer value for money as each activity would be purchased individually for each school holiday period meaning throughout the year the price for the activity may increase.
- It would involve continuous quality assurance of any available providers before accepting them onto the Programme, which would be a time intensive process and may result in providers not having the necessary minimum operating standards to demonstrate that they are able to deliver accessible and inclusive provision for children with SEND.
- It would not provide stability for our families or our providers. Our providers would not be able to forward plan which would mean that they could not invest in their business model.
- Our families would not know what activities were available until a few weeks before the school holiday periods, potentially causing anxiety and stress and adding to the pressures these families face around these times.
- From the Council's perspective, this option does not support its Corporate Plan (2023 – 2027) to provide a better future for our children and young people and be a responsive Council with well-run services.

**Option 2 – Award grants to multiple providers.**

- This option provides better control, visibility, and assurance of providers, enabling a wide suite of high-quality holiday activities to be made available to children, young people, and families.
- This approach allows for improved, equitable access to support our families.
- This approach affords the Council the opportunity to encourage engagement between the provider and families of children and young people who attend their setting, building positive and trusting relationships between both parties and a cycle of robust evaluation which we can use to inform future commissioning.
- A robust programme will be in place for the whole of the financial year which will include a rich and varied programme of play and leisure

activities to improve the cognitive, physical, social, and emotional well-being of children and young people.

- Officers will be able to ensure that there is a comprehensive initial assessment process in place, documentation reviews are scheduled to certify that policies and risk assessments are current and quality assurance visits are organised to provide reassurance on provider delivery.
- Officers propose that the initial grant length will be 1 year with an option to extend for a further period or periods of up to 2 years (as two 1-year extensions subject to good performance).

### **Option 3 – Offer a reduced Short Break and Holiday Activity programme.**

- Due to budget pressures in recent years, some Local Authorities have had to reduce their short break and holiday activity offerings, leading to less provision for some families. This option has been discounted because of the adverse impact that this would have on our children, young people, and their families.

- 3.6 Officers intend to use Eequ which is a functional booking platform which enables providers to list and manage bookings including communicating with bookers and recording attendance sessions. Parents/carers will only need to enter the details of their child/young person once, and then view all short break options and manage bookings in one place. The Council is currently using Eequ for the free Holiday Activities and Food (HAF) programme which is available to families who receive benefit-related free school meals, many of whom have SEND and Education and Health Care Plans (EHCPs). Feedback received on the system from parents/carers and providers has been very positive.
- 3.7 By working closely with the HAF team, much of the grant process and programme standards align, which ensures consistency for providers. Shared use of Eequ also means families who are eligible for HAF and Short Breaks have a more consistent and improved user experience.
- 3.8 This model also provides good value for money with a unit cost that is comparable to similar provisions in other authorities.

The full commissioning timetable is set out below:

<b>Activity</b>	<b>Timeline</b>
Agreement for the proposed option is sought at Children, Families and Schools Committee	6 <sup>th</sup> November 2023
Finalise application documents	16 <sup>th</sup> November 2023
Eequ Booking Portal is set up	16 <sup>th</sup> November 2023
Provider grant process launches, and Provider Information Pack (setting out programme expectations) and application forms are sent out	21 <sup>st</sup> November 2023
Deadline for receipt of applications	8 <sup>th</sup> January 2024

Mobilisation Period begins:	
Quality Assurance of Providers begins (including review of compliance documentation)	1 <sup>st</sup> December - 8 <sup>th</sup> January 2024
Ongoing programme oversight by key stakeholders – key meeting points are booked in January, February and March	January 2024 – March 2024
Grant panel meet to review applications and agree funding decisions.	22 <sup>nd</sup> January 2024
Providers are informed of grant funding decisions	31 <sup>st</sup> January 2024
Eegu provide support to Providers to upload their Easter 2024 programme listing for the Short Breaks and Holiday Activities	1 <sup>st</sup> February 2024 – 18 <sup>th</sup> February 2024
Booking system for SEND Short Break and Holiday Activities Programme is launched to families	19 <sup>th</sup> February 2024
Workshops with parents/carers, Social Workers and Schools are in place to support use of new Eegu system	19 <sup>th</sup> February 2024 – 8 <sup>th</sup> March 2024
SEND Short Breaks and Holiday Activities Programme launches – Easter 2024	

