

NOTICE OF MEETING

Meeting	Executive Lead Member for Children's Services Decision Day
Date and Time	Thursday, 12th July, 2018 at 2.00 pm
Place	Chute Room, Ell Court, The Castle, Winchester
Enquiries to	members.services@hants.gov.uk

John Coughlan CBE
Chief Executive
The Castle, Winchester SO23 8UJ

FILMING AND BROADCAST NOTIFICATION

This meeting may be recorded and broadcast live on the County Council's website. The meeting may also be recorded and broadcast by the press and members of the public – please see the Filming Protocol available on the County Council's website.

AGENDA

DEPUTATIONS

To receive any deputations in accordance with Standing Orders.

Key Decisions (Non Exempt/Confidential)

- 1. PROPOSED CHANGES TO THE SHORT BREAK ACTIVITIES PROGRAMME AND CONSULTATION OUTCOMES** (Pages 3 - 56)

To consider a report of the Director of Children's Services regarding the Short Break Activities Programme and consultation outcomes.
- 2. APPROVAL TO SPEND - CHILDREN'S SERVICES PROCUREMENT** (Pages 57 - 66)

To consider a report of the Director of Children's Services seeking approval to spend in relation to contracts for services to be commissioned by Hampshire County Council's Children's Services department.
- 3. SWANWICK LODGE** (Pages 67 - 74)

To consider a report of the Director of Culture, Communities and Business Services seeking approval to the project proposals for the refurbishment and improvements of Swanwick Lodge Secure Children's Home.

Non-Key Decisions (Non Exempt/Confidential)

4. REGIONAL ADOPTION AGENCY (Pages 75 - 86)

To consider a report of the Director of Children's Services proposing a model for the future delivery of some adoption related services as a Regional Adoption Agency comprising Hampshire County Council, Isle of Wight Council, Portsmouth City Council and Southampton City Council.

5. CHILDREN'S SERVICES CAPITAL PROGRAMME UPDATE (Pages 87 - 102)

To consider a report of the Director of Children's Services and Director of Corporate Resources – Corporate Services regarding the Children's Services Capital Programme.

ABOUT THIS AGENDA:

On request, this agenda can be provided in alternative versions (such as large print, Braille or audio) and in alternative languages.

ABOUT THIS MEETING:

The press and public are welcome to attend the public sessions of the meeting. If you have any particular requirements, for example if you require wheelchair access, please contact members.services@hants.gov.uk for assistance.

County Councillors attending as appointed members of this Committee or by virtue of Standing Order 18.5; or with the concurrence of the Chairman in connection with their duties as members of the Council or as a local County Councillor qualify for travelling expenses.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	12 July 2018
Title:	Proposed changes to the Short Break Activities Programme and consultation outcomes
Report From:	Director of Children's Services

Contact name: Suzanne Smith,
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1. Recommendation(s)

1.1 To facilitate a Short Break Activities Programme that more clearly reflects the needs of parents, carers and young people accessing it, and taking into account relevant information and the outcomes of the public consultation, it is recommended that the following proposed changes to the Short Break Activities Programme are approved:

- a) Proposal 1: To commission the Short Break Activities Programme on the basis of priorities, agreed with a representative parent/carer panel
- b) Proposal 2: To require parents and carers to pay in advance for Short Break Activities, and for providers to collect advance payment of parents'/carers' contributions for those activities
- c) Proposal 3: To require providers of Short Break Activities to apply consistent parental/carer charges and hardship rates
- d) Proposal 4: To move to a new online Gateway Card application system
- e) Proposal 5: To require evidence of eligibility from a professional as part of the new Gateway Card application to access the Short Break Activities Programme
- f) Proposal 6: From 1 April 2019, to stop funding Short Break Activities for young people aged 18 and over
- g) Proposal 7: That Short Break Activities would only be funded for children who live in the Hampshire County Council authority area
- h) Proposal 8: To only fund Short Break Activities which allow parents and carers to leave their child
- i) Proposal 9: To stop funding swimming lessons as a short break activity.

1.2 It is further recommended that the charging policy setting out the consistent parent/carer contributions and hardship rates set out in *Integral Appendix D* is approved.

2. Executive Summary

2.1 The Breaks for Carers of Disabled Children Regulations 2011 bring into effect Paragraph 6(1)(c) of Schedule 2 to the Children Act 1989 (inserted by section 25 of the Children and Young Persons Act 2008), requiring local authorities to provide services to assist individuals who provide care for disabled children to continue to do so, or to do so more effectively, by giving them breaks from caring.

2.2 The Short Break Activities Programme seeks to offer a range of fun and educational activities for children and young people with disabilities and additional needs so that their parents or carers can have a short break from their caring responsibilities.

2.3 In order to access the Hampshire's Short Break Activities Programme, children and young people must currently meet the following eligibility criteria:

- Have a disability or additional needs;
- Need support to take part in leisure activities;
- Are between 0 and 19 years old (*proposal 6 seeks to change this*);
- Live in the Hampshire County Council authority area (*proposal 7 seeks to confirm this*), and/or;
- Attend a school in the Hampshire County Council authority area (*proposal 7 seeks to remove this*).

2.4 The majority of families currently access the Short Break Activities Programme through the use of a Gateway Card.

2.5 The Short Breaks Activities Programme also aims to provide parents or carers with the opportunity to take part in education, training, leisure activities, day-to-day tasks and to meet the needs of other children in the family. Short Break Activities are offered during daytimes, evenings, weekends and school holidays.

2.6 In 2016/17, 2,045 children accessed the Short Break Activities Programme. These activities are provided by voluntary sector organisations funded via grants, by some special schools directly, and by other community-based services such as sport and leisure centres (collectively referred to as 'providers') which can apply for funding to meet an individual's additional care and support needs.

2.7 The prolonged period of austerity has led to significant reductions in government grant for the County Council. In response, the County Council

has worked diligently to stretch every penny and deliver more with less money – achieving over £340 million in recurring savings, whilst protecting the quality of services as far as possible and keeping Council Tax low.

- 2.8 The Children's Services Department (excluding schools) has a two year savings target of £30.1million to be delivered by 2019, representing an overall budget reduction of 18%.
- 2.9 The current budget for Children with Disabilities is £19.5m of which £16.5m supports families eligible for social work support and interventions through children with disabilities social work teams. The budget also includes £3m of funding for a short break programme and £2.4m of this is used to provide open access short break activities delivered by third sector and charitable providers.
- 2.10 If the decision is taken to reshape the current Short Breaks offer as proposed in this report, it is estimated that £1million (a 5% reduction in the Children with Disabilities budget) could be saved and diverted towards enabling Children's Services to focus on its statutory responsibilities relating to child protection and looked after children.
- 2.11 The County Council carried out a twelve-week open, public consultation from 12 March to 3 June 2018 to seek residents' and stakeholders' views on proposed changes to its Short Break Activities Programme.
- 2.12 During the consultation period, communication took place in a range of ways to raise awareness of the consultation and provide opportunities for parents and carers to both raise questions and to have their say.
- 2.13 The purpose of this report is to provide information about the current Short Break Activities programme, proposals for changes to the Programme and how it could operate from 2019 and the outcome of the public consultation on the proposals.
- 2.14 The majority of respondents were parents or carers, family members or children or young people that either use short breaks now or did in the past, with 71% of the participant profile coming from this group. Although response numbers are low and cannot be considered a representative sample of the Hampshire population, this high response rate from the group that would be particularly effected by the proposals if implemented, gives a good indication of what this cohort of service users think about the consultation proposals.
- 2.15 Through the consultation, respondents told us what they considered a sufficient short break to be. Respondents generally mentioned a time frame of between 5-7 hours being the length of time a parent or carer receives as respite. Respondents said that their preferred time to use short break provision was during the school holiday period.

- 2.16 Respondents confirmed that the most preferred location of a short break is one that is close to home, and it would preferably take place afternoon. Respondents suggested that the length of travel time to a particular activity should be kept to a minimum.
- 2.17 Respondents reported that they thought the cost of an activity should be between £4 and £20. The cost that respondents would pay for an activity related to the relative length of short break on offer; the longest break was given the highest cost and shortest break given the least.
- 2.18 Respondents also suggested that a short break can also be about creating and consolidating family bonds through experiencing a short break activity together as a family
- 2.19 Respondents reported that the buddy scheme, Scouts/Brownies and other specialist activities, were among the hardest to access, mainly due to a lack of capacity or lack of suitable support available
- 2.20 Five of the nine proposals were overall generally agreed with:
- Proposal 2: to require parents and carers to pay in advance for short break activities;
 - Proposal 3: to require providers of short break activities to apply consistent parental/carer charges and hardship rates;
 - Proposal 4: to move to a new online Gateway Card application system;
 - Proposal 5: to require proof of eligibility from a professional; and
 - Proposal 7: that short breaks are only funded for children who live in Hampshire County Council authority area.
- 2.21 Respondents were less certain about proposal 1: To commission the short break activities programme on the basis of priorities agreed with a representative parent/carer panel. 50% of respondents agreed with the proposal, 39% disagreed and 11% neither agreed nor disagreed with the proposal.
- 2.22 The three least popular proposals were Proposal 6: stopping funding for young people aged 18 and over, Proposal 8: to only fund short break activities which allow parents and carers to leave their child, and Proposal 9: to stop funding swimming lessons as a short break activity:
- In their verbatim comments, respondents emphasised that swimming provides a parent or carer the chance to have a break, even though it is brief. Some respondents also claimed this type of activity is the only one they can access for their child due to the complex nature of their disability and/or care needs;
 - Regarding Proposal 6: stopping funding for young people aged 18 and over, respondents' main concern was the mental health and wellbeing of young people in this age bracket, as well as concerns around their transition to other care and respite services;

- Respondents from organisations or groups were more generally in favour of all nine proposals than individual respondents, although there were some reservations around Proposal 6: to stop funding for those that are aged 18 or over.
- 2.23 Of the 89 young people aged 18 and over currently accessing the Short Break Activities Programme, 74% are known to the Adults Health and Care department. In respect of the proposal to stop funding for young people aged 18 and over, if this proposal is approved, young people aged 18 and over who are accessing Short Breaks Activities (and/or their parents and carers), would be contacted by the County Council to advise them of alternative options available to them. For young people already receiving support from Adults' Health and Care under the Care Act, a review would be undertaken of their support plan to ensure any eligible needs continue to be met. The member of the Adults' Health and Care community team would contact the young person to arrange this. For young people not receiving support from Adults' Health and Care they would be advised of alternative options available to them. These may include the following options to be explored; family and friends, community based activities, voluntary groups, and supported breaks for example. If required they would also be advised of how to contact Adults' Health and Care, Contact and Resolution Team (CART), which could possibly result in a Care Act Assessment.
- 2.24 In respect of the proposal to only fund short break activities which allow parents and carers to leave their child, where families choose to continue accessing a family break they can either self fund and pay for these directly, or the activity provider can raise funds to deliver these services without statutory funding. A combination of both of these funding arrangements would be advantageous.
- 2.25 In the proposal to stop funding swimming as a short break is approved, the County Council proposes to work with local authority leisure providers to ensure that the needs of disabled children and their parents or carers are being taken into consideration, and are published on FISH (the Hampshire Local Offer) accordingly.
- 2.26 Respondents highlighted potential impacts should the proposals go ahead. The main concern was around the mental health and the wellbeing of both the child and parents/carers. A lack of respite may impact on the ability of parents and carers to cope, which could lead to family breakdown. Many also reflected how the proposals could have a financial impact on families. Some respondents were worried that any loss in funding may mean a reduced service and therefore reduced capacity by activity providers.
- 2.27 Respondents submitted a number of alternative suggestions as to how the County Council could save money. Suggestions included: making efficiencies within the wider organisation instead, utilising more online methods, and applying more stringent eligibility criteria.

2.28 A comprehensive Equalities Impact Assessment (EIA) on the impact of these proposals on children and families who use the Short Break Activities Programme was carried out and published in March 2018. This EIA has been further considered and revised for this decision day, taking into account the consultation findings.

3. Contextual Information

3.1 The Breaks for Carers of Disabled Children Regulations 2011 bring into effect Paragraph 6(1)(c) of Schedule 2 to the Children Act 1989 (inserted by section 25 of the Children and Young Persons Act 2008), requiring local authorities to provide services to assist individuals who provide care for disabled children to continue to do so, or to do so more effectively, by giving them breaks from caring.

3.2 Children Act 2004 provides a general duty of cooperation of the Local Authority partners to improve well being of children which includes parents or other persons caring for them. This duty sits alongside the specific duty for the provision of health services which the Local Authority cannot substitute.

3.3 In addition, the SEN and Disability Regulations 2014 sets out the local offer provision which must include the healthcare provision for children and young people with a SEN or disability that is additional to or different from that which is available to all children and young persons in the area. Specifically, these universal services may reduce the need for short breaks.

3.4 The County Council is required to produce a Short Breaks Services Statement as set out in the *Short Breaks for Carers of Disabled Children – Departmental Advice for Local Authorities*. The Short Breaks Service Statement was first produced in 2012, in collaboration with representatives from Hampshire Parent Carer Network (HPCN), Parent Voice, the Disabled Children's Team and County Council officers. The Statement explains how the County Council's short breaks and social care support services for children and young people with disabilities are organised and how parents and carers can access them. The Short Breaks Service Statement is regularly reviewed to ensure it reflects the current service. The Statement was refreshed in 2018, in conjunction with the key stakeholders listed above, and will be finalised following the Decision Day, to ensure it contains the most up to date information for families. It will then be published and made available to families.

3.5 In order to access the Hampshire's Short Break Activities Programme, children and young people must currently meet the following eligibility criteria:

- Have a disability or additional needs;

- Need support to take part in leisure activities;
- Are between 0 and 19 years old (*proposal 6 seeks to change this*);
- Live in the Hampshire County Council authority area (*proposal 7 seeks to confirm this*), and/or;
- Attend a school in the Hampshire County Council authority area (*proposal 7 seeks to remove this*).

- 3.6 The Gateway Card is free and gives eligible families access to activities, play schemes and buddy schemes through the Short Break Activities Programme. Eligible families should have a Gateway Card to use any activities funded by Hampshire's Short Break Activities Programme. Children are entitled to a Gateway Card if they meet the criteria set out in paragraph 3.5 above.
- 3.7 In 2014, the Executive Lead Member for Children's Services considered a proposed budget for the Children's Services Department for 2014/15 which included a reduction in the budget for the Children with Disabilities Service of between £2.5m - £3.5m. The proposal for the Short Breaks programme was to realise a saving of £1.85m from an overall budget of £3.1m.
- 3.8 Following discussion at The Children and Young People Select Committee, a task and finish group was created to further understand the proposal and the impact upon the Short Breaks programme.
- 3.9 The task and finish group scrutinised a range of information from a variety of key stakeholders and fed back to the full committee that the Short Breaks programme should be sustained at that time.
- 3.10 The group identified recommendations to reduce the impact of budget reductions and enhance the sustainability of the Short Breaks programme following a reduction in County Council funding. The recommendations of the task and finish group have been progressed and the outcomes of this work are detailed in *Appendix C*.
- 3.11 The Buddy Scheme was not included in scope of the consultation.

4. Consultation Proposals

- 4.1 The County Council has developed a valued partnership with Hampshire Parent Carer Network and Parent Voice. Prior to the public consultation period, pre-engagement events were undertaken with representatives from Hampshire Parent Carer Network (HPCN), Parent Voice, and a small group of Gateway Card holders. Pre-consultation engagement was also carried out with providers of short break activities. Views were sought on how Children's Services could make the necessary savings required from the Short Break Activities Programme, as well as how the consultation document could be framed to make it easier for respondents to make an informed decision. Together, feedback was taken in to consideration in

development of proposals contained in the consultation document.

