

**Title:** Short Breaks Policy

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**Responsible Manager:** Corne Van Staden

**Electronic file location:** <https://bexley.proceduresonline.com/>

**Associated statutory guidance and regulations:**

- Childcare Act 2014 (as amended from 1989, 2004, 2008 and 2012)
- Children and Families Act 2014
- The Breaks for Carers of Disabled Children Regulations 2011, (aka The Short Breaks Duty Regulations)
- Children & Young People's Act 2008
- Equality Act 2010
- Special educational needs and disability code of practice: 0 to 25 years, Statutory guidance for organisations which work with and support children and young people who have special educational needs or disabilities (January 2015)
- Working Together to Safeguard Children 2020

**Local documents:**

Short Breaks Statement/Local Offer

**Key Objectives (including Signs of Safety principles to apply)**

This policy document sets out the process for managing cases where a child is open to Bexley Children with Disabilities Service and is receiving a care package through a direct payment (DP), a domiciliary care package, or any other type of short breaks.

**Detailed advice:**

Sec. 3 Legal Advice

## **BEXLEY POLICY FOR THE MANAGEMENT OF SHORT BREAKS CASES** **CHILDREN WITH DISABILITIES SERVICES**

This policy document sets out the process for managing cases where a child is open to Bexley Children with Disabilities Service and is receiving a care package through a direct payment (DP), a domiciliary care package, or any other type of short breaks.

The guidance is for **internal use only** and details the following:

- How cases are allocated
- The frequency of care package reviews
- When children should be seen
- The frequency of Child & Family Assessments
- How Bexley Short Breaks Panel works and best practice around panel processes.

### **1. The key focus will be on Children receiving ‘Short Breaks’.**

This policy will also detail how children subject to Child in need plans are managed and Review only cases. It details how care packages are reviewed when Child in need plans are in place.

It will also set out how children receiving overnight section 17 respite are managed within the service in line with the statutory short breaks guidance. Some children have a combination of overnight short breaks, Direct Payments/Domiciliary Care and this policy covers how their overall package will be reviewed.

The aim is to provide a consistent and shared definition of how Children with Disabilities’ care packages are reviewed and managed in Bexley. It will assist colleagues both within the service and across other departments.

### **2. Definition of a ‘Short Breaks’ case**

Bexley Children with Disabilities Service is a specialist service for children that meet the criteria (see Bexley Children with Disabilities Service Eligibility Criteria and the Registration Form) and are assessed for specialist short breaks via a Child & Family Assessment. The allocated social worker assesses the need for short break support (this can be a new identified need or a change to the existing short breaks care package), presents the case to the multi-disciplinary Children with Disabilities Short Breaks Panel to request a range of services which can include:

- Direct Payments for parents to employ a Personal Assistant.
- Domiciliary care through an approved care agency on the framework.
- Overnight respite at Falconwood.
- Activities, after school clubs, weekend and holiday schemes through approved local providers that are on the framework for example SNAP.

### **3. Legal Advice**

*A disabled child will be a child in need under s.17 CA 1989. Section 17 provides that it shall be the general duty of every Local Authority:*

*To safeguard and promote the welfare of children within their area who are in need; and so far as is reasonably consistent with that duty, to promote the upbringing of such children by their families, by providing a range and level of services appropriate to those children's needs.*

*In order to do this a Children and Families assessment is completed. This should be completed by a qualified social worker. Arising out of this assessment there should be a child in need plan drawn up. A child in need plan will contain the support which is being provided to a child and/or family by Children's Services.*

*The plan should be agreed with the family so that the family are aware of who will be providing what services. The fact that the social worker will undertake the C&F assessment but visits and attendance at other meetings will be the SWA will then be known to the family and the different roles will be clear.*

*If the child is a CIN simply as a result of being a disabled child and that there are no safeguarding or parental capacity issues, then the proposal set out should be ok.*

### **4. Review Only Children:**

These are children in need by virtue of having a disability (severe/profound needs) under Section 17 of the Children Act 1989. These are cases where there are no parenting issues/safeguarding concerns that would warrant any regular involvement from an allocated social worker. Parents and carers manage well with the support of a care package that enables their child to attend a leisure activity and parents a break from caring (and or time with other siblings).

These children are allocated to social work assistants who will carry out a home visit once every six months, attend the child's Education and Health Care Plan reviews and facilitate a yearly Child in Need Review to ascertain how the care package is working, what they are worried about, what is working well and what needs to happen next. No additional visits are required during this period unless there is a change of circumstances, any concerns arise or parents request additional support.

Each Review Only Child will have supervision or management oversight recorded on the child's file records minimum once every three months.

An annual review of their needs will be undertaken by a social worker completing a child and family assessment in collaboration with the child and family/other professionals in order to ensure all their needs are met and the short breaks provision/care package remains purposeful/suitable.

The social worker will also make recommendations for the child to remain a review only case or be allocated to a social worker based on the child and family assessment.

