

# Frequently Asked Questions

## Short breaks

**Q) What sort of provision is covered by the term 'short breaks'?**

**Q) Why is the Government investing in short breaks services?**

**Q) Are children with the most severe and complex needs able to access short breaks services?**

**Q) What is the legality of charging by local authorities?**

**Q) What sort of provision is covered by the term 'short breaks'?**

There are lots of different kinds of short breaks services and they can be provided by short break carers, volunteers and paid workers. Short breaks can be day, evening, overnight or weekend activities and may take place in the child's home, in the home of an approved carer, or in a residential or community setting.

Short breaks can also include sitting care, with an element of childminding; befriending by another young person or adult who can help the disabled child or young person to access community activities; and community and leisure activities such as play schemes, Saturday clubs, or after-school clubs.

Short breaks can run from just a few hours to a few days or longer, depending on the type of break and the needs of the child and their family.

## **Why is the Government investing in short breaks services?**

Short breaks provide opportunities for disabled children and young people to have enjoyable experiences which help them become more independent and form friendships outside their family. They also give parents and carers the time to do normal things which other families take for granted, like doing the shopping or going for a run.

The Government's investment in short breaks has already generated a range of positive outcomes for children, young people and their families, including:

- reduced need for social care interventions, a decrease in costly out-of-area placements and a fall in the number of disabled children entering the looked after system;
- disabled children and young people experiencing increased choices, wider social networks and greater confidence and independence;
- children and young people taking a more active role in shaping services;
- more 'ordinary life' models of provision in universal settings – such as local sports clubs and arts workshops. These give high user satisfaction and offer excellent value for money as they are

- easier to access;
- parents experiencing more choice and control of family life, developing supportive peer relationships and raising their expectations and aspirations of what their children can achieve.

### **Are children with the most severe and complex needs able to access short breaks services?**

Yes. The most recent data shows that more disabled children with the most severe and complex needs are now accessing short breaks. The proportion of those children receiving a short break has increased more than for children with other needs.

### **What is the legality of charging by local authorities?**

The Children Act 1989 Part III, S 29 states that where a local authority provides a service under S17 or S18, other than advice, guidance or counselling, they may recover from a person specified (i.e. each of the parents of a child under 16, a child of 16 years or more, and a member of the child's family if the service is provided to them) such charge for the service as they consider reasonable.

Part III, Schedule 2 states: Where a LA provides accommodation under S20, S21 they may recover contributions towards the maintenance of the child looked after.

It is not legal to levy charges if someone is on income-related benefits such as income support, child or working tax credits, Job seekers' allowance or employment and support allowance.

The relevant legislation can be found at:  
[www.legislation.gov.uk/ukpga/1989/41/section/29](http://www.legislation.gov.uk/ukpga/1989/41/section/29)

### **Short Breaks Capital Funding in 2012-13**

**Q) How much money is available?**

**Q) What is this money for?**

**Q) How were the allocations for individual local authorities calculated?**

**Q) How are you defining severely disabled children in the allocation formula?**

**Q) Can 2012-13 capital funding be carried over beyond April 2013?**

**Q) Can capital be used for 0-25 year olds?**

**Q) Where can I find details of the Short Breaks Capital Grant allocated to my LA?**

**Q) Why has Government not ring-fenced the short breaks funding?**

**Q) How will the Short Breaks Capital expenditure be monitored?**

**Q) Will there be a Capital Funding allocation for short breaks in 2013-14 and 2014-15?**

**Q) How much money is available?**

£40m is being made available for short breaks capital spending in 2012-13.

**Q) What is this money for?**

Although the money is not ringfenced, this capital grant is intended to help local authorities and their Primary Care Trust partners create access to short break provision by providing new equipment, adaptations and facilities.

It is for local authorities and their Primary Care Trust partners to decide which capital projects to fund but examples may include: adaptations to carers' homes or to public venues such as children's centres, youth clubs and leisure centres (for example, through adding equipment such as paediatric hoists which enable children to fully engage in a range of activities).