- 4.2 The views and comments from the engagement sessions were factored into the development of the proposals for public consultation.

5. Background information to the Short Break Activities Programme

- 5.1 Hampshire's Short Break Activities Programme provides support to parents or carers of children and young people with disabilities.
- 5.2 The Short Break Activities Programme seeks to offer a range of fun and educational activities for children and young people with disabilities and additional needs so that their parents or carers can have a short break from their caring responsibilities. It provides the opportunity for parents or carers to take part in education, training, leisure activities, day-to-day tasks and to meet the needs of other children in the family. Short Break Activities are offered during daytimes, evenings, weekends and school holidays.
- 5.3 In 2016/17, 2,045 children accessed the Short Break Activities Programme. These activities are provided by voluntary sector organisations funded via grants, by some special schools directly, and by other community-based services such as sport and leisure centres (collectively referred to as 'providers') which can apply for funding to meet an individual's additional care and support needs.
- 5.4 To better understand the users of Short Break Activities, an analysis of Gateway Card holders was undertaken which aimed to identify:
- The level of Short Break Activities service usage by different service user types;
 - The characteristics of the different types of service user; and
 - The contact channel preferences for the different types of service user.
- 5.5 Using postcodes, Experian's Mosaic system for the classification of UK households was used to model the service user base. Mosaic uses hundreds of datasets from a wide range of sources to give insight into a household's likely demographics, economics, purchasing and digital behaviours, and attitudes to certain topics.
- 5.6 The outcome of the Mosaic modelling was the categorisation of a large majority of postcodes with a Gateway Card (93.5% match). By comparing these postcodes on the basis of how frequently they used Short Breaks the following patterns were observed:
- Service users who accessed the Short Break Activities Programme more frequently tended to be more affluent and live in more affluent areas, than less frequent users;

- More frequent service users are more likely to degree educated, and less likely to be claiming tax credits and experiencing financial stress, than less frequent service users; and
- Service users of all types tended to be IT literate with access to smart devices, and tended to prefer to be contacted via email.

Current Short Break Activities grant funding programme

- 5.7 Currently, Short Break Activities funding is awarded to a variety of providers across the county through a system of grants, whereby providers proposed a wide range activities for County Council to fund.
- 5.8 The Hampshire Short Break Activities Programme invites applications from providers to apply for one of three grant funding streams:
- 1) Over £5,000 awards;
 - 2) Under £5,000 awards; and
 - 3) 'Support for Individuals (SFI)'.
- 5.9 All grant awards are for one financial year (from April to March each year). All applications are received online and are evaluated by Parent Voice, Hampshire Parent Carer Network parent/carer representatives and relevant officers, through the County Councils procurement system In-Tend.
- 5.10 Applications for the over £5,000 grant stream are received annually and recommendations presented to the Executive Lead Member for Children's Services for approval in the January prior to the financial year starting. Applications for the remaining two funding streams (Under £5k and SFI) are received throughout the year and reviewed at termly panel meetings.
- 5.11 The Short Break Activities Programme funds the following five strands:
- Specialist play schemes/youth schemes;
 - Inclusive play schemes/youth schemes;
 - Support for individual disabled children to attend an activity they choose;
 - Activity days and events for whole families;
 - A Community Buddy Scheme and support for children and young people to access mainstream activities.
- 5.12 All successful providers are required (under the terms and conditions of the funding) to return quarterly monitoring reports. These reports provide evidence of the uptake of each project and how the County Council's funding is being used.
- 5.13 There is a mixed approach to the provision of Short Breaks across other local authorities. Some incorporate the Short Breaks offer in their tenders for other respite services; some have a mixed economy of grants and contracts. Some local authorities give each eligible family a set amount of funding for the year to enable them to purchase the short breaks directly. It is common for schemes to apply parameters such as those proposed by

Hampshire County Council including capping the age limit for accessing Short Breaks services at 18 years, and for the service to only be available to children and young people who live in the local authority area.

6. Financial information

- 6.1 The prolonged period of austerity has led to significant reductions in government grant for the County Council. In response, the County Council has worked diligently to stretch every penny and deliver more with less money – achieving over £340 million in recurring savings, whilst protecting the quality of services as far as possible and keeping Council Tax low.
- 6.2 The Children’s Services Department (excluding schools) has a two year savings target of £30.1million to be delivered by 2019, representing an overall budget reduction of 18%.
- 6.3 The current budget for Children with Disabilities is £19.5m of which £16.5m supports families eligible for social work support and interventions through children with disabilities social work teams. The budget also includes £3m of funding for a short break programme and £2.4m of this is used to provide open access short break activities delivered by third sector and charitable providers.
- 6.4 If the decision is taken to reshape the current Short Breaks offer as proposed in this report, it is estimated that £1million would be saved, representing a 5% reduction in the Children with Disabilities budget.

7. The proposed new Short Break Activities Programme and findings from the consultation

- 7.1 The vision for the proposed new Short Break Activities Programme is to offer a flexible and targeted range of activities that offer parents and carers a break from caring, which meet the needs of children and which is responsive to need, acknowledging that these needs may change over time. If implemented, the proposals would aim to achieve a more equitable approach to awarding funding to service providers and would offer better opportunities to shape provision to meet the needs of parents, carers and children across Hampshire, whilst minimising bureaucracy and back office processes.
- 7.2 The proposals, if approved, would be implemented from 1 April 2019, although a move to commissioning based on priorities would need to be introduced in phases to ensure that priorities are co-produced with young people, parents and carers as far as possible.

Definition of a ‘short break’

- 7.3 Respondents were asked how they would define a 'short break'. Feedback showed that the length of time respondents think a short break from caring should be varied considerably: most respondents mentioned a time frame of between 5 -7 hours, although others said one hour or even a whole week. The regularity of a break is also of importance to respondents; having a break over the busy school holiday period was frequently mentioned by respondents. For many respondents, a 'short break' was not merely about what they as carers would prefer. Respondents considered that value also derives from the activity, and quality of that activity, that the child or young person would be doing while the parents/carers have a break. A quarter of respondents mentioned that developing the child's skills and maintaining a healthy social life was also of high importance.
- 7.4 Respondents were asked to give feedback against a set of questions about their use of the Short Break Activities Programme. Key findings include:
- 7.5 In terms of their priorities and experiences, the respondent base primarily used play schemes and swimming – which is reflected in a number of later verbatim comments.
- 7.6 Respondents were also asked which activities they have tried to use, but were unable to access through the Short Break Activities Programme. They were then asked why they could not access a particular activity or scheme:
- 38% of respondents that answered this question said that they were unable to access the buddy scheme. The reason most cited was a lack of qualified buddies available in their particular area;
 - 26% of respondents were unable to access uniformed youth groups (such as Scouts or Brownies), with the main reason cited as a lack of suitability of the activity, such as not having appropriate staff or 1-1 support needed to take part in the activity;
 - 24% were unable to access specialist activities mainly due to a lack of provider capacity;
 - 21% were unable to access swimming, with the principle reason cited as a lack of capacity.
- 7.7 The preferred location of a short break is near to the family home. This suggests that, pending a decision on this proposal, in designing a new commissioning system, updated Gateway Card holder address details should provide a steer as to demand in certain areas, which could reasonably be expected to change over time.
- 7.8 When asked what time of day they would prefer to access short break provision, 34% of respondents said they preferred the afternoon (between 12:00 and 16:00).
- 7.9 Having a break during the school holiday period is a clear first choice preference for most parents and carers 69%. Most respondents also chose 'a break over the weekend' 62% as their second preference and 'having a break available on weekdays' as a clear third preference 76%.

8. Proposal 1: To commission the Short Break Activities Programme on the basis of priorities, agreed with a representative parent/carer panel

8.1 In order to ensure a more effective, consistent and equitable way of distributing funding, and to ensure there is a sufficient range of activities across the county in the places where they are needed, a new approach is proposed to the allocation and management of Short Break Activities funding to providers.

8.2 The current process of awarding grants to a wide range of different activities based on applications from providers does not enable the County Council to target specific services or areas. It is dependent on which providers are active in any given area and what they apply for, not necessarily taking into account local need or family priorities.

Consultation feedback about proposal 1

8.3 Respondents were split with this proposal with 50% of respondents saying they agreed, 39% disagreeing and 11% neither agreeing nor disagreeing.

8.4 Those that were responding on behalf of an organisation or group were much more in favour of proposal 1 in comparison to the average 64%. Although a small sample size, some organisations or groups expressed concern that they or others may not be able to sustain services in the future, if Hampshire County Council moved to a commissioning model. With the uncertainty of receiving funding, some organisations fear this may mean they will be unable to remain operational. However, despite these concerns marginally more organisations/groups expressed a positive impact if the proposal went forward as the approach would be better suited for service users through the understanding local priorities, reducing duplication and increasing opportunities for providers to collaborate.

8.5 In consultation drop in events for parents and carers, there was concern that panels have been used in the past and set up online, leading to technical difficulties and complex arrangements.

If approved, how this proposal would be implemented

8.6 If Proposal 1 is approved, a representative stakeholder group of parents/carers would be established to define more detailed priorities. This could include parent/carer representatives from Hampshire Parent Carer Network, Local Children's Partnership and SEND Information, Advice and Support Service representation. Using the consultation feedback as a basis, the group would identify priorities for each area and any gaps in provision.

8.7 The consultation has identified the following priorities from families, in order of preference:

1. Having a break within the school holiday periods (including: half-terms, Easter, Christmas and summer holiday periods);
 2. Having a break that's available on weekends;
 3. Having a break that's available on weekdays, during the school term.
- 8.8 In order to maintain sufficient Short Breaks for all Hampshire parents and carers requiring a break from caring the County Council would also seek to set priorities regarding:
- After school clubs; and
 - Youth clubs.
- 8.9 By co-producing a set of priorities with a representative group of parents and carers, the County Council would be able to invite applications from providers to meet the areas of preference; this might be geographical or service-specific.
- 8.10 Having up to date Gateway Card data (see Proposal 4) would also enable the County Council to identify need and potential demand. The priorities would be regularly reviewed (at least annually) to ensure they reflect local need and data from Gateway Card holders.
- 8.11 A priority led approach would take some time to develop, and so interim arrangements would be required to ensure that there is provision in place while the new priorities are set.
- 8.12 If this proposal is approved, providers would be notified of the funding arrangements for 2019/20 following the Decision Day. It is likely that a six month grant opportunity would be advertised as soon as possible and applications would be invited based on the interim priorities set out in paragraphs 8.7 and 8.8.
- 8.13 Once the new priorities are set by the panel outlined in paragraphs 8.7 and 8.8, services may be formally commissioned via tender where deemed appropriate, or via grants. Providers would be supported throughout any new application process, and where formal commissioning arrangements are deemed beneficial, the County Council would ensure that opportunities are available for organisations with little or no experience of tendering to learn about the tender process and to understand the requirements.
- 8.14 Applications for funding would be evaluated by parent/carer representatives and relevant officers, through the County Council's e-procurement system. The evaluation members will review each application specifically to ensure it meets the priorities as set out in paragraphs 8.7 and 8.8. Funding would be prioritised for applications where providers can demonstrate they can meet the local priorities.

8.15 This new approach to the allocation and distribution of funds would reduce duplication and facilitate closer joint working arrangements with providers. The County Council would more easily be able to identify where any gaps are and target funding to ensure there is more equitable provision across the county, in line with demand.

8.16 In the future, it is likely that there would be a mixed economy of funding arrangements. This would mean there would be a combination of tendered contracts, (where it had been identified as beneficial to do so) and these would be supported by grants where that would be more appropriate.

9. Proposal 2: To require parents and carers to pay in advance for Short Break Activities, and for providers to collect advance payment of parents'/carers' contributions for those activities

9.1 Currently, parents and carers are asked to make a financial contribution for a child to attend an activity. However, the approach adopted by providers varies. Where a provider does not charge until the day of the activity or sends invoices after the event, there is no commitment for a child or young person to attend. Providers have told the County Council that this leads to a number of 'no shows' and creates capacity issues for the Short Break Activity Provider. Parents have also told the County Council that this lack of capacity can be frustrating if there are no spaces for their child, and other children to attend that activity.

9.2 In order to ensure there is a more effective management of access to activities, it is proposed that all providers would request payment at the point of booking, whether this is as a deposit or full payment.

9.3 The benefits of introducing this process would be:

- To allow providers to plan in advance of activities taking place as numbers would be known and therefore reduce the number of 'no shows';
- To enable providers to effectively manage waiting lists as cancellations would be known in advance;
- To promote notification of cancellation from parents/carers; and
- To support organisations to become more financially viable.

Consultation feedback about proposal 2

9.4 There was widespread agreement with the proposal to require upfront payment from parents/carers, with 68% of respondents agreeing or strongly agreeing with the proposal. 75% of organisations agreed or strongly agreed with the proposal. 17% of respondents overall disagreed or strongly disagreed with the proposal.

9.5 Respondents who indicated they were a parent, carer of a child with disabilities agree to the proposal almost in line with the overall average for

this question with 71% agreeing. Those that indicated they had a household income of up to £10,000 were more likely to disagree with the proposal compared with other groups (31% disagreement). However, half of this group are still in agreement (50%).

- 9.6 In consultation drop in events for parents and carers, there was some concern that requesting upfront payments from parents of autistic children might be difficult because an autistic child could refuse to go to an activity. Having to deal with last minute medical events which could make attendance impossible on a given day might mean cancellations, and therefore, parents and carers may be reluctant to pay an upfront charge. Parents would also need providers to be flexible with payment plans to enable them to spread out payments to make it affordable.

If approved, how this proposal would be implemented

- 9.7 If implemented, providers would need to ensure that a payment options available for families, in order to allow them to take either a deposit or full payment at the point of booking. In addition to this, providers would also be expected to have a clear refund policy.
- 9.8 The collection of advance payment of parents'/carers' contributions for Short Break Activities would be a condition of the grant or commissioned service agreement. This would also be monitored through grant or contract monitoring, to ensure providers are consistent in collecting parental contributions.

10. Proposal 3: To require providers of Short Break Activities to apply consistent parental/carer charges and hardship rates

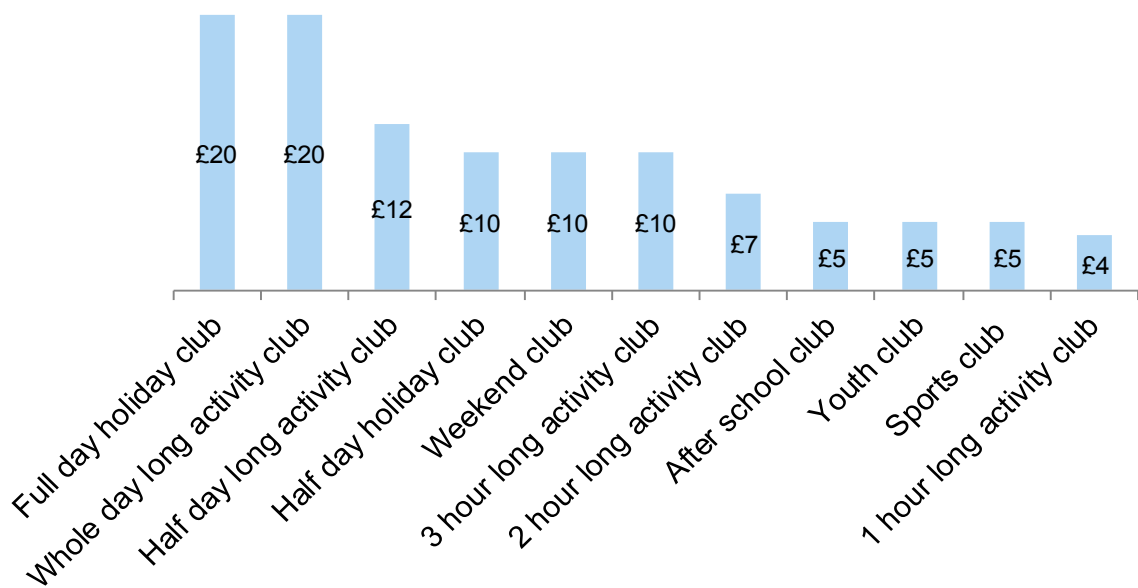
- 10.1 The current short breaks guidance states that "*It is important that providers set a reasonable parental contribution/charge.*" However, it is clear that the level of parental contribution being charged for like-for-like activities across all parts of Hampshire varies considerably. Despite collection of parental contributions being a condition of current grant funding, it is clear that some providers are not enforcing any parental charge for participants.

