

Policy Committee Decision Report

Title of Report:	Children Short Breaks Framework Recommissioning
Date of Decision:	5 th November 2024
Report To:	Adults Health and Social Care Policy Committee
Report Of:	Meredith Dixon-Teasdale, Strategic Director, Children's Services
Report Author:	Joe Horobin, Director of Integrated Commissioning and Sally Williams, Director of Children's Services

Executive Summary: Local authorities have a duty to provide a range of short breaks services for families caring for a child with a disability. Part of Sheffield's offer is access to contracted day time sessions in small specialist clubs provided by local charities and not for profit organisations. There are currently 14 Providers delivering this service to 344 children in 2023/24 via the Short Breaks Framework Agreement.

The Framework is in an extension year of a 4-year contract and requires recommissioning to ensure compliance with procurement regulations. A range of Stakeholder consultation has taken place over summer 2024 to inform the new specification and tender documentation and remodelling of the service.



Council Plan outcomes: [List the relevant outcomes as set out in section 3]

[A place where all children belong and all young people can build a successful future](#)

[Great neighbourhoods that people are happy to call home](#)

[People live in caring, engaged communities that value diversity and support wellbeing](#)

[A creative and prosperous city full of culture, learning, and innovation](#)

[A city on the move – growing, connected and sustainable](#)

Policy Committee remit:

This report is to be considered by the Education, Children and Families Policy Committee as its remit includes [add relevant part of committee remit: [Part 3C - 3.3 Matters Delegated to Committees May 2024.pdf \(sheffield.gov.uk\)](#)”

Does the report contain confidential or exempt information? No

Recommendations:

The Adult's Health and Social Care Policy Committee is recommended to:

1. Note that the Education, Children and Families Committee on 5th November 2024, the recommissioning of a 4 year plus a potential extension year of the Short Breaks Framework Agreement through competitive tender process with the open market
2. Note that the Education, Children and Families Committee on 5th November 2024 approved the inclusion of Outward Bounds at a static level over 4 years and Activity Based Residential Short Breaks on the new Framework
3. Note that the Education, Children and Families Committee on 5th November 2024 approved the overall 4-year budget £5,750,000 for Lots1 and 2 on the new Framework. Lot 3 Activity Based Residential Short Breaks budget to be identified and agreed at a further date.

Financial Implications:

Yes, Approved by Kayleigh Inman

Legal Implications:

Yes - Approved by Tarmina Saville

Equality and Inclusion Implications:

Yes, Approved by: Bashir Khan

Full Equalities Impact Assessment completed with EIA number: 2125

Climate Change Implications:

There are no climate implications.

Background Papers: None

Appendices: None

1. Background to the issue

- 1.1 The Council has a duty under the Breaks for Carers of Disabled Children Regulations 2011 to provide:
 - day-time care in the homes of disabled children or elsewhere
 - overnight care in the homes of disabled children or elsewhere,
 - educational or leisure activities for disabled children outside their homes, and
 - services available to assist carers in the evenings, at weekends and during the school holidays.
- 1.2 Research has shown that children with Special Educational Needs and Disability (SEND) or a Learning Disability are at higher risk of poorer outcomes than their non-disabled peers. Daytime Short Break Activities are specialist activities and clubs which are not open to the general public but are solely for disabled children whose needs are more complex requiring specialist provision to meet their needs to support access and engagement.
- 1.3 Short Breaks are an essential package of support that specifically focusses on and meets individual needs due to a child's disability. Day time short breaks often serve as a preventative measure to support families to stay together where caring for a child with a disability is compounding other challenges in their lives.
- 1.4 Some children's disabilities and health needs are so complex that parents and carers are unable to fulfil other basic family responsibilities, focus on their other children or prioritize their own health and wellbeing. For some families it is a practical break that allows them to rest, for others it's an intervention to prevent escalation, or it's a step down from children in need interventions where families require less support.
- 1.5 Families receive either a standard or enhanced package of support, depending on the level of complexity. A standard package might be one 5-hour session Saturday per fortnight, and an enhanced package might include weekly sessions and sessions throughout school holidays. Families with the most level of need may have residential short breaks, as well as a daytime package.
- 1.6 Sheffield City Council commissions a range of charities and independent sector Providers from across the city, to deliver a programme of day-time Short Break Services and activities for children and young people with disabilities. These services provide a range of important leisure and development activities for disabled children and provide a break from

caring for parents and carers, and form part of the statutory local offer to children and families.

