

WRITTEN STATEMENT OF A KEY DECISION CABINET

ITEM:	CHILDREN WITH DISABILITIES: SHORT BREAKS AND RESPITE SERVICE PROVISION
Members Present:	Councillors: AW Johnson (Leader), H Bramer, J Millar, PM Morgan (Deputy Leader), GJ Powell, PD Price.
Date of Decision:	Thursday 21 November 2013
Exempt:	No
Confidential	No
<p>This is a key decision because</p> <p>It is likely to result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>And/or</p> <p>It is likely to be significant in terms of its effect on-</p> <p>Two or more Wards or electoral divisions;</p> <p>One Ward (unless the number of those affected is very small or it is impractical to treat this as a key decision).</p>	
<p>A notice was served in accordance with Part 3, Section 9 (Publicity in connection with key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.</p>	
Urgency/Special Urgency: (As defined in Constitution)	No
Purpose:	To seek approval to commit Council funding of up to £1.3m (£443k per annum) over the next three years in the procurement of services for children and young people with disabilities. This is part of a £3.3m (£1.1m per annum) pooled budget between Herefordshire Council and the Clinical Commissioning Group (CCG).
Decision:	<p>THAT:</p> <p>(a) funding commitment of up to £1.3m over three years be approved as the Council element of a total pooled budget of £3.3million over the next three year period to support the awarding of contracts for short break and respite care services for children and young people aged 0-19 years with significant disabilities in Herefordshire</p>
Reasons for the Decision:	The purpose is to obtain approval of the council contribution of up to £1.3m over three years to a pooled budget of £1.1 million per annum; this resource will fund a range of commissioned

	<p>services providing short breaks and respite care services for children & young people from January 2014. This is a jointly funded procurement between the Council and Herefordshire Clinical Commissioning Group.</p> <p>The Local Authority and the Herefordshire Clinical Commissioning Group both have a statutory duty to support the needs of children with disabilities.</p> <p>It is the responsibility of the Local Authority to ensure short breaks are available for carers of disabled children (Breaks for Carers of Disabled Children Regulations 2011).</p> <p>The Children Act 1989 establishes the assessment duty and also requires the provision of certain specific services, particularly residential and foster care short breaks.</p> <p>The Children Act 1989 creates a general duty on children’s services authorities to safeguard and promote the welfare of children within their area who are ‘in need’. The definition of ‘children in need’ is if:</p> <ul style="list-style-type: none"> (a) he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority...; or (b) his health or development is likely to be significantly impaired, or further impaired without the provision for him of such services; or (c) he is disabled. <p>Members previously endorsed a joint commissioning approach with the then PCT to put in place a range of short breaks and respite services. The Herefordshire Clinical Commissioning Group has confirmed their commitment to this exercise and their funding contribution.</p>
Options Considered:	<p>It is the responsibility of the Local Authority to provide short breaks for carers of disabled children (Breaks for Carers of Disabled Children Regulations 2011). Contracts are coming to an end in January 2014 and must be replaced with new arrangements to ensure the availability of services. The Council and CCG have previously signalled the intent to review and re-commission short breaks provision to improve equality of access and choice, improve quality and ensure good value for money. A joint commissioning and tendering process is nearing completion, however, non-approval of the funding commitment would cause a delay or halt in the issuing of new service contracts and uncertainty for children and families and service providers.</p>
Conflict of Interest ■ (See below):	None
Date the key decision is due to take effect:	28 November 2013

COUNCILLOR AW JOHNSON.....Date: 21 November 2013
LEADER OF THE COUNCIL

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

And

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.