Consultation feedback about proposal 3

- 10.2 Respondents largely agreed with the proposal, with 66% giving a positive response and only 21% disagreeing with the proposal. Those that said they had a disability that affected them 'a lot' were more likely to disagree with the proposal compared with other groups (29% disagreement).
- 10.3 The proportion of organisations that strongly agreed or agree with this proposal was 75%. 21% of respondents disagreed or strongly disagreed with the proposal, but this did not include any organisations.

10.4 Respondents were asked if the proposal for consistent parental charges and hardship rates was applied to all providers of short break activities, how much should parents and carers be asked to pay towards those activities. The graph below shows the median amount respondents think parents and carers should pay per activity.

How much should parents and carers pay for the cost of an activity



10.5 This feedback has been compared to the desktop analysis on market rates for 'like for like' activities. It is evident that, in the main, the proposed parental charges are aligned to market rates. However, parents and carers seem to expect to pay less for holiday clubs and after school clubs, which actually charge more. Parental expectation here would only meet the proposed minimum rate.

10.6 Organisations responding to the consultation were asked what impact the potential changes to upfront payments and consistent parental charges and hardship rates might have on their organisation or group. Of those who provided a comment, 40% mentioned that this proposal is in many ways already being implemented. However, there was some concern that there would be a negative impact on parents and carers, with some parents and carers potentially struggling to meet the advance cost, with 30% of comments mentioning this as a potential negative impact. Despite respondents mentioning an impact on parents and carers, 25% of comments made by respondents reflected how there would be no initial impact on the organisation or group itself.

- 10.7 11% of comments to the consultation were around the financial implications of the proposals, and how charging at full market rates would affect the parents or carers ability to use Short Break Activities. Some respondents said that they would not be able to afford activities if a full market rate was applied. In relation to finding additional funding streams, some respondents also commented that some parents and carers could pay more towards their short breaks, by increasing charges for particular activities in order to generate additional income for the Short Break Activities Programme.
- 10.8 Concerns about the financial implications of this proposal were also raised in the consultation drop-in events. Parents/carers said that they would need providers to be flexible with payment plans to enable them to spread out payments, and thereby make a short break more affordable.

If approved, how this proposal would be implemented

- 10.9 In order to ensure parental charges are consistent across all activities, across all parts the county, it is proposed that the County Council would provide clear guidance for providers on the market rates to be charged for each type of short break activity funded by the County Council. The charging and collection of parental contributions would continue to be a condition of the grant or commissioned service funding agreement. The rates charged by providers would be monitored via grant or contract monitoring, to ensure that parent/carers are contributing appropriately and that providers are maximising their income.
- 10.10 It is also anticipated that by ensuring there are consistent parental charges which are in line with market rates, this could potentially make providers/services more sustainable as there would be a certain and more reliable income from parents and carers. This income would complement any funding received from the County Council and would reduce the level of funding being requested. It would remove disparity between different geographies within the boundaries of Hampshire.
- 10.11 The proposed market rate charges are based on Internet based research of provider published rates for mainstream/non specialist activities. These have been compared and validated through the consultation questionnaire. Where it has not been possible to find a mainstream like-for-like comparison, data from the 2018/19 Short Break Activities grant applications has been used to provide the indicative charges. The proposed charging policy which includes the proposed parental contributions and the concessions policy is set out in *Appendix D*. These rates include all activities which are currently funded by the Short Break Activities, and which are not affected by other proposals set out in this report (swimming is not included in the charging policy, for example).

It is proposed that charges would be reviewed and updated annually to take account of inflation and any other changes to market rates. Charges will be published on the County Council's Short Breaks website

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/specialneeds/shortbreaks/aboutshortbreaks>).

Hardship Concessions policy

- 10.12 In response to consultation feedback, it is proposed that consistent concessions criteria is applied to all County Council-funded Short Break Activities that provide reduced cost access to Short Break Activities for some service users.
- 10.13 The County Council understands that some providers already have a robust policy in place which may be used for services they deliver to other Local Authorities and is working well. Others have, *ad hoc* arrangements, a policy which would not stand up to scrutiny, or no policy at all. To ensure a more equitable concessions system for families it is proposed that providers consistently apply the criteria outlined in the the County Council's Short Break Activities Programme Charging Policy (Appendix D).
- 10.14 In summary, if parents/carers meet the following criteria, which are consistent with other parental contributions policies within Children's Services, the expectation is that they would be entitled to a reduced rate of up to 50% of the standard parental charge: :
- In receipt of income support, any element of child tax credit other than the family element of working tax credit, income-based job seekers allowance, or income related employment support allowance;
 - Low Income families earning a total household income from all sources of under £16,000.
- 10.15 By applying consistent concessions criteria across the programme, it is anticipated that this would provide parents/carers on lower incomes with a more equitable opportunity to access Short Break Activities provision.

11. Proposal 4: To move to a new online Gateway Card application system

- 11.1 Currently, children and young people are able to access Short Break Activities upon presentation of a Gateway Card. There are approximately 9,500 Gateway Card holders, but only around 2,000 actively use them.
- 11.2 The County Council is proposing to introduce a new online application system for the administration of Gateway Cards. For parents and carers, this proposal would mean a mandatory requirement to apply for, and use a Gateway Card, in order to access Short Break Activities.

Consultation feedback about proposal 4

- 11.3 Respondents largely agreed with the proposal, with 62% giving a positive response and only 21% disagreeing with the proposal to move to a new online system. 64% of respondents who were a parent or carer of a child with disabilities agreed to the proposal, slightly more than the average. Those who indicated they had a total household income of £50,000 or more, were more likely to agree with the proposal than the average (92% agreement).
- 11.4 The consultation questionnaire went on to ask how service users would prefer a gateway card to be issued. The most popular method indicated by respondents is the process that is currently used – to issue a plastic card, sent to a home address. A smaller proportion (27%) of respondents said that an online barcode sent to an email address would be their preference. The least preferred method is a paper card, printable from the internet, with only 12% of respondents choosing this option.
- 11.5 During the consultation drop in events, parents/carers commented on a lack of information about the current Gateway Card, where it can be used and lack of information available online. Some parents did not even know a Gateway Card existed. Parents supported the idea of having an online Gateway Card application system (perhaps via an app), also suggesting this extend to booking activities.

If approved, how this proposal would be implemented

- 11.6 To ensure accuracy of the Gateway Card data, if this proposal was implemented, all current Gateway Card holders would be asked to reapply for the new Gateway Card between October 2018 and March 2019, so that new cards are ready for use from April 2019.
- 11.7 For those unable to complete the application process online, the application could be completed by providers on behalf of a parent, through Early Help Hubs, or over the telephone with the County Council.
- 11.8 Even though this was not respondent's first preference, it is proposed that Gateway Cards would be provided electronically and would be accessible to holders and/or their families on mobile telephones, or over the internet, as a print at home card. A physical card would be provided by the County Council where there is a specific need, so that printing costs taken from the Short Break Activities budget are minimised.
- 11.9 For providers of Short Break Activities, this proposal would mean that they would be required to capture details of all Gateway Card holders accessing Short Break Activities as a condition of their contract/grant, and regularly provide access information to the County Council.
- 11.10 If implemented, this proposal would ensure that the County Council has up to date information about children's needs, which would then inform the future commissioning of activities. As far as possible, the new system

would be automated, aiming to reduce the administrative burden for both parents/carers, and the County Council. The County Council would articulate how Gateway Card data would be used in the Privacy Notice associated with the new Gateway Card.

- 11.11 Whilst this proposal would not make a specific saving, this could support the effective management of service delivery through:
- Clarity of process for parents and carers;
 - Maintenance of current and up-to-date information about Gateway Card holders;
 - Better understanding of demand;
 - Improved ease of application and use; and
 - A streamlined monitoring process for providers.

12. Proposal 5: To require evidence of eligibility from a professional as part of the new Gateway Card application to access the Short Break Activities Programme

- 12.1 The current application process for a Gateway Card does not require any formal evidence of a child's needs, condition or diagnosis. It is proposed that the County Council would require evidence of eligibility in so far as the young person:
- Has a disability or additional needs, and/or;
 - Needs support to take part in leisure activities.

Consultation feedback about proposal 5

- 12.2 The majority of respondents agreed with the proposal, with 71% giving a positive response and only 20% disagreeing with the proposal to require proof of eligibility to access the Short Breaks Activities Programme. 70% of respondents who indicated they were a parent, carer of a child with disabilities agreed to the proposal, in line with the overall average for this question.
- 12.3 Those who indicated they were responding on behalf of an organisation or group were more likely to have reservations about the proposal, with 32% disagreeing. However, just over half this group still agreed with the proposal (52%). Those that indicated they worked for a short break activity provider were more likely to agree than other groups, with 80% agreeing to the proposal.
- 12.4 Respondents were asked what evidence would, in their view, be appropriate in order to prove eligibility for access to the Short Breaks Activities Programme. 75% of respondents thought that providing proof of being in receipt of Disability Living Allowance (DLA) is an acceptable form of proof, and 65% thought that confirmation of an Education, Health and Care Plan (EHCP) would also be appropriate. 36% of respondents selected

'other associated professional involved with the family' to which respondents gave their suggestions. A Health professional, such as an occupational health therapist, mental health worker or physiotherapists were mentioned as a credible source of proof. Those responding on behalf of an organisation or group were more inclined to suggest that a 'letter from the child's teacher/ special education needs coordinator' provide the most appropriate proof, with 16 respondents mentioning this method.

- 12.5 Respondents were asked if the proposals around eligibility went ahead, how often parents and carers should have to fully reapply for a Gateway Card. 46% of all respondents thought that reapplying every three years was the best option, and 24% thought reapplication should be every five years.
- 12.6 In their open ended responses, respondents also considered the potential benefits of proposal 5, with 15% mentioning the theme of providing proof as a good way for the County Council to make savings. Just over half of these respondents were calling for a far stricter process than what is proposed. 6% of comments related to requiring proof, mainly with regards to reapplying and form filling, which could mean some families miss out on provision due to an already demanding and time consuming care-giving role. In addition, some respondents reflected how getting a formal diagnosis could take a considerable amount of time, which could mean parents and carers could miss out on receiving vital respite.
- 12.7 During consultation drop in events with parents and carers, there was feedback on the requirement to supply only one piece of evidence in order to access a new Gateway Card, or, alternatively, for providers to use an online database to check for eligibility. There was a concern that GPs charge for letters of eligibility and that this would add to the workload of a parent or carer. However, there was an understanding that there needs to be something to prove eligibility as, at present, anyone can currently apply for a Gateway Card.

If approved, how this proposal would be implemented

- 12.8 Having considered consultation feedback, the County Council intends to accept a variety of forms of evidence should this proposal be approved. This allows flexibility and choice to children, parents and carers to identify the professional they feel understands their circumstances most clearly.
- 12.9 Having listened to feedback from the consultation and considered those professionals most frequently supporting current Gateway Card applications, the County Council would accept any of the following forms of evidence if this proposal were to be approved:

- A letter from family's General Practitioner (GP), Paediatrician or Health Visitor;
- A letter from Child's Teacher/Special Educational Needs Coordinator (SENCo);
- Evidence of being in receipt of Disability Living Allowance (DLA) or Personal Independence Payment (PIP);
- Confirmation of Education, Health and Care Plan (EHCP), or;
- A letter from another associated professional involved with the family, selected from the following list:
 - Professional from Child and Adolescent Mental Health Service (CAMHS)
 - Social Worker.

No other forms of evidence, or letters from professionals not listed above would be accepted.

12.10 For parents and carers, this proposal would mean all existing Gateway Card holders and new applicants would need to provide evidence of eligibility in order to access the funded Short Break Activities Programme, going forward.

12.11 Gateway Card holders would be asked if there are any changes to their circumstances every 12 months. It is also proposed that Gateway Cards are time limited and expire after 3 years, at which point a new, full re-application would need to be made and evidence of eligibility provided again. This aligns to consultation feedback which indicated that three was the most commonly selected response.

12.12 Whilst this proposal would not make a specific saving, this may support reliable and accurate data being held about Gateway Card users, particularly in terms of current needs, which would inform future commissioning, ensuring those accessing the Short Break Activities Programme are eligible to do so.

13. Proposal 6: From 1 April 2019, to stop funding Short Break Activities for young people aged 18 and over

13.1 The current Short Break Activities programme provides over and above the County Council's statutory duty for Short Breaks: the Programme is currently available to young people until they become 20 years of age.

13.2 Whilst the County Council currently funds Short Break Activities for those agreed 18-20, providers set their own access policies. A number of providers restrict or withdraw services to young people once they reach 18 years of age due to the difficulties in mixing significantly older young people with younger children.

- 13.3 In order to bring the Short Break Activities Programme in line with the County Councils statutory duty under the Short Breaks for Disabled Children Regulations, and to be consistent with the majority of Hampshire's neighbouring local authorities, it is proposed to stop funding young people once they reach 18 years of age. Any provision for young people over 18 and their carers would be under the Care Act.

Consultation feedback about proposal 6

- 13.4 There was a strong negative reaction to this proposal, with 72% of respondents disagreeing that funding for those aged 18 and over should be stopped. Only 19% of respondents agreed with the proposal. Respondents who indicated they were a parent, carer of an adult with disabilities were more like to disagree with the proposal compared with the average, with 80% disagreeing. Those who indicated they had other children between the ages of 5 to 8 were also more likely to disagree when compared to the average with 83% disagreeing.
- 13.5 Those who indicated they were responding on behalf of an organisation or group were much more likely to agree with the proposal than the average, with 52% agreeing.
- 13.6 6% of open-ended comments to the consultation were also specifically related to the proposal around funding activities for those that are aged 18 or over with many suggesting the loss of Short Break Activities would particularly affect the mental wellbeing of those young adults as well as fuelling anxieties around the transition to other services.
- 13.7 At the consultation drop-in events, there was concern raised by parents and carers that many young people going through the transition from Children's Services to Adult Services would not meet adult social care eligibility criteria for support and the lack of comparable a similar provision for young adults. Of the 89 young people aged 18 and over currently accessing the Short Break Activities Programme, 74% are known to the Adults Health and Care department.

If approved, how this proposal would be implemented

- 13.8 2016/17 monitoring data shows that 89 young people aged over 18 used the following activities:
- Youth clubs;
 - Activity clubs;
 - Weekend clubs;
 - Holiday play schemes/clubs;
 - Sports clubs;
 - Participation groups; and
 - Family activities.