- 1.7 The current Short Breaks Framework is in an extension year of a four-year contract. There are currently 14 Providers on the Framework, each delivering a range of activities for children aged between 5 and 17 years of age. To ensure that the council is compliant with procurement legislation, the Framework must be recommissioned through the open market, and cannot be subject to a further extension, other than a short-term extension to allow mobilisation following award.
- 1.8 Commissioners increased the number of places available in the last 6 months to meet demand and to reduce the waiting list for Short Breaks. Authority to extend and upscale provision was agreed at the Education, Children and Families Policy Committee in August 2023. A transitions specific short break was also agreed and developed as a pilot.
- 1.9 Recommissioning activity commenced in spring 2024 with a range of stakeholder consultations taking place which covered, children and families, professionals and market engagement with current and new Providers. The proposed new model is based on key findings from this consultation. Work is ongoing to devise the specification and tender documents so that these are ready for launch in November 2024 following authorization.
- 1.10 Commissioners are responsible for the quality assurance of Short Breaks delivery, but it is the SNIPS team (Special Educational Needs and Inclusion Service) that work directly with families and place children into provision. Other Short Breaks activity that forms part of the wider offer such as the Short Breaks Grant and Direct Payments are not part of the recommissioning but are being considered as part of an overall review of the SNIPS service which is running in parallel. The two work streams are considering the findings of the consultation in a whole system approach to improving access and information, choice for families and ensuring provision is high quality and outcomes focussed. Completing these in tandem ensures that service and provision are aligned to ensure maximum efficiency of the new Framework.

2. Proposal

- 2.1 The purpose and rationale of the recommissioning of the Short Breaks Framework are as follows:
 - Ensure procurement regulatory compliance
 - Improve services based on evidence and through a cycle of continuous improvement

- Redesign the model so that Short Breaks offer families what they want, and need and that future demand can be met
 - Ensure that services are of a high quality, safe and enjoyable
 - Remove any barriers to access and inclusion that the current model may pose for some families
 - Ensure best value for money for the council, and support the local economy by investing in local Sheffield services in communities
- 2.2 The current Framework does not include provisions for the creation of additional capacity and the budget was split equally over the four years. It is essential that this is remedied in the new Framework, by increasing the budget on a sliding scale over 4 years to ensure provision will meet future demand. This can be achieved using a funding formula per head, based on current costs, expected inflation and predicted growth based on previous years.
- 2.3 Short Breaks is a valuable service for families, and children remain eligible as diagnosis are usually lifelong. This means that some children come into Short Breaks and may stay the duration of their childhood, which reduces through flow of places. However, some children naturally leave and move into other provision, leave the city or turn 18. Based on the Short Break figures over the last 4 years it is estimated that 25 new places need to be commissioned each year. Evidence in Sheffield and nationally is clearly indicating a rise in demand for EHCPs and special educational places, and it is likely that demand for Short Breaks will mirror this trend. To that end, building in sufficiency is essential.
- 2.4 The current Framework has three day-time Short Break Lots, which Providers tailored their original bids to. The lots are based on complexity of need, with Lot 1 being the least complex and Lot 3 being the most complex. This has created challenges, as the Framework doesn't allow Providers to expand to other Lots and respond to demand without going through a procurement process, including repricing.
- 2.5 Most importantly, the current Lot system can be a barrier to children choosing particular activities in particular locations if their needs are identified as being within a specific Lot category. A more inclusive model would work to children's interests and location and create provision with adaptations to meet need. Both the current provider consultation and the SNIPs team consultation strongly viewed the 3 current Lots as a barrier to inclusion and choice, and an arbitrary commissioning arrangement. Developing a model which ensures distance from home is also factored into decision making when placing children in provision will support access and will also contribute to the Councils climate ambitions by reducing travel time.
- 2.6 Not included on the current Framework but in scope for inclusion in the next one is the Outward Bounds Short Breaks, which offers a specific school holiday programme in green spaces, with adapted equipment

where needed and specialist staff. This is currently provided in-house by Thornbridge, and by an external provider, Whitehall and runs 11 weeks per year for children eligible for a short break. The overall cost for this annually is £165,000 for 11 weeks of delivery, 5 days a week. Compared to daytime short breaks this is more expensive and is used in a targeted way to provide support for eligible children who need it the most. It is not predicted that demand will change for this service as other less expensive school holiday services can create capacity, reserving this for a particular cohort. Therefore, this budget would remain static other than inflationary rises.

