

Short Breaks –the new regulations



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Looking at the history

- Direct link back to Parliamentary hearings and the development of AHDC
-the single biggest cause of unhappiness
- Supporting long term sufficiency
- Timing is critical and Children and Young Persons Act provided an appropriate parliamentary vehicle

Right to short breaks



**Children and Young Persons Act Section 25 , in force
from April 1st 2011**

LORD ADONIS

LORD RIX

Insert the following new Clause—

"Breaks from caring for disabled children

Paragraph 6 of Schedule 2 to the 1989 Act (provision by local authorities for disabled children) is amended as follows.

(3) In that sub-paragraph, after paragraph (b) insert "(c) **to assist individuals who provide care for such children to continue to do so, or to do so more effectively, by giving them breaks from caring.**"

(4) After that sub-paragraph insert—

"(2) The **duty** imposed by sub-paragraph (1)(c) shall be **performed in accordance with regulations...**"



Short break regulations

- Laid in parliament 18th November 2010
- By October 2011 local authorities must;
- Publish a statement for parents which sets out
- Details the range of short breaks
- Any criteria against which eligibility is assessed
- How the range of services is designed to meet carers needs
- Carers must be involved in the process

Developing Guidance

- Regulations will be accompanied by practice guidance which will be available to local authorities in January
- Practice guidance will need to look at;
- WHO
- WHAT and
- HOW

WHO ?

Likely to cover areas such as

- Emphasising corporate responsibility –so we don't lose the gains made in engaging with universal services
- The development of local offer approaches
- Eligibility criteria

WHAT ?

- Likely to cover areas such as;
- Matching services to needs
- Outcome based approaches
- Information as a key (taking some elements of the core offer forward)
- Looking at a range of approaches
- Services which support “ordinary lives ”

HOW ?

- Using data and building on AHDC learning
- Multi agency approaches
- Delivering through effective participation with children and families
- Delivering through personalisation approaches
- Looking at issues of workforce

Next steps

- Guidance should contain practice examples and support move into next phase of delivery
- It is key that local authorities develop their own responses in partnership with parents
- Remember that there are also new regs for short breaks through the Care Planning, Placement and Review Regs
- The Green Paper will reinforce a vision for short breaks
- Govt also looking at how best to support Las and others through the process

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