- 13.9 Following Decision Day, if this proposal is approved, young people aged 18 and over who are accessing Short Breaks Activities (and/or their parents and carers), would be contacted by the County Council to advise them of alternative options available to them. For young people already receiving support from Adults' Health and Care under the Care Act, a review would be undertaken of their support plan to ensure any eligible needs continue to be met. The member of the Adults' Health and Care community team would contact the young person to arrange this. For young people not receiving support from Adults' Health and Care they would be advised of alternative options available to them. These may include the following options to be explored; family and friends, community based activities, voluntary groups, and supported breaks for example. If required they would also be advised of how to contact Adults' Health and Care, Contact and Resolution Team (CART), which could possibly result in a Care Act Assessment.
- 13.10 The new age limit would mean that, once they reach 18 years of age, young people could possibly continue to access the activity (with the consent of the provider) but they may be required by the provider to pay the full rate, or they may access alternative community provision. Some young people may be entitled to support under the Care Act.
- 13.11 If proposal 4 is implemented for those currently under 18, it is proposed that the young person's Gateway Card would expire on their 18th birthday.
- 13.12 The eligibility criteria used by the Adults Health and Care department to access services is set out in *Integral Appendix F*.
- 14. Proposal 7: That Short Break Activities would only be funded for children who live in the Hampshire County Council authority area**
- 14.1 In order to bring the Short Break Activities Programme in line with the County Council's statutory duty and to be consistent with the majority of Hampshire's neighbouring authorities, it is proposed to stop funding those young people who live outside of the Hampshire County Council area but still attend a school within the Hampshire County Council area. The 2016/17 monitoring data shows that 48 children and young people used Short Break Activities programme.
- 14.2 The current Short Break Activities programme eligibility criteria states, that a child or young person should live in the Hampshire County Council authority area and/or children who go to school in the Hampshire County Council authority area.
- 14.3 The County Council are only responsible for providing and funding Short Break Activities for those children and young people who live within the Hampshire County Council area

Consultation feedback about proposal 7

- 14.4 The majority of respondents were positive about the proposal to only fund short breaks for those children that live in Hampshire County Council authority area, with 73% of respondents agreeing. Those who indicated they had other children between the ages of 16-18 were more likely to agree with the proposals when compared with the average (87% agreement).

If approved, how this proposal would be implemented

- 14.5 If this proposal was implemented, those young people who attend schools within the Hampshire County Council authority area, but reside in a neighbouring authority's area, would no longer qualify to access a Hampshire County Council funded short break. The children and young people may be able to continue attending if the activity provider agreed, however their place would need to be funded from the Local Authority in which they reside or be funded directly by the families.
- 14.6 The 48 young people currently accessing Hampshire County Council funded Short Breaks would be contacted by Childrens Services to outline their options

15. Proposal 8: To only fund Short Break Activities which allow parents and carers to leave their child

- 15.1 In accordance with the Children Act 1989 and The Breaks for Carers of Disabled Children Regulations 2011, the Short Break Activities Programme is designed to allow parents or carers to take a 'short break' from caring, to allow them the opportunity to spend time with other children/family members, or take part in: training; leisure activities; day-to-day tasks; or education.
- 15.2 The Short Break Activities Programme currently funds activities which require parents/carers to stay with the child. This means that parents are not able to achieve this regulatory objective as set out in paragraph 15.1.

Consultation feedback about proposal 8

- 15.3 Respondents were mostly unhappy with the proposal to only fund Short Break Activities which allow parents and carers to leave their child, with just over half of respondents disagreeing (55%). 34% of respondents said that they agreed with the proposals, while 11% said they neither agreed nor disagreed with the proposal.
- 15.4 Those who indicated they worked for a short break activities provider were more likely to disagree when compared to the average, with 80% disagreeing with the proposal.

- 15.5 In their comments on the consultation as a whole, some respondents reflected on how some proposals will have a direct impact on the types of activities parents and carers receive. If a parent was required to leave their child, 14% of parents/carers commented on the potential loss of family breaks or activity days. Respondents reported that they value this type of short break, as well as highlighting the impact that will be felt if they no longer receive funding.
- 15.6 There is a vibrant and responsive voluntary and community sector active in Hampshire and they have a role to play in seeking additional funding to support the needs of their service users to supplement provision that the Local Authority commissions to meet its statutory duties. By ensuring that Short Break Activities are prioritised and that families are contributing to costs appropriately, the proposals in this report should help to increase providers' sustainability. Providers can direct efforts at wider fundraising to support non statutory provision to include family breaks and activities for over 18's

If approved, how this proposal would be implemented

- 15.7 By implementing this proposal, the Short Break Activities Programme would no longer fund activities which require a parent or carer to stay with their child. This might include activities such as:
- Family fun days;
 - Sensory sessions;
 - Climbing;
 - Drama and dance clubs;
 - Horse handling; and
 - Family activity weekends.

Such activities would be excluded from the commissioning process for Short Break Activities.

- 15.8 This proposal **does not** include time-limited transition or settling in periods where parents/carers may need/want to stay for a short period of time to support their child to attend a new activity.
- 15.9 Where families choose to continue accessing a family break they can either self fund and pay for these directly, or the activity provider can raise funds to deliver these services without statutory funding. A combination of both of these funding arrangements would be advantageous.

16. Proposal 9: To stop funding swimming lessons as a short break activity

- 16.1 Through the consultation, respondents told us what they considered a sufficient short break to be. Respondents generally mentioned a time frame of between 5-7 hours being the length of time a parent or carer receives as

respite. Taking this into consideration, it is proposed that the Short Breaks Activities Programme would no longer fund swimming lessons, which includes group lessons and one to one lessons, as it does not offer parents or carers a short break from caring as described in paragraph 15.1. This is due to lessons being short in duration (a typical lesson is 30 minutes), which means that parents/carers are not able to have a sufficient break.

Consultation feedback about proposal 9

- 16.2 Respondents were mostly unhappy with the proposal to stop funding swimming lessons as a short break activity, with 58% of respondents disagreeing with the proposal. 26% of respondents said that they agreed with the proposals, while 17% said they neither agreed nor disagreed with the proposal. Those who indicated they had other children between the ages of 9-11 were more likely to disagree with the proposals compared with the average (71% disagreement).
- 16.3 To further understand the implications of proposal 9, respondents were asked whether they thought swimming provides a break for parents and carers. Respondents were marginally in agreement that swimming does provide parents and carers a chance to have a break, even though parents and carers would have to be present while the child is attending the activity. However, the results are not as definitive as other questions asked, with 22% disagreeing and an additional 22% unclear either way if swimming provides a break. Please note that 45% of respondents to this consultation said that they currently use swimming as a short break activity, accounting for the high prevalence of feedback about swimming.
- 16.4 Respondents (excluding those who indicated they were responding on behalf of an organisation or group) were asked whether they attended a swimming lesson as part of a short break. Those that said they had attended a swimming lesson were more likely to agree with the statement: "swimming lessons provide parents and carers with the chance to have a break," with 78% agreeing that swimming does in fact provide a break for the parent or carer.
- 16.5 24% of respondent comments relating to this proposal mentioned swimming and the impact of the loss of this activity. Of those comments that mentioned swimming, 39% highlighted concerns around the potential loss of a brief, but important break for the parent or carer. Respondents reflected how having a break by the poolside allows them chance to have a small but rewarding break watching their child learn to swim, as well as having the pressure of caring relieved even for a short while. The activity itself is mentioned as extremely valuable to respondents in this context, as it can have the added benefit of providing a valuable skill for the child, as well as having a positive impact on the wellbeing of the child, leading to calmer behaviour.

- 16.6 Respondent comments that were related to swimming suggested that the break itself has benefits for a child's development in terms of providing a valuable life skill. Respondents mentioned how, without this support, the child may not be able to access swimming lessons. This is coupled with respondents' concern that swimming lessons may become unaffordable for families without Short Break funding, thus disabled children may miss out on a much valued activity. These concerns were echoed by parents and carers at the consultation drop in events, however, there was a consideration by some parents that swimming is too short and stressful to be considered a break.

If approved, how this proposal would be implemented

- 16.7 By implementing this proposal, the Short Break Activities Programme would no longer fund swimming lessons and as a result they would be excluded from the commissioning process for Short Break Activities.
- 16.8 Swimming lessons are normally part of the school curriculum and so many children should benefit from swimming as part of their education. Furthermore, local authority managed leisure centres are bound by equality and disability discrimination legislation that should support access to swimming for disabled children and their parents and carers. If this proposal is approved, the County Council proposes to work with local authority leisure providers to ensure that the needs of disabled children and their parents or carers are being taken into consideration, and are published on FISH (the Hampshire Local Offer) accordingly.
- 16.9 Where families choose to continue accessing swimming privately they could self fund and pay for lessons directly to the provider. Providers could look to reshape current provision to provide smaller group lessons, instead of private one to one lessons, ensuring there are the correct staffing ratios in place. This could make the activity more affordable.

17. Respondent's ideas for alternative proposals or considerations

- 17.1 Respondents were asked if they had any other alternative suggestions to saving the necessary £1million from the Short Break Activities Programme budget. 158 respondents gave a comment for this question. This does not represent the total number of respondents' views and as this is a lower response rate, the data should be treated as anecdotal.
- 17.2 Respondents gave numerous alternative suggestions as to where money could be generated or saved. Respondents commented how an increase in the efficiency of how the Short Break Activities Programme is administered, along with how providers operate, could lead to savings, with 15% of comments attributed to this theme. Of those comments, a quarter mentioned that the duplication of services may be an area to consider, although this suggestion does reflect the outcomes of proposal 1, if implemented.

- 17.3 Respondents also suggested that money could also be further sought and saved within Hampshire County Council, by reducing the amount spent on administration and staff costs (12% of comments related to this theme).
- 17.4 A smaller proportion of respondent comments (8%) were around reducing the budget for other services across the County Council, with the ultimate message that avoiding budget savings for the Short Break Activities Programme would be the best way forward.

18. Consultation approach

- 18.1 The County Council carried out a twelve-week open, public consultation from 12 March to 3 June 2018 to seek residents' and stakeholders' views on proposed changes to its Short Break Activities Programme.
- 18.2 During the consultation period, communication took place in a range of ways to raise awareness of the consultation and provide opportunities for parents and carers to both raise questions and to have their say. The principle channels included:
- Online and paper surveys;
 - Easy read online and paper survey;
 - 18 drop-in events across the county, utilising a mix of HPCN events and local library venues (see paragraph 18.15);
 - Two scheduled virtual online question and answer sessions;
 - Attendance at the SEND information day;
 - Attendance at a meeting of Special School Head teachers;
 - Attendance at the HPCN Information Event; and
 - Engagement with young people who use Short Break Activities.
- 18.3 'Unstructured' responses could also be sent via email or written letter and those received by the consultation close date were incorporated into the consultation findings report.
- 18.4 Two consultation events for providers of short break activities.

Promotion and publicity

- 18.5 During the consultation period, communications took place in a range of ways to raise awareness of the consultation.
- 18.6 A dedicated webpage was set up on Hantsweb (Hampshire County Council's website), providing full details of the consultation timeframe, the drop-in events and links to the consultation document, and online/paper questionnaires. The web address for the consultation web page or hyperlinks to the page were included in all communications publicising the consultation.

- 18.7 A news item was placed on the home page of the County Council's external facing website (Hantsweb) and also on its intranet for staff (Hantsnet) with encouragement to both respond to, and spread the word about, the consultation. Information was also displayed on the plasma screens in the County Council's headquarters' reception/foyer and café areas.
- 18.8 An email inbox was set up during the consultation specifically to deal with non-media enquiries relating to the consultation. Enquiries were responded to within 10 working days of receipt.
- 18.9 The consultation was publicised through editorial in Hampshire newspapers.
- 18.10 Posts were placed at the start of the consultation on the County Council's Twitter feed (@hantsconnect) that has 44,000 followers, Hampshire County Council's Facebook account (over 3,000 followers) and on the County Council's LinkedIn account (13,500 followers). Additional reminders were posted at intervals during the consultation period. The postings were aimed at alerting people to the consultation and encouraging responses.
- 18.11 Through the County Council's schools communication channel, information was disseminated to all of Hampshire's 526 schools' head teachers and governors, and schools with nursery units (11) and the County Council's three maintained nursery schools to notify them of the consultation and asking for details and links to be included in their own parent mail communications. Officers also attended the Executive Heads meeting for Secondary, Primary and Special Schools.
- 18.12 Information about the consultation was sent to Support4SEND, FISH (the Hampshire Local Offer), Hampshire Parent Carer Network, and Parent Voice for adding to their own websites and sharing with/dissemination to parents and carers of children with learning difficulties and disabilities within their networks.

An email about the consultation was communicated to all County Councillors and two Member Briefing sessions were delivered. A link to the consultation was also sent, via email, to all Hampshire MPs.

Communication with parents and carers directly affected by the proposals

- 18.13 Online and paper Easy Read versions of the consultation document and response form were made. Paper copies of the Easy Read documents were posted on Hantsweb for ease of access. The online response form also linked to an online Easy Read questionnaire, in an effort to make the consultation as inclusive as possible.

- 18.14 Emails to all Gateway Card holders were sent to all parents and carers who would be directly affected by the proposals. The emails alerted them to the consultation, providing links to read the document and questionnaire. A small number of Gateway Card holders for whom the County Council did not have a valid email address were sent hard copy postcards about the consultation through the post.
- 18.15 18 drop-in events were arranged in venues across the county. Seven events were delivered in partnership with the HPCN at 'meet-up' events, with the remainder taking place in local Hampshire libraries. These drop-in consultation events enabled contact between parents and interested people to talk directly with County Council officers from the Children's Services department about the proposed changes and to pick up paper copies of the consultation documents. The events were advertised on the County Council's consultation webpage, through the Hampshire Parent Carer Network and Parent Voice, in local press and through the County Council's social media channels.
- 18.16 County Council Officers attended the SEND Information Day in order to publicise the consultation.
- 18.17 Postcards were designed containing details of the consultation. The postcards were distributed to various locations across Hampshire in places where families of children with disabilities were expected to visit, including activity centres/locations and special schools, in order to increase awareness of the consultation.

Engagement with young people

- 18.18 Engagement took place with young people via KIDS Young People's Engagement Group (YPEG) – a specialist independent group working directly with children and young people with additional needs to elicit their views in an appropriate manner according to their age and ability.
- 18.19 In order to aid this engagement, a specific, reduced Easy Read version of the response form was commissioned and provided to YPEG to use.

Communication with providers of short break activities

- 18.20 Existing short breaks providers were sent an email containing a link to the consultation document and online response form, along with contacts for further information and details of the information and engagement events.
- 18.21 Two information and engagement events were held with providers during the consultation period, in order to encourage responses to the consultation.

19. Consultation outcomes

- 19.1 The full findings report on outcomes from public consultation can be found at *Appendix E*.

Summary of respondents to the consultation

- 19.2 A total of 344 responses to the consultation questionnaire were submitted. 305 responses were received via the online response form, of which 22 were from an organisation or group, and 283 were individual responses. Of those individual responses, 24 were the Easy Read online version of the consultation questionnaire, 23 of which were responses from individuals, and one from an organisation or group.
- 19.3 270 responses were received from respondents who indicated they were current users and/or family or carers of a child who currently uses Short Break Activities.
- 19.4 From all 344 responses received, three were from young people who currently access short break activities. 240 respondents said they had a disabled child who was aged under 18, and 21 parents/carers of a disabled adult aged 18 or over.
- 19.5 There were 15 responses received via the paper response form; two from an organisation or group and 13 were individual responses.
- 19.6 The consultation received 11 'unstructured responses'. These are responses that were made within the consultation period, but were not submitted using the consultation questionnaire. The responses break down as follows:
- 19.7 Three responses were received from organisations or groups, including: Hampshire Parent carer Network (HPCN), Parent Voice, YPEG (the Young People's Engagement Group) and Ringwood Health and Leisure Centre, via email.
- 19.8 An additional eight responses were received via email from members of the public.

20. Key findings from engagement with young people

- 20.1 The Young People's Engagement Group (YPEG) run by KIDS, were asked to work with young people to seek their input to the consultation. A representative from KIDS and three young people met with County Council officers to present their findings on 14 June 2018.
- 20.2 There was some general feedback on the consultation document itself which the young people indicated they would have liked to have been more involved in producing (particularly in creating a young people's version of the consultation information pack). They indicated that both the information pack and the consultation questionnaire were very long and that some of

the questions did not seem relevant to young people. This feedback will be taken into account for future consultations.