- 2.7 Furthermore, there is an opportunity to bring a new Activity Based Residential Short Break into the Framework. Currently, children requiring a residential short break are offered these through our in-house specialist residential homes. Places are limited and demand outstrips supply. This option would alleviate pressure on our in-house homes and offer some children a more exciting and developmentally rich weekend of activity-based care. This is being explored with Thornbridge, as an extension to their Outward Bounds Provision, and the intention is to utilize in house provision where possible. For longer term sufficiency, creating alternative options via the Framework will ensure that specific needs and demand can be met flexibly, and simply through organisations that have passed appropriate due diligence and have priced up their offer competitively, ensuring value for money and safe provision.
- 2.8 By bringing Outward Bounds and Activity Based Residential Short Breaks into the Framework, Commissioners will ensure that this element of provision is compliant with procurement regulations and has a more robust quality assurance framework. Providers are not guaranteed business when entering the Framework, so it is feasible to utilise the maximum amount of capacity from Thornbridge and have additional capacity available if needed. Comparatively on price and quality, internal and external Outward Bounds are similar, whilst Activity Based Residential Short Breaks are untested and would require further testing and monitoring once set up to achieve a benchmark.
- 2.9 Commissioners undertook a market engagement exercise In August 2024 which included Outward Bounds and Activity Based Residential to ascertain interest and cost comparisons. Responses for these activities were low and inconclusive and require further targeted engagement with outdoor activity Providers. Staffing costs for overnight residentials are the most significant cost which requires further testing to find the most appropriate model.
- 2.10 It is therefore recommended that both these elements of provision be included in the new Framework, which will provide an opportunity for Commissioners to test the market fully, whilst offering no guarantee of

business so no financial risk. Once the financial modelling has been complete, authority will then be sought to utilize it, and only if our in-house provision cannot meet demand within the financial envelope that will be identified at a later stage.

- 2.11 The commissioning activity has led commissioners to develop this proposal for the new Framework:
- A 4-year Framework Agreement with an inbuilt annual 2% rate inflationary increase and an option to extend for a further year.
 - A closed Framework Agreement, which can only be opened to new Providers if and when capacity has been exhausted.
 - 3 new Lots on the Framework:
 - Lot 1: Day time Short Breaks, all age, all levels of need including a transitions specific short break.
 - Lot 2: Outward Bounds Short Break
 - Lot 3: Activity Based Residential Short Break
- 2.12 To ensure that the number of places can grow to meet demand, around 25 additional places need to be created each year. Parents and families have clearly stated that their preferred option is school holidays, so the majority of these places would be created then. Some transition places will run past 18 years to lessen the burden on families where their young person is going through numerous other transitions with education and health and commissioners are working with adult commissioners to formalize the commissioning arrangements ahead of the new Framework.
- 2.13 In the four years of the life of the contract demand has increased by 100 children altogether. This is not evenly spread over each year. For this purpose, an average creation of places for 25 children per year has been used as a maximum guide, though this could fluctuate. Ensuring that vacancy rates are robustly managed could potentially reduce the number of places required, though this will need testing in year 1 of the new Framework. There are always usually around this number of children on the waiting list at any given time, and having inbuilt growth would ensure that sessions could be created to reduce waiting times for families in need of support, potentially reducing more costly crisis interventions.

3. How does this decision contribute to the Council Plan?

3.1 Council Plan outcome

- 3.1.1 Of the five strategic outcomes in the Council Plan, recommissioning the Short Breaks Framework directly impacts the following 2:

A place where all children belong and all young people can build a successful future by delivering services that children need, in locations as close to their homes as possible, giving them a sense of belonging, and opportunities they may not have otherwise been able to access.

People live in caring, engaged communities that value diversity and support wellbeing by providing families caring for a child a break from their caring responsibilities and time to focus on their own needs and those of the wider family. The recommissioning supports our Voluntary, Community and Faith Sector Partners by providing essential funding for their specialist services, local knowledge and helps create local jobs.

3.2 People – Prosperity - Planet

3.2.1 **People:** The Short Breaks Framework provides the contractual mechanism to be able to provide high quality services for children with disabilities and ensure that their families have a break from their caring responsibilities. As part of the recommissioning process, children and families have engaged in consultation that has directly influenced the revised model and is informing changes in practice as part of the Short Breaks review.

3.2.2 **Prosperity:** Families with a child with a disability are disproportionately impacted economically by some of the practical challenges associated with their caring role. Ensuring families have access to a break from this caring role can give some families capacity to engage in other support and opportunities and help alleviate barriers such as poor mental health.