#### 4. Community engagement and consultation

- 4.1 The timescales to implement this activities programme are tight, but in the time available we have undertaken consultation with stakeholders. PaCC have also surveyed the parent/carer community with a list of the activities that providers have expressed an interest in providing to determine the appetite for this and address any gaps. ([See Appendix D](#))
- 4.2 Officers have also surveyed activity providers and collated initial expressions of interests and have had good engagement with this (see results in [Appendix A](#))
- 4.3 A working group has also been established to review and shape future provision and the Council are working in co-production with PaCC and other providers to develop this new offer.

#### 5. Conclusion

- 5.1 The proposed Option 2 offers a coordinated approach to improve the local offer so that families can access information about short breaks and holiday activities in their locality, as well as undertaking work with the market to increase Universal Services and the ability to provide for children and young people with disabilities. This will be undertaken through co-production work with PaCC to ensure it meets children and young people and their families needs and will be in place for Easter 2024.

## 6. Financial implications

- 6.1 The corporate budget process for 2024/2025 is underway and will conclude at Budget Council in February 2024.
- 6.2 At this stage, it is anticipated that there will be an initial core budget of £0.130M available.
- 6.3 Families will also be able to use Direct Payments to access the proposed range of new provision over the holiday periods. Currently the annual spend on children's direct payments is approximately £1.04M.

Name of finance officer consulted: Steve Williams Date consulted: 10/10/23

## 7. Legal implications

- 7.1 The Public Contracts Regulations 2015 and the Council's contract standing orders do not apply to grants but the Council must comply with the standard financial procedures in Part 7.4 of its constitution. As a grant, the detailed service provision cannot be specified, measured or managed in the same way as under a contract and as such the grant recipient is not obliged to deliver the required provision. The Council is therefore at risk of legal challenge on the ground that it is in breach of its statutory duty if the grant recipients fail to deliver the required provision although the risk is considered low where there are multiple providers.
- 7.2 If the grant awarded over an applicable period of up to 3 financial years is under £315,000 then it will be "Minimal Financial Assistance" under the Subsidy Control Act 2022 and therefore will not be subject to the Subsidy Control Act 2022 requirements. If it is above this level then the Council will need to consider the subsidy control principles and decide if it is a subsidy under the Subsidy Control Act 2022. If so, the Council needs to ensure that the financial award made is consistent with those principles.

Name of lawyer consulted: Manjinder Nagra Date consulted: 12/10/23

## 8. Sustainability implications

- 8.1 An equality impact assessment has been completed at [Appendix C](#).
- 8.2 The consultation that took place for the SEND Strategy (2021 – 2026) sought to gain the views and experiences of a wide range of children and young people with disabilities and complex health needs, and their parents/carers. This included ensuring that it was informed by the needs of children and young people of different ages, genders, ethnic backgrounds and with different disabilities and needs. The feedback was that children and young people with SEND want to have access to a range of opportunities through short breaks in their communities and a commitment in the Strategy to deliver on this. **(Inclusion Pathway Priority 5 and Pathway Priority 10)**.
- 8.3 The programme will be designed to be a transparent, fair and equitable

process for all children and young people with disabilities, and their families and the implications for protected groups have been taken into consideration.

## **9. Sustainability implications**

- 9.1 The Council is committed to taking responsibility for its own impact on the environment, and when working with providers we will ensure that there is a commitment to a shared goal to address climate and biodiversity targets by reducing our carbon footprint.
- 9.2 The Corporate Plan (2023 – 2027) prioritises investing in the City, and within this we will ensure that we are promoting an inclusive economy that promotes equality of opportunity and shared prosperity in the City. We will support local charities and businesses to grow talent and create more jobs whilst also celebrating and supporting the ability of our providers to show diversity in their activities offer.

### **Appendices:**

Appendix A: [Analysis of the Provider Expression of Interest Survey](#)

Appendix B: [The Dataset of SEND Needs](#)

Appendix C: [Equality Impact Assessment](#)

Appendix D: [PaCC Survey of parents/carers](#)