- 20.3 KIDS used a specially-created Easy Read survey and also created their own survey that aligned to the consultation questionnaire in order to reach more young people.
- 20.4 KIDS fed back that young people who may not normally have their voices heard, took part in this consultation.
- 20.5 45 young people from across Hampshire answered the KIDS/YPEG easy read consultation response form, whilst others who just gave comments in relation to specific proposals. The young people responding had a variety of different disabilities including sensory difficulties, physical disabilities and learning difficulties. Key points were:
- a) 50% of respondents were aged 16-25, 43.75% were under 16 and 6.25% preferred not to say. The majority identified as having a disability.
 - b) Over half of young people agreed that asking a panel of parent and carers for priorities against which to commission short break activities was a good idea.
 - c) Whilst 25% said evening would be the best time for their short breaks others indicated a combination worked better for them, and suggested that factors such as term times and the timing of the school day need to be taken into consideration. 40% thought payment should be taken upfront prior to a short break. The young people who presented to County Council officers expressed a desire to attend short break activities without parents or carers once they had settled in to a new activity. They indicated that school holidays were particularly important times for them to be able to access short break activities.
 - d) Half of the young people who responded were unsure about the proposal to move to a new Gateway Card application system, although 25% were in agreement with the proposal and felt that there should be different ways to have a new card, including a card sent to your home and an app.
 - e) 45% of young people agreed with the proposal to require evidence of eligibility to access the short break activities programme, and they agreed that the forms of evidence identified in the consultation document were appropriate.
 - f) 60% of young people did not agree that short breaks funding should end at age 18, indicating that if there was no short breaks funding they would have nowhere to go. *[Please note that this survey was completed by mostly older children and young people].*
 - g) 40% of young people agreed that short breaks should only be funded for those who live within Hampshire.

- h) The young people asked, were less sure about whether swimming should or should not be funded as a short break activity, which may have been associated with the age of the majority of the respondents in the KIDS feedback. One third of those asked felt that swimming should be funded.
- i) Young people's suggestions for alternative options including charging more to access short break activities, seeking more private sector funding to support short breaks and ensuring Gateway Card applicants meet the Short Break Activities eligibility criteria.
- j) The young people suggested that short break providers could collaborate more and put forward a suggestion of a resource bank for equipment, materials and other resources that could be shared to reduce duplication and costs.

21. Key findings from consultation drop in events for parents and carers

- 21.1 Where feedback from parents and carers at the consultation drops ins related to a specific proposal, such feedback has been outlined in that section of the report.
- 21.2 In addition to feedback on specific proposals, parents and carers provided details of some more general issues regarding the Short Break Activities programme which are outlined below. Please note that attendance at these events was generally very low.

General issues regarding the current Short Break Activities Programme:

- 21.3 Some Parents/Carers have stated they are not able to easily identify activities on the Family Information Services Hub (FISH) which their child would be able to attend when using their Gateway Card.
- 21.4 Some parents raised concerns that some providers do not want to offer support (e.g. afterschool clubs) to certain types of children with additional needs even if funded through Hampshire County Council. Enforcement of inclusion policies is important to ensure continued access.
- 21.5 Transport can be a barrier to access of activities, particularly in the New Forest due to the lack of transport links and frequency of public transport.

Issues around access to the Buddy Scheme:

- 21.6 Concerns about the Buddy Scheme and its providers were raised, including the citation of incidences where buddies have not turned up, having poor timetables and high turnover of staff.

- 21.7 A more formal arrangement for the Buddy Scheme would be beneficial for parents/carers.

Ideas about potential alternative savings:

- 21.8 Parents and carers suggested that Hampshire County Council could work to secure corporate sponsorship from large businesses to supplement Local Authority funding for these services as part of these organisations' corporate social responsibility programmes.

22. Key findings from events for providers of short break activities

- 22.1 The providers were generally supportive of the proposal to move towards priority based commissioning.
- 22.2 The providers generally welcomed more consistency around hardship rates and recommended changing the name to a "concessions" rate.
- 22.3 They also generally welcomed proposals around payment in advance and the introduction of a range of standardised rates.
- 22.4 There were concerns raised around transition and what support would be available for young people potentially no longer eligible for Short Breaks. Providers wanted to see increased closer working between Children's Services and Adults' Health and Care Departments to minimise disruption to families transitioning between the two.
- 22.5 The sample letter to evidence eligibility was supported by providers, as it was felt this would reduce the burden on the professional and keep the evidence in a consistent format, ensure each Gateway Card application is assessed consistently.
- 22.6 Providers identified the need for reciprocal arrangements to be made with border Local Authorities to ensure children and young people potentially no longer eligible under Hampshire's scheme could still access Short Breaks via their home Local Authority.
- 22.7 Some providers fed back that family breaks and breaks where parents/carers stay still offer the family a break.
- 22.8 Communication was a theme in the discussions; providers wanted to know if the County Council had consulted with current Gateway Card holders and had sought views from young people. They emphasised the importance of timely communication with providers and families following decision day.

22.9 Providers encouraged the County Council to identify areas for avoiding duplication and reducing the onus on families in terms of completing forms and evidencing needs.

23. Feedback from HPCN and Parent Voice

23.1 The County Council wishes to thank both Hampshire Parent Carer Network and Parent Voice for their support to carry out this consultation, and for promoting the consultation proposals among their members, encouraging responses.

Summary of key points raised in HPCN feedback

23.2 HPCN members understood that savings need to be made and told HPCN that they broadly agreed with six of Hampshire's proposals. However, they felt that the proposed cut of £1million to the Short Break budget was disproportionate.

23.3 HPCN told reported that parents and carers would prefer to retain;

- Funding of Short Break Activities for young people aged 18 or over;
- Funding of activities which allow parents and carers to stay with the child – many of HPCN's members said that family sessions are amongst those they most valued;
- Funding of swimming lessons, and disagreed with the County Council's claim that swimming forms part of the curriculum.

23.4 HPCN Members felt that disabled children are excluded from school lessons but learning to swim saves lives. HPCN members value the short time that swimming lessons give them to step away and relax for half an hour, chat with a friend or have a coffee, and that they consider it to be a break from caring.

23.5 HPCN reported that would be long term effects if these proposals are agreed, and there may be extra costs that they might entail as families struggle to have a break, no matter how short.

Summary of key points raised in Parent Voice feedback

23.6 Parent Voice agreed with proposals 1, 5, 7, 8 and 9¹. The group gave no view either way on proposals 4 and 6².

¹ Commissioning based on priorities, evidence of eligibility for a Gateway Card, funding for children who live in the Hampshire County Council area, only funding Short Break Activities where which allow parents/carers to leave, stop funding swimming lessons.

² New online Gateway application system, to stop funding Short Break Activities for young people over 18.

- 23.7 Parent Voice strongly agreed with proposals 2 (advance payment) and 3 (consistent parental/carer charges and hardship rates). In their verbatim comments, the group gave support for pre-payment for activities, and said that hardship rates should be means tested.
- 23.8 Parent Voice said that they would prefer proof of eligibility to be re-obtained every three years.
- 23.9 The group expressed a preference for a plastic card which is posted to the home.

24. Mitigation of potential impacts

- 24.1 In addition to structured questions, the consultation questionnaire asked respondents to describe what, if any, impact, the proposals in the consultation could have on them or their family, or people they know or work with. Where these impacts related to specific proposal, any mitigating actions proposed to address the impact are identified in the relevant section of this report.
- 24.2 There are general issues regarding the current Short Break Activities Programme and accessing the Buddy Scheme which could be rectified with the following mitigations:
- 24.3 Parents and carers are not able to find activities which are funded through the Short Break Activities Programme on the Family Information Services Hub (FISH). It would be possible to amend the website, to add an additional search filter to enable parents/carers to search on 'Gateway Card'. This would then provide a list of all activities which Gateway Card holder could access.
- 24.4 Providers not wanting to offer support to children with additional needs where activities/services are funded by the County Council. This could be managed by having a clear feedback process available on the County Council website. This would enable the relevant department to investigate the issues and would be picked up through grant/contract monitoring.
- 24.5 The capacity and responsiveness of the Buddy Scheme will be discussed with the Buddy Scheme Providers and the County Council will work with those providers to address the issues going forward.
- 24.6 The County Council proposes to discuss access and support concerns raised in respect of accessing Scouts and Brownies with those organisations with the aim of agreeing clear expectations regarding when and how any additional support needs for children will be met in future.

Impact on mental health and wellbeing

- 24.7 18% of respondent comments considered the potential negative impact on wellbeing. Of those comments, 40% were concerned there would be a negative impact on parents and carers.
- 24.8 17% of comments also suggested that families would struggle to cope if provision is reduced, with some suggestion that the family unit may be compromised.
- 24.9 It is hoped that, if the proposals were approved, Short Break Activities would be commissioned on the basis of identified priorities, using Gateway Card data to support clear identification of need and the required location of provision. By offering a more targeted Short Break Activities Programme, the County Council would aim to ensure availability of Short Break Activities sufficient to meet need. More consistent application of parental charges would support providers to become more sustainable.

Exceptions grant pot

- 24.10 It is proposed that a small fund is set aside to provide additional funding for exceptional circumstances. This could include the funding of additional staff for children whose needs require increased staffing levels, (particularly for mainstream activities) funding for training to enable providers to support specific needs and to ensure there would be some flexibility in the proposed Short Breaks Activities Programme to support unforeseen circumstances.

25. Equality considerations

- 25.1 A comprehensive Equalities Impact Assessment (EIA) on the impact of these proposals on children and families who use the Short Break Activities Programme was carried out and published in March 2018. This EIA has been further considered and revised for this decision day, taking into account the consultation findings.
- 25.2 The EIA outlines the provision of services delivered by the Short Break Activities Programme to children with a disability or additional need who need support to take part in leisure activities. The EIA describes the potential impacts of the proposed changes on those with protected characteristics and the action that would be taken by the County Council to minimise these impacts. The protected characteristics that have been identified as medium or high impact are: Age, Disability, Gender, Poverty and Rurality.
- 25.3 The impact in relation to disability is considered to be high because the group of children and young people affected by these proposals have disabilities. The proposed introduction of a requirement to provide evidence of eligibility for the short breaks programme would ensure that short breaks are targeted at children who have a disability or additional need and who

need support to take part in leisure activities. The majority of respondents to the consultation agreed with this proposal.

- 25.4 The proposal to commission the Short Break Activities Programme on the basis of priorities, agreed with a representative parent/carer panel could enable activities to be commissioned specifically based on needs agreed by the parent/carer panel. There was a split response to this proposal. This new approach to the allocation and distribution of funds would reduce duplication and could encourage provision that is better suited to service users by understanding local priorities. The County Council would more easily be able to identify where any gaps are and target funding to ensure there is more equitable provision across the county, in line with demand.
- 25.5 The impact in relation to age is considered to be high because children and young people who are currently eligible for the programme are aged between birth and twenty years of age. In addition, siblings of the disabled children and young people are likely to include children in this age range. It is proposed to reduce the age range of children and young people who are eligible to access the short break programme from birth up to their 18th birthday, in line with the County Councils statutory duty under the Short Breaks for Disabled Children Regulations, and to be consistent with the majority of Hampshire's neighbouring local authorities. Analysis of current short break usage data shows that 89 18-20 year olds access the short break activities programme.
- 25.6 Consultation responses identified strong concerns about stopping funding for those people aged 18 and over. The main concerns raised were around the mental health and wellbeing of young people in this age bracket, as well as concern about their transition to other care and respite services. Similar concerns were raised at drop in events and additional concerns that this cohort would not meet adult social care eligibility criteria for support and a lack of a similar provision for young adults.
- 25.7 If the proposal to reduce the age of access to short break activities to the child's 18th birthday is approved, each young person and/or their carer affected would be contacted. For those that are already known to the Adults Health and Care department (AHCD), a review would be undertaken to ensure that any unmet needs that are eligible for support under the Care Act arising from the impact of stopping short break activities are addressed. For those that are not currently known to AHCD, the young person and/or their carer would be written to and given information about their options, including how they can access an assessment from AHCD.
- 25.8 In respect of the impact on poverty, concerns were raised by respondents that there would be a negative impact on parents and carers by the introduction of advance payment for activities which could mean that some parents and carers might struggle to meet the advance costs. There were also concerns that some respondents might not be able to afford activities if the full market rate for the activity was charged. These concerns were

also raised at the drop-in events; with parents/carers expressing that they would need providers to be flexible with payment plans to enable them to spread out payments.

- 25.9 Overall, there was widespread agreement with the proposal to require upfront payment from parents/carers, but this needs to be carefully balanced with the requirement to implement a consistent and robust hardship policy.
- 25.10 The proposed hardship policy is set out in section 10. By introducing this policy, it is anticipated that this would enable all parents/carers on lower incomes to have a fairer opportunity to access Short Break Activities provision.
- 25.11 Potential issues relating to rurality have been identified by the EIA. This is consistent with the current arrangements of the Short Break Activities Programme. If approved, it is anticipated that the proposal to commission activities according to locally set needs and priorities would have a positive impact on rurality, by enabling services to be provided in areas where there is demand and need and that reduce the impact on rurality by taking into account transport links and accessibility.
- 25.12 The full EIA is provided in Appendix B <http://www3.hants.gov.uk/childrens-services/about-cs/cs-equality-diversity.htm>

26. Legal implications

- 26.1 Short Breaks provisions are set out in Children Act 1989 and The Breaks for Carers of Disabled Children Regulations 2011. In essence, the statutory duties of Hampshire County Council are to have regard to the needs of those who provide care for a disabled child who would be unable to provide care unless breaks from care given to them and have regard to the needs of those carers who would be able to provide care for their disabled child more effectively if breaks from care were given to them to allow them to:
- Undertake education, training or regular leisure activity;
 - Meet the needs of other children in the family more effectively;
 - Carry out day to day tasks which they must perform in order to run their household.
- 26.2 Hampshire County Council must provide a range of services **so far as is reasonably practicable** to assist carers to continue to provide care or do so more effectively. This must include a range of services daytime/ overnight care, educational, leisure activities and services to assist in both the evenings, weekends and during the school holidays.
- 26.3 Hampshire County Council must prepare a statement for carers which gives details of the range of services provided under the Regulations,

setting out the eligibility criteria and how the range of services will need the needs of the carers.