4. What community or partner engagement has been undertaken and how has it informed the proposal?

4.1 As part of the recommissioning of the Framework, the following consultation has taken place:

- Current Framework Provider Consultation Event, July 2024
- Parent/Carer of a child/ren with a disability in Sheffield, Focus Group July 2024 (Facilitated by the Parent Carer Forum)
- Parent/Carer Survey - currently using daytime short breaks August 2024
- Children and young people currently attending short breaks sessions August 2024 (Facilitated by The Children's Involvement Team)
- Market Testing Survey, August 2024

- 4.2 The consultation is currently being collated and analysed to understand key themes, and where particular views and experiences appear across different consultations. The focus of consultation across all opportunities were consistently applied (where appropriate) and include:
- Access to short breaks including information and understanding about eligibility and journey through referral, waiting times etc.
 - Barriers to access and engagement
 - Travel and transport
 - The purpose and value of short breaks on the child and the family
 - Satisfaction and enjoyment of current provision
 - Transitions into adult services
 - Activities and choice
 - Challenges and solutions to improve short breaks
- 4.3 Emerging themes identify that eligibility isn't clearly available for families and some professionals have different understanding of this, making some parents feel that it's another battle in an already challenging SEND landscape. Where families are able to access short breaks, satisfaction is high, the service is valued, and they feel their children benefit from the sessions.
- 4.4 Current Providers enjoy delivering these services and build good relationships with families often bridging them into other services they offer, providing additional resources from other funding streams. They strongly challenge the current Frameworks lack of an inbuilt annual inflationary uplift and as the majority of them are not for profit, some have struggled financially with delivery, but have felt compelled to continue as they are invested in the children and families they work with. Whilst some Providers have successfully received an uplift either once or twice during the duration of the contract through the business case process, this has been below cumulative inflation and was compounded by the Pandemic and the cost-of-living crisis.
- 4.5 Parents identified home schooling and school exclusions of children with SEND as an added pressure, and this isn't sufficiently considered when developing a package of support. They were strongly in favour of school holiday short breaks over any other time of the year.
- 4.6 The majority of families take their children to sessions by car under half an hour drive, though there are exceptions. Public transport costs are expensive, and a few parents identify that travel time reduces their actual break from caring.
- 4.7 Transition to adult services was a key theme, with some families experiencing gaps in services and feel unprepared and unsupported when their children reach 18. This was mirrored in the SNIPS and current Provider consultation.

- 4.8 Children really enjoy making friends at their sessions, and relationships with staff featured highly in their feedback as did their sense of belonging to particular clubs. Both adults and children identified additional activities they would like to engage with that are currently unavailable, in relation to outside spaces, farms and animals, and leisure activities such as swimming and cinema.

5. What alternative options did we consider?

5.1 Alternative Option 1:

Further extension of the current contract

This is not viable due to procurement regulations. The current Framework is not currently set up to flex adequately to meet demand, and the current Lots are not fit for purpose to fully support inclusion, choice and access. Outward Bounds and Activity Based Residential Short Breaks have no formal commissioning Framework for purchasing services and quality assuring them.

Current Providers are lethargic with commissioning arrangements at present, and some have indicated that they would not agree to further extension under the terms and conditions of the current Framework. There is a risk to service continuity and a reputational risk for the council.

5.2 Alternative Option 2:

Do nothing

This not viable for the same reasons as above. The Framework must comply with procurement regulations and is in an extension year of a 4-year contract.

6. How has equality, diversity and inclusion been actively considered?

- 6.1 EIA has been agreed. This proposal activity seeks to promote access and inclusion, with the model designed from consistent messages across the various consultations that services should where possible be closer to home and promote inclusion via specialist training and adaptations.
- 6.2 Decisions need to consider the requirements of the Public Sector Equality Duty contained in Section 149 of the Equality Act 2010. This is the duty to have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.
- to help evidence meeting the requirements of the duty, we have carried out a full Equality Impact Assessment.

6.3 The Equality Act 2010 identifies the following groups as a protected characteristic:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation

6.4 An annual analysis of the usage of short break services is undertaken, mapping usage and to identify the demographics of children and young people accessing the service, this includes age, ethnicity, geographical location and primary need.

6.5 An Equality Impact Assessment was undertaken 23/24 and highlights the impact of the Short Breaks Framework Agreement. Recommissioning is primarily focussed on ensuring children with disabilities have access to inclusive activities within their local communities, whilst their parents and carers take a break from their caring responsibilities. Ensuring that Providers embed good inclusive practice into their delivery can be achieved by ensuring the service specification and tender documentation has clear expectations identified, and this is monitored through robust quality performance and contract management.

7. Financial and Commercial Implications

7.1 The current cost of the Short Breaks Framework Agreement for day-time sessions only and excluding outward bounds is £1.019m a year. The Outward Bounds Short Breaks cost a further £165,000 a year (including in-house and external provision, and external agency cost).