We also anticipate that some of the money will be spent on accessible vehicles to transport children to break venues and small building programmes where extra short break facilities will be added to existing venues. In areas with larger capital allocations, local partners may also wish to create substantial building projects - for example establishing adapted property that foster-carers could use to provide overnight breaks.

**Q) How were the allocations for individual local authorities calculated?**

The 2012-13 capital funding allocations are identical to those awarded in 2011-12.

Capital allocations were calculated by first developing a definition of severely disabled pupils (see question below for more information) and then using regression analysis based on socio-economic factors such as the percentage of families on income support, measures of deprivation and the proportion of the pre-16 population eligible to receive the higher rate of the Disability Living Allowance. Finally, adjustments were made to take account of differing area costs and measures of sparsity to obtain the estimated number of severely disabled pupils in each local authority.

**Q) How are you defining severely disabled children in the capital allocation formula?**

The following groups of children and young people are included in our definition:

- all pupils which fall under the following SEN groups **and** attend a maintained or non-maintained special school:
  - Severe Learning Difficulty
  - Profound & Multiple Learning Difficulty Behaviour

- Emotional & Social Difficulties Speech
  - Language and Communications Needs
  - Multi- Sensory Impairment
  - Physical Disability
  - Autistic Spectrum Disorder
- **and** all pupils with statements going to independent schools whose fees are paid for by the local authority.

**Can 2012-13 capital funding be carried over beyond 2013?**

Yes, local authorities have until the end of August 2013 to spend their 2012-13 capital grants for short break services.

**Can capital funding be used for 0-25 year olds?**

The Grant Determination Letter states that the only condition attached to the capital funding is that it is used for capital expenditure. This means that it is up to local authorities to decide what to spend the grant on locally and to ensure that they are able to comply with their own local audit processes.

**Where can I find details of the Short Breaks Capital Grant allocated to my local authority?**

The Short Breaks Capital Grant Determination Letter for 2012-13 sets out the amount of capital allocated to each local authority. However, short breaks capital funding is not ring-fenced.

**Why has Government not ring-fenced the short breaks funding?**

This Government has committed to providing local authorities with the flexibility to make decisions about funding which accurately reflect local need, and that is why ring fences were removed from funding. The new duty and supporting regulations we have put in place are designed to ensure that in all areas, families with disabled children have access to a range of short breaks services. The regulations will also ensure that families understand what is available to them.

**How will the Short Breaks Capital expenditure be monitored?**

The Department reserves the right to request some details of how the funding has been committed in order to confirm that it has been spent on capital and to inform future policy and decision-making.

**Will there be a Capital Funding allocation for short breaks in 2013-14 and 2014-15?**

No decisions have yet been made about capital funding for short breaks in 2013-14 and 2014-15.

## **Training, Support and Development (TSD) Standards for short break carers**

**Q) What is the purpose of the TSD standards for short break carers?**

**Q) Who has to complete the standards?**

**Q) Who certifies that a short break carer has completed the standards?**

**Q) What is the purpose of the TSD standards for short break carers?**

The TSD standards set out clearly what short break carers should know, understand and be able to do, and are designed to be proportionate to the role and tasks of the short break carer. Completing the standards helps to ensure that short break carers are safe to take on the appropriate level of responsibility for the disabled children and young people in their care. They assist supervisors and managers in assessing the skills, knowledge and experience of short break carers, and in identifying their training and development needs.

**Q) Who has to complete the standards?**

It is expected that all approved short break foster carers who are subject to the National Minimum Standards for Fostering Services<sup>1</sup> should complete the standards during the twelve months following their approval as foster carers, or within twelve months of their taking up their role.

Other short break carers are also strongly encouraged to complete the standards to support their professional development and training.

**Q) Who certifies that a short break carer has completed the standards?**

The TSD Standards Workbook is designed to allow short break carers to collect and record evidence against each of the six standards. Short break carers will work with their supervisors or managers to complete the workbook. When sufficient evidence has been provided and the supervisor feels that all six standards have been met, he or she will complete the Certificate of Successful Completion included in the workbook and return it to the short break carer.

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