- 26.4 In addition under the Chronically Sick and Disabled Persons Act 1970 a local authority must make arrangements for services for disabled children including outings and other recreational activities outside of the home.
- 26.5 Under Children and Families Act 2014 it is stated that a local authority must keep these services under review and consider how the proposed services will be sufficient in meeting the needs (educational, training and social care) of the children and young persons concerned. Furthermore in reviewing these services there is a specific duty to consult with relevant people set out in section 27(3).
- 26.6 The Care Act 2014 states that where it appears to the local authority that the adult may have needs for care and support the local authority must assess whether the adult has needs for care and support and what those needs are. Similarly for carers where it appears to the local authority that a carer may have needs for support now or in the future the local authority must assess whether the carer does have needs for support or is likely to do so in the future and if so what those needs are or are likely to be in the future.
- 26.7 On the basis of the assessments the local authority must determine if any of the needs meet the relevant criteria for care and support for an adult or support for a carer and consider what could be done to meet those eligible needs. The eligibility criteria are set out in Regulations.
- 26.8 In addition the local authority has duties in respect of providing written advice and information about what can be done to reduce or delay the development of needs for care and support.
- 26.9 Local authorities have a duty under the Equality Act 2010 section 149 to have due regard to the need to: eliminate discrimination, harassment and victimisation; to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	No
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
Title	Date
Short Breaks for Disabled Children (Ref 2589)	06/04/11
Short Breaks Statement of Future Provision and Grant Awards (Ref 3153)	28/09/11
Short Breaks Grant Awards (Ref 3353)	17/10/11
Short Breaks Grant Awards (Ref 3440)	18/01/12
Short Breaks Grant Allocations for 2012-13 (Ref 3441)	01/02/12
Short Breaks Grant Allocations for 2012-2013 (Ref 3717)	17/07/12
Short Breaks for Disabled Children: Service Statement Review (Ref 4120)	06/12/12
Short Breaks for Disabled Children – Grant Allocations 2013-14 (Ref 4197)	23/01/13
Short Breaks for Disabled Children: Service Statement Review (Ref: 4593)	05/02/13
Short Breaks grant awards: Specialist playschemes in Basingstoke (2013-14) (Ref 4685)	25/03/13
Short Breaks activities for Disabled Children - Grants for the remainder of 2013-14 (Ref 4707)	12/06/13
Short Breaks for Disabled Children - Grant Awards for 2014-15 (Ref 5195)	22/01/14
Short Breaks Statement: Service Statement Review 2014-15 (Ref: 5580)	26/03/14
Short Breaks for Disabled Children – Grants for 2015-16 (Ref 6447)	23/03/15
Short Breaks for Disabled Children – Grants for 2016-17 (Ref 7216)	18/03/16
Short Breaks for Disabled Children – Grants for 2017-18 (Ref 8059)	13/03/17
Short Breaks for Disabled Children – Grants for 2018-19 (Ref: agenda item 1)	15/01/18
Children with Disabilities Public Consultation (Ref 5933)	25/07/14
Revenue Budget report for Children's Services for 2015/16 (Ref 6286)	21/01/15
Transformation to 2017 - Revenue Savings Proposals (Ref 6889)	16/09/15
Revenue budget report for Children's Services for 2016/17 (Ref 7131)	20/01/16
Revenue budget report for Children's Services for 2017/18 (Ref 8019)	18/01/17
Cabinet: Revenue Budget and Precept 2015/16 (Ref 6373)	01/02/15
Cabinet: Transformation to 2017: Consultation Outcomes (Ref 6942)	21/09/15
Cabinet: Medium Term Financial Strategy Update and Transformation to 2017 Savings Proposals (Ref 6920)	05/10/15

Children and Young People's Select Committee Respite Task and Finish Group report (Ref 6003)	23/07/14
Children and Young People's Select Committee Consideration of Request to Exercise Call-in Powers (Ref 6083) Serving Hampshire – Balancing the Budget consultation	12/09/14 Summer 2017
Cabinet: Medium Term Financial Strategy Update and Transformation to 2019 Savings Proposals	16/10/17
Full Council: Medium Term Financial Strategy Update and Transformation to 2019 Savings Proposals (Ref: agenda item 10)	02/11/18

Direct links to specific legislation or Government Directives	
Title	Date
Children Act https://www.legislation.gov.uk/ukpga/1989/41/schedule/2	1989
Local Government Act	1999
Equality Act	2010
Short Breaks: Statutory guidance on how to safeguard and promote the welfare of disabled children using short breaks	2010
The Breaks For Carers of Disabled Children Regulations http://www.legislation.gov.uk/uksi/2011/707/made	2011
Short Breaks for Carers of Disabled Children: Departmental Advice for Local Authorities	2011
Children and Families Act	2014
Best Value Statutory Guidance (revised and updated)	2015

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

Equalities Impact Assessment (EIA):

Please see sections 24 and 26 of this report.

The full EIA is provided in Appendix B and is available online at <http://www3.hants.gov.uk/childrens-services/about-cs/cs-equality-diversity.htm>

Impact on Crime and Disorder:

There is no assessed impact on crime and disorder.

Climate Change:

There is no assessed impact on climate change.

Outcomes of Task and Finish Group

Recommendation 1: The Task and Finish Group recommended that officers explore the potential for sharing costs with schools, academies and other venues hosting Short Break Activities with a view to achieving between £250k - £360k of savings. This was not progressed due to school budget pressures

Recommendation 2: The Task and Finish Group recommend that a full business case is developed for appointing a single strategic partner for the delivery of the short break programme with a view to it realising a further £100k in savings by removing the infrastructure within the county council. Further, the group recommend that if a strategic partner is appointed, it would be required to distribute a proportion (tba) of the funding to other organisations via an application process. Scoping work was undertaken at this time and no significant benefits of this approach were identified although some of the themes, regarding contracting are picked up in this report.

Recommendation 3: The Task and Finish Group recommend that all providers seeking short break funding submit details of their collaborative proposals to share management and overhead costs with other non-uniformed providers as feasible. The group consider that this could realise a further £200k - £250k of savings. A working group of providers was established however this has not produced any savings to date although contracting may provide further opportunities to progress this.

Recommendation 4: The Task and Finish Group recommend that officers explore the viability of using the volunteer recruitment scheme currently being set up as part of the Olympic Legacy or via the Early Help Hubs in order to support the use of HCC grant funded organisations to develop short break provision where they have the use of appropriate venues. The group consider that this could realise a further £100k of savings. This is still an aspiration however the availability of volunteer to provide a consistent reliable workforce is challenging and does not provide a consistent service to families.

Recommendation 5: The Task and Finish Group recommend that providers be encouraged to collaborate with other providers to enhance and maximise their fundraising activity. Workshops were held with providers to encourage this way of fund raising however there was little appetite to work in this way. There is an intention to pursue this further.

Recommendation 6: That all recipients of short break funding are required to provide match funding in order to deliver their short break offer. This would ensure that an additional £1 million would be made available for the delivery of short breaks sourced from the voluntary and independent sector. The group further recommended that the Executive Lead Member for Children Services identify temporary additional funding of at least £800k for the year 2015/16 in order to provide a reasonable time period for providers to source that match funding. This was not progressed as a stipulation for match funding was considered unrealistic for providers. However the current proposals include the recommendation for an

additional source of funding to be evidenced in applications. Providers considered that they already maximise their fund raising. It is considered that this proposal would possibly be achieved if providers were contracted rather than grant funded. This is explored in the current proposals.

Recommendation 7: The Task and Finish Group recommend that officers explore the opportunities for Direct Payments to be used for families to purchase short breaks themselves. This was not progressed for the following reasons:

- Administrative burden of managing such a model;
- Reduced buying power;
- Impact on provider market;
- Loss of control over delivery;
- Risks around funding families directly.

That said, the proposals for the new Gateway Card provide the potential for better targeted packages of short breaks.

CHILDREN'S SERVICES DEPARTMENTAL PROCEDURE NO:
**Charging and Concessions Policy for Children and Young People
accessing Short Break Activities**

DATE: 18 June 2018

EFFECTIVE DATE: 01/04/2019

CATEGORY: Finance

KEYWORDS: Parental Contributions, Charging, Hardship, Concessions

ISSUED BY: Stuart Ashley. Assistant Director Children's Services

CONTACT: Suzanne Smith,
Head of Procurement, Commissioning and Placements 01962
845450
Suzanne.smith2@hants.gov.uk

PROCEDURES CANCELLED OR AMENDED:

REMARKS: This policy will be applied to all parents and carers of children and young people accessing Short Break Activities.

SIGNED:

DESIGNATION:

YOU SHOULD ENSURE THAT:-

- You read, understand and, where appropriate, act on this information
- All people in your workplace who need to know see this procedure
- This document is properly filed in a place to which all staff members in your workplace have access

1. Introduction

This procedure sets out the expectations regarding parental charges for Hampshire County Council Short Breaks Activities. It informs providers of the proposed market rates to charge for Short Break Activities. It also explains when to apply the concessions policy for families, when collecting parental charges toward the cost of their child accessing Short Break Activities.

2. Requirements

In order to access Short Break Activities a child must be a Gateway Card holder. Families will have to show their Gateway Card when booking and attending activities. The Short Breaks website provides details about the Gateway Card and how to apply:

<https://www.hants.gov.uk/socialcareandhealth/childrenandfamilies/specialneeds/shortbreaks/gatewaycard>

Parents/carers are required to pay the standard cost for their child to attend a Short Break activity. This means that parents/carers should be charged the same amount as a child accessing a mainstream equivalent activity. As explained on the Short Breaks website above, the Gateway Card will help activity providers apply for funding to cover any additional costs that are required for a child to participate fully.

The following indicative charges are based on research of like for like-for-like mainstream/non specialist activities. Where it has not been possible to find a mainstream comparison, the data from 2018/19 Short Break Activities (SBA) grant applications have been used to provide the required information and these have been indicated below. A summary of the charges are shown in Table 1.

Feedback from the Short Break Activities Consultation has been considered alongside the market analysis and with the exception of the holiday clubs, the proposed market rates have aligned.

The following information provides the minimum and maximum parental contributions for different categories of activity which should be charged.

3. Market Rates

a. After School Club:

After School Clubs (ASC) range in duration from 2– 3 hours with the average being 2.83 hours. It is expected that ASCs would charge between **£9.00 – £12.00 per session**.

b. Activity Club (based on Short Break Activities grant):

Whilst the following shows the range which should be charged for a multi-activity event, it is expected that any off site activities where an admission

entry is charged by another provider, such as Zoo, Soft Play or Theme Park – It is expected this would be paid at full market rate (unless group discount has been received) by the parent or carer. It is not expected that any concessions would be given for the whole activity.

It is expected that Activity Clubs would charge a minimum:

- **£4.00** for a 1 hour activity,
- **£7.00** for a 2 hour activity,
- **£10.00** for a 3 hour activity,
- **£13.00** for a 4 hour activity.

c. Holiday Club

Holiday Clubs vary in duration from half day to full day, however the market is very consistent across the county on the parental contributions. The average club would run between 9am and 4pm with wrap around care being charged at an additional rate.

It is expected that Holidays Clubs would charge per day between:

- Half day* - £13.00 – 17.00 per session (a session between 3 – 4 hours)
- Full day* - £20.00 – £39.00 per session (a session is 7 – 9 hours)
- *Wrap around care: Breakfast drop off/club - £2.00 - £4.00 per hour
- Afternoon club (4-6pm) - £4.00 - £7.00 per hour

d. Sports Club (Rugby, gymnastics, athletics and martial arts)

Sports clubs parental contributions vary greatly. Many mainstream clubs would have an annual membership charge, which would include insurances and administration costs. There is, in addition to the member costs usually an additional charge for uniforms or kits, these are paid separately by parents. A weekly parental contribution is then charged on top of this annual cost.

It is expected that Sports Clubs would charge between **£4.00 - £7.00 per session**, anticipated to last between 1-2hours.

e. Youth Club

Youth clubs parental contributions vary significantly therefore both data from current Short Break Activity grants and mainstream providers have been used to provide the charging range below.

It is expected that all Youth Clubs would charge between £2.50 and £6.50 per session, anticipated to last between 1-2.5hours

f. Weekend Club (Based on Short Break Activity grants)

This type of activity is specific to short breaks service users; therefore data from the Short Break Activity grants have been used. Weekend clubs vary significantly in duration and parental contributions. Therefore the amount of parental charges have been aligned to the Activity Club and Holiday Club rates:

It is expected that all weekend clubs would charge:

- £4.00 for a 1 hour session
- £7.00 for a 2 hour session
- £10.00 for a 3 hour session
- £13.00 for a 4 hour/half day session
- Full day weekend club minimum £20.00 - £30.00 for 6-7 hours

4. How to book and how payment is made / payment methods

Families book activities directly with the provider. They will need a free Gateway Card to take part in any activities funded by the short breaks programme.

It is expected that payment will be taken by the provider at the point of booking an activity. The provider will be required to take either a deposit or full payment through one or more of the following methods:

- Cash
- Cheque
- BACs Transfer
- Electronic Payment

The provider will be required to have a clear refund policy.

Providers' contact details can be located on the Family Information Services Hub website: <https://fish.hants.gov.uk>

5. How we will update and refresh pricing

The market rates will be reviewed annually by the 1 April each year and in consultation with the panel, to ensure market rates are inline with inflation and market shifts. The policy may be reviewed sooner if there are changes to legislation.

6. Concessions

It is expected that all providers will offer a concessions policy to parents and carers of children and young people attending Short Break Activities. In order to ensure a consistent and equitable approach to concessions across the scheme it is expected that providers use the following eligibility criteria which are consistent with other parental contributions policies within Children's Services:

Parents/carers will be eligible for concessions rate if they meet the following criteria:

- In receipt of income support, any element of child tax credit other than the family element of working tax credit, income-based job seekers allowance, or income related employment support allowance;

- Low Income families earning a total household income from all sources of under £16,000.

The County Council understands that some providers already have a concessions policy in place; however it is expected that providers will offer no more than a 50% reduction in parental charges where the criteria is met.

It is the provider's responsibility to check parents and carers are eligible and obtain the appropriate evidence. Providers should also review any concession arrangements with families on an ongoing basis to ensure they are still eligible. The Contracts and Grants team will undertake spot checks to ensure the policy is being applied consistently and fairly across projects.

Table 1

Activity Type	Minimum Charge	Maximum Charge	Comments
After School Club	£9.00	£12.00	
Activity Club	£4.00 for a 1 hour activity £7.00 for a 2 hour activity £10.00 for a 3 hour activity £13.00 for a 4 hour activity		Off-site activities – entrance fees to be charged at full market rate.
Holiday Club – Half day	£13.00	£17.00	Wrap around care: Breakfast drop off/club - £2.00 - £4.00 Afternoon club (4-6pm) - £4.00 - £7.00
Holiday Club – Full day	£20.00	£39.00	
Sports Club	£4.00	£7.00	Membership, insurance, kit charges would be in addition and paid by parent/carer
Youth Club	£2.50	£6.50	
Weekend Club	£4.00 for a 1 hour session £7.00 for a 2 hour session £10.00 for a 3 hour session £13.00 for a 4 hour/half day session Full day weekend club Min £20.00 - £30.00 for 6-7hrs		

Consultation Findings

AHC Eligibility Criteria

[Section 13: The eligibility criteria](#)

[The Care and Support \(Eligibility Criteria\) Regulations 2015](#)

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HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	12 July 2018
Title:	Children's Services Procurement - Approval to Spend
Report From:	Director of Children's Services

Contact name: Suzanne Smith, Head of Procurement, Commissioning & Placements, Children's Services

Tel: 01962 845450

Email: Suzanne.smith2@hants.gov.uk

1. Recommendation(s)

- 1.1. Approval to spend on the basis set out in this Report is granted to utilise existing revenue and cost of change sources of funding for an IT social care case management system to support the work of the Children's Services Department to a total contract value of £4m over up to 15 years, commencing in early 2019.
- 1.2. As identified in the 12 July 2018 Children's Services Capital programme update report ('the Capital Report'), that approval to spend of up to £0.35m (including fees) be approved from the 2018/19 Capital programme towards The capital improvements referred to in the Capital Report and this Report at the Hamble School Leisure Complex
- 1.3. That a contract is awarded by Hampshire County Council to a leisure operator to manage and operate the Hamble School Leisure Complex on the principal terms set out in this Report, and that delegated authority to finalise the detailed terms and conditions of that contract is delegated to the Director of Children's Services.

2. Executive Summary

- 2.1. The purpose of this paper is to gain approval to spend in relation to contracts for services to be commissioned by Hampshire County Council's Children's Services department.
- 2.1. This paper seeks approval to spend for an IT social care case management system and advises the Executive Lead Member for Children's Services of the process undertaken in order to procure and contract a leisure operator to manage and operate the Hamble School Leisure Complex, in accordance with the Council's Contract Standing orders and Constitution.

2.2. This paper seeks to:

- give relevant background information on the Council's obligations for providing these services;
- consider the finance and the impact on the budget;
- highlight key issues;
- make recommendation to approve award of contract and approval to spend.