- 7.2 In the August 2023 Education, Children and Families Committee, an overall budget of £1,019m for daytime commissioned clubs was agreed. Based on 344 children accessing these clubs, this equates to £2,962 per year per child. This is an average and could be a standard or enhanced package.
- 7.3 Using this rate per child, the following table identifies the predicted annual cost of daytime clubs and overall, four-year contract value for this element of the Framework with an inbuilt 2% inflationary rise, and the creation of 25 new places per annum for children and young people.

	Current year (2425)	Year 1	Year 2	Year 3	Year 4	Optional year 5	4-year total contract	5-year total contract
Current capacity +2% inflation	1,019	1,039	1,060	1,081	1,103	1,125	4,284	5,409
Total with 25 new CYP (not places)	NA	1,115	1,214	1,317	1,424	1,534	5,070	6,603
No of children	344	369	394	419	444	469		
Cost per child	£2,962	3,021	3,082	3,142	3,206	3,270		

- 7.4 The estimated costs for daytime short breaks and daytime outward bounds, will need to be managed within existing resources, which will require careful management of additional places in later years of the contract. Inflationary costs to be built into business planning in the usual way, annually.
- 7.5 Before a Short Breaks Coordinator post can be created, funding from within existing resources would need to be identified.
- 7.6 For Activity Based residential short breaks, adding these providers to the framework contract will be done with no guarantee of business and no financial commitment. Should internal capacity be fully utilised, funding from with existing resources would need to be identified before any external commissions are agreed.

8. Legal Implications

- 8.1 On the 1st of April 2011 the Breaks for Carers of Disabled Children Regulations came into effect. The law established the duty for each Local Authority to provide a range of Short Breaks for disabled children and young people (aged from birth up to their 18th

birthday), and their parents and carers. [The Breaks for Carers of Disabled Children Regulations 2011 \(legislation.gov.uk\)](#)

- 8.2 In performing their duty, the Local Authority must consider:
1. the needs of carers who would be unable to continue to provide care unless breaks from caring were given to them.
 2. they must also consider the needs of those carers who would be able to continue to provide care for their disabled child more effectively if breaks from caring were given to them.
- 8.3 The Children Act 1989 also grants local authorities with the powers and duties to provide support services for children in need and their families. The definition of children in need includes children who are disabled and is defined under section 17(11) of the Children Act. [Children Act 1989 \(legislation.gov.uk\)](#)
- 8.4 Short breaks can be provided by local authorities through the use of their powers to safeguard and promote the welfare of children in need. [Statutory guidance on how to safeguard and promote the welfare of disabled children using short breaks \(publishing.service.gov.uk\)](#)
- 8.5 The Council has a statutory duty to introduce and maintain such services. The Council has a duty to implement and deliver such support.
- 8.6 The recommended recommissioning of the service via a competitive procurement will need to be in compliance with the Councils Contract Standing Orders and the Public Contracts Regulations 2015 or Procurement Act (when enacted) as applicable.

9. Climate and Environmental Implications

- 9.1 There are no climate implications in relation to the delivery of this service. Where a service will be delivered by external partners and Providers, we will aim to work with providers who align with our ambition to be a new zero city by 2030, through the procurement process. We encourage providers to think about the climate impacts of delivering the service, such as the use of office space, staff and client travel, energy and resource use, and opportunities to increase awareness of positive climate action and take appropriate steps to reduce their impacts in the delivery of the service.
- 9.2 Through the tender process we will where possible create services close to where people live, to reduce travel times and promote walking and/or public transport. We know through the consultation that the majority of families travel by car to their short break session, and most

of these journeys are under 30 minutes. We aim to reduce that, and through the creation of the Short Breaks Coordinator aim to match children to provision based on need and availability, but also distance from home. This will form part of our ongoing monitoring, and the creation of new spaces close to where demand has built up.

10. Other implications

10.1 No other implications.

11. Reasons for decision

- 11.1 The Framework Agreement has expired and must be recommissioned to meet procurement regulations. Our understanding of need, demand and the lived experience of children and families living with disabilities has developed over the years, along with our experience and understanding of effectively managing a Framework Agreement to commission services for children with disabilities. It's essential that this learning, and evidence be translated into a new commissioning arrangement that is fit for purpose for the next four years.
- 11.2 Its essential that we build sufficiency into the new Framework to ensure that we meet demand, and prevent furthermore costly interventions, providing preventative support to families who need it the most, as per our statutory duty.

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