

Decision Pathway – Report



PURPOSE: Key decision

MEETING: Cabinet

DATE: 02 October 2018

TITLE	Targeted Short Breaks Commissioning Plan		
Ward(s)	Citywide		
Author: Rhiannon Griffiths	Job title: Commissioning Manager		
Cabinet lead: Helen Godwin	Executive Director lead: Jacqui Jenson		
Proposal origin: BCC Staff			
Decision maker: Cabinet Member			
Decision forum: Cabinet			
Purpose of Report: Cabinet is recommended to approve the following proposals: <ol style="list-style-type: none"> 1) To agree an annual spend of £555,000 which equates to a maximum of £2,775,000 over five years, as set out in the Targeted Short Breaks Commissioning Plan (Appendix A); and 2) That the award of contract following procurement is delegated to the Executive Director - Adults Children and Education 			
Evidence Base: Short Breaks are preventative, family support services that provide a disabled child or young person with a break. They can be at any time ranging from an hour to a day, evening, overnight, weekend or holiday, depending on the needs of the family. Short Breaks allow parents and carers to have a break from their caring responsibilities and give children and young people the opportunity for a positive experience. The aim of this commissioning process is to ensure that Short Breaks are available for disabled children and families when they need them – providing breaks and support at an early stage, preventing and managing crises to help keep families together, and avoiding future more costly provision. The Targeted Short Breaks Commissioning Plan outlines how we propose to commission a range of services to meet the needs of these families.			
Recommendations: That Cabinet: <ol style="list-style-type: none"> 1. Approve the procurement of a range of targeted short breaks outlined in the full Commissioning Plan (Appendix A) totalling £555,000 per annum. The proposed length of the contract is 3 years with the option to extend for up to a further 2 years 2. Delegate authority to award the contract to the Executive Director - Adults Children and Education in consultation with the Executive member for Women, Children and Families (Young people) 			
Corporate Strategy alignment: This commissioning plan contributes to all four key commitments: <ul style="list-style-type: none"> • Empowering and caring: give disabled children the best start in life, and their families a break from caring responsibilities • Fair and inclusive: improve social equality by providing accessible play and learning opportunities to disabled children • Well connected: reducing social isolation by providing opportunities for disabled children and young people to socialise, and for parents to pursue other interests • Wellbeing: improving the physical and emotional wellbeing of disabled children and their parents 			
City Benefits: <ul style="list-style-type: none"> • Short Breaks provide disabled children and young people with opportunities to play, try new things, learn and develop new skills and abilities, and develop skills that help towards independence in adulthood • Short Breaks can improve the emotional health and wellbeing of children, young people and their parents/carers • Providing parents/carers with an opportunity to rest, pursue other interests, or spend time with their other children can lead to less chaotic and more sustainable family environments, and fewer disabled children becoming looked after or needing unplanned placements in residential units 			
Consultation Details: 12 weeks engagement and consultation was held between 20 th April 2018 and 18 th July 2018. This included an online survey, conversations with service users in groups or one-to-one interviews, two briefings with Members, meetings with partner organisations and community groups. We paid particular attention to engaging groups who find it harder to access services. A full report of the consultation findings is at Appendix B. The findings from the consultation have informed the final commissioning intentions, notably around the short breaks transport scheme, and piloting additional support for			

children with ADHD and support for families to find a personal assistant.

Revenue Cost	£2,775,000	Source of Revenue Funding	Pooled budget BCC and NHS BNSSG CCG under Section 75 agreement
Capital Cost	£0	Source of Capital Funding	n/a
One off cost <input type="checkbox"/>	Ongoing cost <input checked="" type="checkbox"/>	Saving Proposal <input type="checkbox"/>	Income generation proposal <input type="checkbox"/>

Required information to be completed by Financial/Legal/ICT/ HR partners:

1. Finance Advice: The current commissioned Targeted Short Breaks general fund budget is part of the Short Breaks Pooled budget, funded through BCC general fund (£2.704m) and CCG contribution of £0.663m. The Targeted element accounts for 16% of the Short Breaks Pooled budget, funded by BCC general fund whilst the remaining 84% funds Specialist Short Breaks services is funded by the BCC general fund and the CCG contribution of £0.663m. There is a confirmed 7.5% (£50k) reduction in CCG funding for 19/20 which will affect the Specialist Short Breaks budgets only (and action is already underway to ensure that commitment will not exceed reduced total funding). The proposed Targeted Short Breaks recommissioning of £0.555m per annum from 2019/20 is within existing general fund budget.

Finance Business Partner: Neil Sinclair, Interim Finance Business Partner, 23/7/2018

2. Legal Advice: The Council's procurement process must be conducted in line with the Procurement Regulations. Legal services will advise and assist officers with regard to the conduct of the procurement process and the resulting contractual arrangements. Appropriate consultation should take place with affected staff in view of the TUPE implications arising from this proposal. The Public Sector Equality duty requires the decision maker to consider the need to promote equality for persons with "protected characteristics" and to have due regard to the need to i) eliminate discrimination, harassment, and victimisation; ii) advance equality of opportunity; and iii) foster good relations between persons who share a relevant protected characteristic and those who do not share it. The Equalities Impact Check/Assessment is designed to assess whether there are any barriers in place that may prevent people with a protected characteristic using a service or benefiting from a policy. The decision maker must take into consideration the information in the check/assessment before taking the decision. A decision can be made where there is a negative impact if it is clear that it is necessary, it is not possible to reduce or remove the negative impact by looking at alternatives and the means by which the aim of the decision is being implemented is both necessary and appropriate. The consultation responses must be conscientiously taken into account in finalising the decision. The leading cases on consultation provide that

- Consultation should occur when proposals are at a formative stage;
- Consultations should give sufficient reasons for any proposal to permit intelligent consideration;
- Consultations should allow adequate time for consideration and response;

There must be clear evidence that the decision maker has considered the consultation responses, or a summary of them, before taking its decision.

- The degree of specificity regarding the consultation should be influenced by those who are being consulted;
- The demands of fairness are likely to be higher when the consultation relates to a decision which is likely to deprive someone of an existing benefit.

Legal Team Leader: Husinara Jones, Team Leader Legal 18/09/2018

3. Implications on IT: There are no identifiable direct IT implications in this initiative. Should any become apparent during further project development, these should be raised with IT Service at the earliest opportunity; such examples might include requirements for data sharing or website development. Where data sharing requirements are identified, these will need to comply with Council policies and the requirements of GDPR

IT Team Leader: Ian Gale, Head of IT, 20/7/2018

4. HR Advice: As there is no impact on existing staff group there are no HR implications

HR Partner: Maddy Tyler, HR Consultancy Manager (Adults, Children & Education) delegated by Lorna Laing - People & Culture HR Business Partner – Adults, Children & Education, 23/7/2018

EDM Sign-off	Jacqui Jenson	8 th August 2018
Cabinet Member sign-off	Cllr Helen Godwin	3 rd September 2018

CLB Sign-off	Mike Jackson	21 st August 2018
For Key Decisions - Mayor's Office sign-off	Mayor's Office	3 rd September 2018

Appendix A – Further essential background / detail on the proposal Targeted Short Breaks Commissioning Plan Targeted Short Breaks Needs Analysis	YES
Appendix B – Details of consultation carried out - internal and external	YES
Appendix C – Summary of any engagement with scrutiny	NO
Appendix D – Risk assessment	YES
Appendix E – Equalities screening / impact assessment of proposal	YES
Appendix F – Eco-impact screening/ impact assessment of proposal	YES
Appendix G – Financial Advice	NO
Appendix H – Legal Advice	NO
Appendix I – Combined Background papers	NO
Appendix J – Exempt Information	NO
Appendix K – HR advice	NO
Appendix L – ICT	NO