Further information on Child In Need regarding assessment and plans, can be obtained by following the link:

[https://bexley.proceduresonline.com/p\\_cin\\_plans\\_rev.html?zoom\\_highlight=Child+in+Need#cin\\_plans](https://bexley.proceduresonline.com/p_cin_plans_rev.html?zoom_highlight=Child+in+Need#cin_plans)

#### **4.1 Frequency of children in Need Reviews on Review only Children:**

The frequency of Children in Need Reviews will be yearly. The review can be brought forward if the child/family circumstances change or at the request of the parent/child or professional network.

#### **4.2 Visit frequency:**

A home visit to see the child is required at a minimum of once every six months to ensure that the child and family's views are updated with regards to their support package and current circumstances.

#### **5. Children Receiving Overnight Breaks under Section 17:**

All children/young people receiving overnight short breaks at a residential setting will have a Short Breaks Review/Children in Need Review every three months. Ideally one of those reviews will be linked to the school's Education, Health and Social Care Plan Review.

#### **5.1 Visit frequency:**

A Child in Need home visit will be carried out every 4 weeks by a social worker.

Where Section 20 (Regulation 48) applies, a visit should take place within a week of the respite/short breaks placement commencing and a review should take place within three months at the setting, then reviews to take place six monthly thereafter.

#### **(Overnight breaks: Section 20)**

Under Section 20 Children Act 1989, with short breaks of not more than 17 days each in the same setting (where the total number of placement days does not exceed 75 in any 12-month period) or where the short breaks exceed a total of 17 days per placement/75 days per 12-month period and/or take place in more than one setting. In these circumstances, the child is looked after, an IRO must be appointed, and a Care Plan drawn up including Looked After Child medicals and Personal Education Plan meetings.

The Care Plan must set out the arrangements to meet the child's needs with particular regard to:

- The child's health and emotional and behavioural development, any disability, medical needs and medications;
- The child's specific communication needs;
- Promoting contact with parents/anyone with Parental Responsibility;
- Arrangements for contacting parents as necessary, in particular an emergency contact number;
- The child's likes and dislikes regarding stimulation and leisure interests;
- How the carers, as appropriate, promote the child's educational achievement
- The name and address of the registered medical practitioner;
- The type of accommodation, address, name of person responsible;
- The respective responsibilities of the local authority and parents/anyone with Parental Responsibility; any delegation of responsibility from parents to the local authority; the respective roles and responsibilities of the placement/provision provider, social worker, Independent Reviewing Officer (IRO) and other staff employed or commissioned by the local authority to contribute to the plan for the child's care; the respective safeguarding responsibilities of the provider and the local authority;
- The expected duration of the arrangements and the steps to end them; arrangements for giving notice of intention to terminate the agreement along with the local authority's responsibilities for convening a review of the child's Care and Pathway Plan where there is a risk of the placement being terminated;
- Frequency of visits;
- The provider's responsibilities for notifying the child's social worker of any significant change in the child's circumstances.

Visit frequency will therefore be in line with statutory requirements once every 20 working days and needs to alternate between home visits and provision/placement visits in order to have an overview of the whole life experience of the child/family.

See [Short breaks for disabled children - GOV.UK](#) when making decisions about S17 or S20.

In cases where a parent does not consent to Sec. 20, i.e. their child becoming Looked After, legal advice should be sought and discussion/decisions with parents should be clearly noted together with the legal advice on the child's electronic file.

#### **6. Frequency of Child & Family Assessments:**

Every child in receipt of a care package regardless of the number of hours provided, or the type of package they have and including those attending overnight short breaks, will have a Child & Family Assessment which will be updated on an annual basis.

For children being reviewed on a six monthly basis, their child in need plan needs to be reviewed at this stage.

#### **7. Children with Disabilities Service Short Breaks Panel Review Principles:**

CWDS Short Breaks Panel meets once a fortnight at the Civic Offices.

There will be no increase in hours or decrease in hours agreed at panel without an updated Child & Family Assessment having been completed and signed off by a manager.

If a family are asking for more hours during a review and an updated Child and Family assessment is not underway, an assessment needs to be completed to evidence a change in circumstances.

Similarly, if a worker is recommending a reduction in care package during the review, a Child and Family Assessment needs to be updated.

It is the Child and Family assessment that informs any change in care package.

For emergencies, decisions can be made outside of panel.

#### **8. General principles around allocation and de allocation:**

Social workers are allocated a combination of cases, Child in need, Child Protection & Looked after Children. Review only Children are only allocated to social workers when they are updating the Child and Family Assessment or if there has been a change of circumstance and the family require social work intervention. This decision will be made by a manager.

Review Only Children are allocated to social work assistants in the team. Social work assistants will complete home visits, update Child in Need Plans; attend annual education review meetings and the Education and Health Care Plan meetings. They will also have telephone contact with parents in between child in need visits. All children allocated to the Social Work Assistants will have an updated assessment completed by a social worker. This will be regularly reviewed by managers.

As a rule, Children under (Review Only) which are due for a review assessment will be allocated to the same social worker that carried out the previous assessment where possible. This will provide continuity to the family who will not have to tell their story again.

#### **9. Children receiving Continuing Care Support:**

Where a continuing care package is in place and the annual Children and Families assessment needs to be completed jointly with the Children's Nursing Team.

#### **Document Control:**

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