3. Contextual Information – IT Social Care Case Management System

- 3.1. On 12 June 2013, the Executive Member for Children's Services gave approval to procure and spend on a number of IT solutions to support the operational and reporting needs of the Children's Services Department. This included replacing the Swift social care case management system in use by the Children and Families branch.
- 3.2. A detailed competitive dialogue procurement process during 2013 explored a range of technical solutions and products to meet the needs of CS (known as the 'TITCH' programme). This allowed an opportunity to fully test the market, particularly in respect of social care case management solutions where four different systems were evaluated. The final decision was to enter into a partnership with Capita to develop a 'new to market' social care case management system.
- 3.3. Children's Services, alongside colleagues in IT, worked in partnership with CAPITA to develop the new case management system called One Social Care from mid 2014. Social care and IT resources were made available to CAPITA through a series of shadowing opportunities and workshops to share best practice; working processes; policies and functional requirements; and to ensure CAPITA had an accurate understanding of the 'on the ground' delivery of social care. In addition, the County Council has provided document review and feedback session to CAPITA, particularly in relation to the proposed approaches to various technical matters such as integration and data migration.
- 3.4. An implementation plan was developed with CAPITA which included the configuration of the system; integrations and data migration for go live in August 2018.
- 3.5. Progress against the plan was delayed by CAPITA in July 2017 due to product development delays and the contract negotiation. In order to progress the negotiation, CAPITA redefined the scope of the case management system to be delivered to the County Council which reduced the system to a 'minimal viable product' (MVP, as determined by CAPITA), and were unable, at that time, to provide a roadmap with timelines for when the out of scope functionality would be delivered.
- 3.6. No payments were made to CAPITA in respect of the social care development project.
- 3.7. Due to concerns relating to the CAPITA delays and the reduced functional scope that was to form the first release of One Social Care, Children's

Services Departmental Management Team took the decision on 7 December 2017 to withdraw from the social care case management component of the TITCH contract. This decision was communicated to CAPITA on 20 December 2017.

- 3.8. On 21 December 2017, the County Council received a letter from CAPITA confirming their decision to pause the development of the One Social Care product.
- 3.9. The Children's Services Department continues to use Swift as its social care case management system. The current Swift contract arrangements expire on 30 April 2019 with the option of two further six month extensions.
- 3.10. Furthermore, the drivers for change indicated in the June 2013 report to the Executive Member for Children's Services remain and Swift is not considered a fit for purpose system for the future.
- 3.11. A business case has been developed and market research undertaken that recommends Children's Services undertake a procurement process for a Children's social care case management system.

4. Finance - IT Social Care Case Management System

- 4.1. Approval is sought to enter into a contract valued up to at £4m over a period of up to 15 years, comprising an initial term of six years followed by three optional extension periods of three years.
- 4.2. The estimated contract value for the initial contract term of six years is £1.5m. This is comprised of one off costs for licenses, migration of data from the current system to the new system and implementation services. Additionally, there will be annual payments associated with maintaining the case management system and ensuring it is kept up to date with statutory and technological changes.
- 4.3. The ongoing revenue costs associated with the new system, once implemented, are estimated to be broadly similar to those currently paid for Swift.
- 4.4. During the contract, it is likely that there will be new or additional services and/ or product developments that fall outside the scope of the support and maintenance arrangements in place with the successful supplier. The contract value makes provision for such changes.
- 4.5. The implementation of a new social care case management system will support Children's Services to support their statutory objectives as well as key transformation initiatives including mobile working, multi-disciplinary working, increased self service, improved management reporting and better transparency of costs for services.
- 4.6. The achievement of these objectives is anticipated to deliver further efficiencies, largely around further reductions in administration support, reduced demand and therefore resource required at the front door and additional capacity released for social workers. Other benefits will include improving the transparency of the system through self service and providing

greater evidence of the voice of the child. In turn, this could lead to greater engagement from service users and quicker and/or improved achievement of outcomes. A further benefit of improved outcomes for service users would be increased staff satisfaction levels which should result in improved recruitment and retention.

- 4.7. Ongoing costs will be funded through existing revenue budgets. One off costs will be funded through a combination of cost of change funding that was available to the previous development work with Capita and through revenue budget funding set aside for this purpose.

5. Consultation and equalities - IT Social Care Case Management System

- 5.1. An equality impact assessment will be completed as part of the procurement process.

6. Future direction - IT Social Care Case Management System

- 6.1. The proposed route to market is for an open OJEU tender process, the expected date for the tender to open is 30 July 2018 with the contract being awarded in early in 2019.

7. Contextual information – Hamble School Leisure Complex

- 7.1. The Hamble School has a range of indoor and outdoor sports facilities that make up the leisure complex, including a sports hall, a small indoor pool, a fitness suite and studio space, an Olympic-level gymnastics training facility and an artificial turf pitch. These facilities are currently either managed by the Hamble School or sub-leased to various community sports groups.

The Complex has accrued a significant deficit and continues to make a loss. A benchmarking exercise has been undertaken by a leisure consultant on behalf of the Council and the Hamble School and has indicated the facilities could generate an operational surplus with changes to management of the complex, increased marketing and improved facilities through a one- off capital investment.

- 7.2. The benchmarking document indicated a potential for the Complex to generate a surplus of up to £170,000 per annum by year three of a contract (as opposed to the current annual operational deficit) whilst understanding that initial improvements would be required to the facilities.
- 7.3. The Council also considered the alternative of closing the facility to avoid incurring further debt, however the Hamble School still requires a sports hall for curriculum use, and the facilities are integral to the community leisure offer promoted by Eastleigh Borough Council. Additionally Sport England provided significant grants totalling c£1m towards these facilities which could be required to be paid back.
- 7.4. An OJEU restricted tender process (Regulation 28 Public Contracts Regulations 2015 (PCR)) to engage a Leisure Operator to manage the complex has been undertaken. A number of applicants expressed interest in

the procurement and passed the initial selection criteria. These applicants were then invited to tender. As part of the tender process bids were invited to include an effective business plan to increase public use and memberships, generate income and to identify any required investment to update and upgrade the facilities. This resulted in one provider submitting a tender.

7.5. The tender submission received was evaluated by key stakeholders including representatives from both the County Council and Hamble School and was determined to be insufficient for award of the contract due to the increased capital funding being required. The tender was therefore considered manifestly incapable, without substantial changes, of meeting the Council's needs (Regulation 32 (3)(a)).

7.6. As the restricted process did not result in a suitable tender; a negotiated process was invoked with the bidder (Regulation 32(2)(a) PCR on the basis that no suitable tender was received following the restricted procedure) in line with procurement regulations, with a view to reaching an agreement on terms sufficient for the contract to be awarded.

Alternative options were explored including restarting the procurement process but were discounted.

7.7. As part of the negotiated process, the bidder proposed an increase in initial capital input from the County Council to make improvements to the facilities in order to increase memberships and usage to deliver a significantly better financial outcome. This capital funding would improve the County Council's asset and local community offer and the Council will approve any plans in advance. The Hamble School has also agreed for some limited use of additional sports facilities, including an area for football pitches, the sports pavilion and hire of artificial turf pitch to be added to the contract which also results in higher overall income potential for the provider and thereby increasing the profitability of the facilities. The Council is working closely with Eastleigh Borough Council who fully supports the retention and improvement of these facilities and have committed to ongoing support in regards to contract management.

7.8. Following the negotiations, the County Council seeks to award the tender to Sports and Leisure Management (SLM); subject to the approval of the Executive Lead Member for Children's Services and the approval of capital funding mentioned in 7.7 above and in further detail in 8.1 below.

7.9. Approval to award the tender is sought in accordance with County Council Standing Orders due to the financial value to the Provider of the contract.

7.10. The County Council will enter into a contract with the leisure operator however, day to day management and monitoring of the contract will be led by the Hamble School. The County Council will have a back-to-back Agreement with the Hamble School that will ensure that all income generated is set against the current deficit as detailed in 8.4 below.

7.11. In line with a grant awarded by Sport England to the Leisure Centre, the operator will also partake of the Sports England National Benchmarking Service and their programming must incorporate a clear philosophy on

sports development and equity informed by current guidance from Sport England.

8. Finance - Hamble School Leisure Complex

8.1. The cost components comprising the contract to operate the Hamble School Leisure Complex are:

- One off capital investment to upgrade facilities which will be funded by the County Council (see paragraph 8.2);
- An annual revenue payment payable to the leisure provider for the first two years of the contract which will be funded by the Hamble School (see paragraph 8.4);
- An annual revenue payment payable to the County Council from the leisure provider for years 3-15 of the contract (see paragraph 8.4);
- Income generated through memberships and bookings which will be retained by the leisure provider. Should additional profit be generated, this will be shared between the leisure provider and the County Council (see paragraph 8.6).

8.2. The Children's Services Capital Programme is reported elsewhere on this agenda and seeks approval to make a capital contribution of up to £0.35m for the expansion of the gym area and creation of a studio room and other improvements. These works will help generate a higher income through increased memberships and usage of the facilities.

8.3. Revenue payments of £119,000 are payable over the first 2 years of the contract. These will be paid from the Hamble School budget.

8.4. All contractual income will be aligned to reduce the current deficit and, together with an agreed contribution from the Hamble School, targets a full repayment within 15 years.

8.5. Any additional income generated, above the initial agreed figures, from the contract will be subject to a profit/surplus sharing agreement between the Provider and the County Council. In the event that the Providers' aggregate actual income in a financial year exceeds the aggregate of the actual expenditure for that period then the surplus shall be apportioned between the County Council and the Provider by an agreed 50:50 split. The contract stipulates that any deficit shall not be shared and will be borne by the provider.

8.6. The School and Council will enter into regular and detailed contract monitoring throughout the contract period. However, in the event of the contract not generating the profit as stipulated within the agreed financial schedule, the Council and the School will review the agreed additional contributions made by the school to ensure that a full repayment of the deficit is still made within 15 years.

9. Consultation and Equalities - Hamble School Leisure Complex

- 9.1. A provider being engaged to manage the complex is deemed to be a positive outcome with the future of the leisure complex secured for the local community. It also ensures the continuation of the provision of these sports facilities for use by the Hamble School.
- 9.2. An equality impact assessment has been completed and published.
[EIA78366697 - CS11109 - Hamble School Leisure Complex Procurement - 26-06-14](#)

10. Other Key Issues - Hamble School Leisure Complex

- 10.1. Contracting a leisure operator to manage the Hamble Leisure Complex at the Hamble School will result in TUPE implications for existing Hamble School staff working at the leisure complex, this equates to 6.5 full time equivalents.

11. Future direction - Hamble School Leisure Complex

- 11.1. Contracting a leisure operator to manage the Hamble Leisure Complex is anticipated to improve the financial viability of the complex, generating income for the County Council therefore easing the financial deficit at the Hamble School.

CORPORATE OR LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u>	<u>Date</u>
Children's Services Systems Transformation Programme	12 June 2013
Direct links to specific legislation or Government Directives	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

- 1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;

Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

1. The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
2. Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it
3. Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low

2. Equalities Impact Assessment:

Equality Statements will be completed for each project.

3. Impact on Crime and Disorder:

- 3.1 None.

4. Climate Change:

- 4.1 How does what is being proposed impact on our carbon footprint / energy consumption?
- 4.2 How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

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HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member Children's Services
Date:	12 July 2018
Title:	Swanwick Lodge Secure Children's Home
Report From:	Director of Culture, Communities and Business Services

Contact names: Steve Clow and Bob Wallbridge

Tel: 01962 847858
01962 847894

Email: steve.clow@hants.gov.uk
bob.wallbridge@hants.gov.uk

1. Recommendations

- 1.1 That the Executive Lead Member for Children's Services gives approval to the project proposals for the refurbishment and improvements of Swanwick Lodge Secure Children's Home in Sarisbury Green at an overall project cost of £3,250,000

2. Executive Summary

- 2.1 This report seeks approval to the project proposals for the refurbishment and improvements of Swanwick Lodge Secure Children's Home in Sarisbury Green to meet new standards and as part of the ongoing maintenance and upgrading of the property.
- 2.2 The purpose of this paper is also to obtain spend and procurement approval for contracting activity associated with the project, including associated external works.
- 2.3 A successful bid to the Department for Education was made to fund the majority of the works to the building. In parallel, it is proposed to undertake additional maintenance and improvement works from County Council resources while there is a contractor on site.

3. Scope of Work

- 3.1 The proposed project is for the refurbishment and improvement works to the secure children's home.
- 3.2 Due to the secure nature of the site, the floor plan indicating the work is attached in Appendix D (confidential).

4. Contextual Information

- 4.1. Swanwick Lodge is a 16 bed secure unit with associated facilities to support education and care of the young people and necessary staff facilities.
- 4.2. Funding for the project was approved at the Executive Lead Member for Children's Services Decision Day on 9 May 2018 and this report outlines the available budget from within which the project must be designed and delivered.

5. Finance

5.1. Capital Expenditure:

The Capital Expenditure has already been approved; the following tables outline the breakdown of its distribution across the project:

Capital Expenditure	Current Estimate	Capital Programme
	£'000	£'000
Buildings	3,096	3,096
Fees	154	154
	3,250*	3,250*

The means by which the difference between the Current Estimate and the Capital Programme allocation is to be met are shown in the table below:

5.2. Sources of Funding:

Financial Provision for Total Scheme	Buildings	Fees	Total Cost
	£'000	£'000	£'000
1. From Own Resources			
a) Capital Programme (as above)	343	57	400
2. From Other Resources			
a) DfE Grant	2,752	98	2,850
Total	3,096	154	3,250

a) Building Cost:

Net Cost = N/A as all works are refurbishment to the existing premises
 Gross Cost = £2,314per m²
 Cost Per Pupil Place = N/A

b) Furniture & Equipment:

Included in the above figures is an allocation of approximately £60,000 for the provision of all loose furniture, fittings, equipment and I.T. (inclusive of fees).

5.3. Revenue Issues:

a) Overview of Revenue Implications:

	(a) Employees £'000	(b) Other £'000	(a+b) *Net Current Expenditure £'000	(c) Capital Charges £'000	(a + b + c) Total Net Expenditure £'000
Revenue	0	0	0	179	179
Implications Additional + / Reductions					

6. Details of site and existing Infrastructure

- 6.1. Swanwick Lodge is located off Glen Road, Sarisbury Green.
- 6.2. Swanwick Lodge Secure Children's Home was constructed to meet the needs of young people who need a secure environment. The home has regularly required upgrading and refurbishment to accommodate both the needs of the young people and the age of the buildings and services.
- 6.3. The existing mains services and drainage infrastructure at the site is sufficient to accommodate the project proposals.

7. Scope of the Project

- 7.1. The refurbishment and improvement to Swanwick Lodge will include:
 - Extensive replacement of doors, frames and locks to improve security.
 - Replacement and expansion of the homes access control system
 - Installation of media centre and young persons telephone system in the 16 no bedrooms.
 - Replacement of all externally facing windows and courtyard facing bedroom windows.
 - Upgrade lighting to more efficient and low energy fittings.
- 7.2. It is anticipated that works will commence on site during autumn 2018 and complete during winter 2019. The works will be carried out in phases to enable the Home to continue to operate with a number of occupied beds in a managed arrangement.

8. Planning

- 8.1. A planning application is not required for this project.

9. Building Management

- 9.1. The nature of the works required necessitates a reduction in bed numbers for the duration of the refurbishment works. It has been agreed to reduce the number of beds to a minimum of 8 beds at any one time.
- 9.2. There is an impact on revenue income for the duration of the works onsite because of the temporary bed reductions which has been established and agreed to ensure that the impact is kept to a minimum while safeguarding the young people who live in the home and the staff who care for them.

10. Professional Resources

Architectural	- Culture, Communities & Business Services
Mechanical & Electrical	- Culture, Communities & Business Services
Structural Engineering	- Culture, Communities & Business Services
Quantity Surveying	- Culture, Communities & Business Services
Principal Designer	- Culture, Communities & Business Services

11. Consultations

- 11.1. The following have been consulted during the development of this project and feedback can be seen in overview in Appendix C:

Registered Manager
Children's Services
Local County Councillor
Fire Officer
Access Officer
Planning Department
DFE

12. Risk & Impact Issues

- 12.1. Please see Integral Appendix B for a summary of the risk and impact issues considered in relation to the design of this project.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	Yes
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Children's Capital Programme		09/05/18
Direct links to specific legislation or Government Directives		
<u>Title</u>		<u>Date</u>

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

RISK & COMBINED IMPACT ASSESSMENT:

1. Equality Duty

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

EIA Equality Statement

1.2 <http://www3.hants.gov.uk/rh-equalities>.

2. Crime Prevention Issues:

2.1 The County Council has a legal obligation under Section 17 of the Crime and Disorder Act 1998 to consider the impact of all the decisions it makes on the prevention of crime and disorder in the County. The proposals in this report have no impact on the prevention of crime.

3. Fire Risk Assessment

3.1 Sprinkler systems shall be installed in new and refurbished buildings where appropriate, based upon a risk assessment methodology.

3.2 With respect to fire safety and property protection, the proposals have been risk assessed in line with the agreed Property Services procedures, and confirmed that the provision of sprinklers is not required in this instance.

- 3.3 The proposals will meet the requirements of the Building Regulations Fire, including enhancements beyond minimum provision, and are consistent with current fire safety legislation, the partnership arrangement with Hampshire Fire and Rescue Services, and are in line with the County Council's policy to manage corporate risk.
- 3.4 The project proposals include the following fire safety and enhanced features:
Finishes specified as fire resistant.
Consideration of secure by design principles including specific site security, bin storage away from building, external lighting etc.

2. Health and Safety

- 4.1 Design risk assessments, pre-construction health & safety information and a Health & Safety File will be produced and initiated in accordance with the Construction Design and Management Regulations for the proposed scheme.

3. Climate Change:

- 5.1 The project will incorporate the following sustainability features:
A site waste management plan will be developed to ensure that during construction the principles of minimising waste are maintained.
Energy efficient lighting and heating controls, as each light fitting will be day-light linked with absence detection to ensure the minimum energy is used.
High performance double glazed doors and windows to improve the thermal performance of the building.
Solar controlled glass will be installed to south facing windows to assist in the control of solar gain.
Provision of good levels of day lighting to all areas to reduce the need for artificial lighting and energy use.
The use of timber from sustainable sources.

FEEDBACK FROM CONSULTEES:**OTHER EXECUTIVE MEMBERS:**

Executive Member & Portfolio	Reason for Consultation	Date Consulted	Response:
Councillor Keith Mans, Executive Lead Member for Children's Services	Portfolio Holder		

OTHER FORMAL CONSULTEES:

Member/ Councillor	Reason for Consultation	Date Consulted	Response:
Councillor Sean Woodward	Local Member for Fareham Sarisbury	26/06/18	The Local Member was consulted and no response was received prior to despatch of the final papers.

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date:	12 July 2018
Title:	Regional Adoption Agency
Report From:	Director of Children's Services

Contact name: Amber James

Tel: 07595 495728

Email: amber.james@hants.gov.uk

1. Recommendations

- 1.1 That the Executive Lead Member for Children's Services approves the proposed model for delivery of adoption services as a Regional Adoption Agency.
- 1.2 That the Executive Lead Member for Children's Services approves the financial contribution to the Regional Adoption Agency of £1,381,000, to be fixed for two years (2019/20 and 2020/21) and reviewed for 2021/22. No new budget is required.
- 1.3 That the Executive Lead Member for Children's Services delegates approval to enter into the final partnership agreement to the Director of Children's Services in consultation with the Executive Lead Member for Children's Services and Head of Law and Governance.

2. Executive Summary

- 2.1. The purpose of the report is to propose a model for the future delivery of some adoption related services as a Regional Adoption Agency (RAA) comprising Hampshire County Council, Isle of Wight Council, Portsmouth City Council and Southampton City Council. This proposal is in line with government policy and will ultimately support an increase in family finding for children.
- 2.2. The model seeks to build on the current good practice within each authority to deliver a more cohesive, efficient and effective service for some of our most vulnerable children and their families. The service will be delivered at no extra cost to the taxpayer. The new RAA, to be known as Adopt South, will continue to work with its existing voluntary adoption agency partners and other key stakeholders to help shape the new service.
- 2.3. This paper seeks to:
 - set out the background to the RAA;

- set out the financial contributions to the RAA;
- give an overview of the proposed model;
- outline the next steps of the project.

3. Contextual information

- 3.1 In June 2015, the Department for Education (DfE) published 'Regionalising Adoption' and required all adoption agencies in England to consider how to work closely together on a regional basis. This was enacted as the Education and Adoption Act 2016, which required authorities and voluntary adoption agencies to join together to form Regional Adoption Agencies (RAAs).
- 3.2 The act also gives the Secretary of State a new power to direct one or more named local authorities to make arrangements for any or all of their adoption functions to be carried out on their behalf by one of the local authorities named, or by another agency.
- 3.3 The Government's view is that structural change will improve the process for children and adopters leading to increased numbers of children being adopted, a better quality experience for adopters and improved timeliness overall. The DfE expects the RAA programme to deliver consistently good and innovative adoption practice that ensures improved life chances for children.
- 3.4 In late 2015, the authorities in the Adopt South grouping were awarded DfE funding to undertake work to establish a model for regional adoption in the area, with an expectation that this would be fully embedded by no later than 2020.
- 3.5 The authorities have engaged actively since 2016 to develop a model that fulfils the criteria put in place by the DfE; that does not represent an unacceptable risk to any of the authorities involved; retains flexibility to enable authorities to respond to future policy; and, most importantly, is considered to provide genuine opportunities for improving the outcomes for children and families.
- 3.6 A model is now in place that sets out a clear operating model, service offer, structural model and financial framework. These are outlined in this report.
- 3.7 Adoption in Hampshire County Council is rated an 'Outstanding' service by Ofsted and the model proposed will not have an adverse effect on this.

Recommended operating model

- 3.8 The principles underpinning the design of a Regional Adoption Agency in Hampshire have been that there should be consistency of the offer across the county; and that the overall offer should not lead to the offer in any one

area of the county being reduced. This was felt to be particularly important in respect of the adoption support offer.

- 3.9 The recommended operating model for Adopt South will deliver the following main services across the Adopt South region:
- Recruitment, assessment and approval of adopters;
 - Matching of children in need of adoptive families;
 - Post- adoption support.

The proposed Adoption Support offer and delivery mechanisms across the RAA have been informed by detailed work by a group of senior adoption professionals across the Adopt South grouping. In the future, the model may be expanded to cover other adoption services.

- 3.10 In order to deliver the operating model and service offer, a revised structural model across the local authorities will be necessary, along with clear operating protocols.
- 3.11 Some of the above functions will be solely delivered by Adopt South on behalf of the region. These can be seen in Appendix 1 with the areas in green delivered by a centralised team for the RAA. However, many of the functions will require joint working and/or collaboration with local authority functions; these are shown in the areas in blue delivered by each local authority area on behalf of the RAA. The structure chart can be seen at Appendix 3.
- 3.12 Indeed it is clear that one of the critical factors on which Adopt South's performance will depend is the strength of joint working and communication with colleagues within each local authority.
- 3.13 One significant remaining area of responsibility considered by the Governance Board was the delegation (or not) of corporate parenting responsibilities (and associated functions) for children with a plan for adoption from local authorities to Adopt South. It was concluded that the statutory responsibility for corporate parenting functions for children with a plan for adoption should remain with each local authority throughout the adoption process. This means that local authorities will retain Agency Decision Maker (ADM) responsibility for children (plans and matching).
- 3.14 Achieving the new structure as set out in Appendix 1 will be effected firstly by way of a partnership agreement under section 113 of the Local Government Act 1972 by which local authorities may place staff at the disposal of other local authorities in order to achieve their statutory functions.
- 3.15 The unitary authorities currently have multi-functional teams and will be reorganising prior to the start of the partnership. As there are three teams within the Adopt South structure who will need to work across the partnership and be co-located to maximise efficiency, it is proposed that in

the first instance staff from the reorganised teams in the unitary authorities will be invited to second in to Hampshire County Council in order to more effectively work within this partnership model.

- 3.16 It is currently estimated that there are approximately 100 (65fte) staff across the partnership that are in scope of the RAA as a whole. However most of those staff will remain within their home authority and it is estimated that between 5-10 staff are likely to be either seconded or transferred in to HCC as the lead organisation for the Regional Adoption Agency.
- 3.17 For those services to be provided through the three centralised teams HCC will be the physical location and those teams will coordinate service delivery within the partnership. The other services undertaken by the partnership will be delivered locally and staff will continue to be employed by the authority they are currently employed with.
- 3.18 This option minimises the requirement for staff to TUPE into a new arrangement, but means that the constituent local authorities may need to carry out internal restructures to achieve the arrangements. Some posts will be newly created and require a recruitment (for example, a Head of RAA post) by the RAA host authority. Should the RAA be disbanded in the future, the other local authorities will share severance costs.
- 3.19 The intention of the partners is for HCC to recruit to the role of Head of the RAA and for that person to be employed by HCC, the role being funded by the partnership under the Agreement within existing budgets.
- 3.20 A further partner to the process is the voluntary sector, through Voluntary Adoption Agencies (VAAs). The DfE has stated its expectation that all RAAs will include VAAs in planning and development processes, and that VAAs will be involved in the delivery of some adoption services on behalf of RAAs.
- 3.21 Adopt South is committed to working closely with Voluntary Adoption Agencies, and have partnered with PACT and Barnardo's to achieve this. Adoption UK has the status of an Adoption Support Agency (ASA) but has also been advising the group as the RAA develops.
- 3.22 The vision and intended outcomes agreed by Adopt South include a commitment to maintaining a focus on meeting the needs of each child with a plan for adoption, via use of *the most appropriate services*. During all recent years, each of the four local authorities has commissioned adoption services from the VAA sector, particularly in the areas of adoption placements and adoption support.
- 3.23 For these reasons, there is little doubt that Adopt South will need to access the 'adoption service market', including through purchase of services from VAAs (and probably other RAAs), in order to deliver the expectations and

requirements of the four commissioning authorities. This will not necessarily be limited to services from the strategic partners. VAAs will continue to be involved in the development process to ensure that the expertise and knowledge they have is brought to bear on services.

4. Financial model

4.1 A key DfE criteria for achievement of a RAA is a pooled budget, similar to that for other partnership arrangements, notably the former Wessex Youth Offending Team.

4.2 The legal basis for establishing a pooled budget is given in Section 10(6) of the Children Act 2004, as follows:

“(6) A children's services authority in England and any of their relevant partners may for the purposes of arrangements under this section-

(a) provide staff, goods, services, accommodation or other resources;

(b) establish and maintain a pooled fund.”

4.3 The recommended starting point for the initial partner contributions was the individual authorities' 'in scope' budgets as disaggregated from the 2017/18 figures. No additional funding has been added or is required. These budgets are those which cover the services Adopt South will become responsible for, so marketing, assessment, family finding, matching and adoption support. The contributions from the authorities are set out in Appendix 2 but can be summarised as follows:

Net budget/spend	HCC	IWC	PCC	SCC	Total
	‘£000	‘£000	‘£000	‘£000	‘£000
2017/18 Budget	1,381	228	764	1,387	3,760

4.4 The significant contribution for Southampton City Council is representative of the approach taken within the Council up to 2017/18 to solely purchase adopters under inter-agency agreements rather than recruit in house. Therefore, as is demonstrated in the table above, Southampton City Council has to contribute more. Appendix 2 shows this in greater detail with £738k from Southampton contributing to the final agreed partner contributions against a deduction of £157k being made for Hampshire County Council who in 2017/18 only bought one set of adopters. Portsmouth City Council and the Isle of Wight Councils' contributions of £70k and £27k respectively evidence their approach to using a combination of both in house recruited adopters and inter-agency households. On the basis of these contributions, there will be no further recourse to local authorities for funding for adoption services in scope of the RAA. If, for example, Southampton City Council uses more than the funded amount, they will need to fund this separately.

- 4.5 Partner contributions will be fixed for an initial two years and are subsequently reviewed for year three based on key indicators of activity. This is to provide some level of certainty for the new arrangements as they are established, but also to ensure that the authorities themselves are insulated from any financial impact as a result of the arrangements.
- 4.6 Hampshire County Council will host and manage the pooled budget arrangements on behalf of the RAA. Transactions between the authorities will be minimised to avoid processing costs.

5. Legal and governance implications

- 5.1 The provision of an adoption service is a statutory requirement and the local authorities are required to monitor the provision of adoption services. Under section 3 of the Adoption and Children Act 2002, each Council must continue to maintain within its area an adoption service designed to meet the needs of children who may be adopted, their parents, natural parents and former guardians. Those services are referred to as the 'adoption service' meaning either a local authority or a registered adoption society (section 2 (1) of the Adoption and Children Act 2002). Notwithstanding any change in arrangements, each local authority must prepare a plan for the provision of the services maintained under section 3(1) Adoption and Children Act 2002, and secure that it is published.
- 5.2 The development of a RAA will not absolve each local authority of its statutory responsibilities, but will allow for certain functions to be provided by another as part of a regional adoption agency model, with the terms to be agreed through the partnership agreement.
- 5.3 It is critical that in the future arrangements, we find optimum governance arrangements for Adopt South: ensuring sufficient scrutiny and strategic control for each of the partner authorities while allowing Adopt South sufficient autonomy to develop its own identity and have space for innovation and practice improvement.
- 5.4 A strategic partnership board will be established and will meet on a regular basis to oversee and approve the budget setting and annual business plan, and to review the strategic direction of the partnership agreement. This means that day-to-day operational decisions will be taken by the Head of the RAA, as specified in the partnership agreement, and that other 'reserved' decisions (perhaps of a strategic nature), would need to be referred to the Board. As participants on the Board, each authority would need to make its own decision and therefore the Board could only act by unanimous agreement of the four authorities.
- 5.5 Certain decisions referred to the Board will then likely need to be referred back to each of the four authorities for further consideration and to the

extent that the members of the Board do not have authority to make the decisions before them.

6. Project implementation

6.1 In order to achieve the implementation of the new model of working, a number of areas of work need to be undertaken:

1. HR processes to achieve new structure (including recruitment of Head of RAA)
2. Implementation of the financial model
3. Developing back office
4. Implementation of the branding and marketing strategy
5. Implementation of IT solution
6. Development of the interagency agreements
7. Harmonisation of adoption allowances across the authorities
8. Establishment of regional panels, terminating existing contracts and procuring new arrangements with a suitable competitive process to ensure the VAA's involvement and support in the Adopt South model.
9. Matching arrangements
10. Practice development for assessment
11. Practice development for adoption support
12. Development of the RAA Adoption Manual
13. Commissioning Adoption Support external providers
14. Performance arrangements, including in shadow form to aid transition
15. Accommodation
16. Stakeholder communication (including staff communication and cultural change)

This work will be progressed by the four local authorities working in partnership, and the work will be monitored by the Governance Group. There is a high level of confidence in the ability of the four local authorities to achieve this based on the significant work that has been undertaken to date. The target date for implementation of the new arrangements is 1 April 2019, which is supported by the DfE.

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	no
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Direct links to specific legislation or Government Directives	
<u>Title</u> Adoption and Education Act 2016	<u>Date</u> 2016

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

1.1. The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

This project will have positive impacts on groups with protected characteristics providing opportunities for children to be adopted from a wider pool of adopters whom have access to a wider range of support services.

3. Impact on Crime and Disorder:

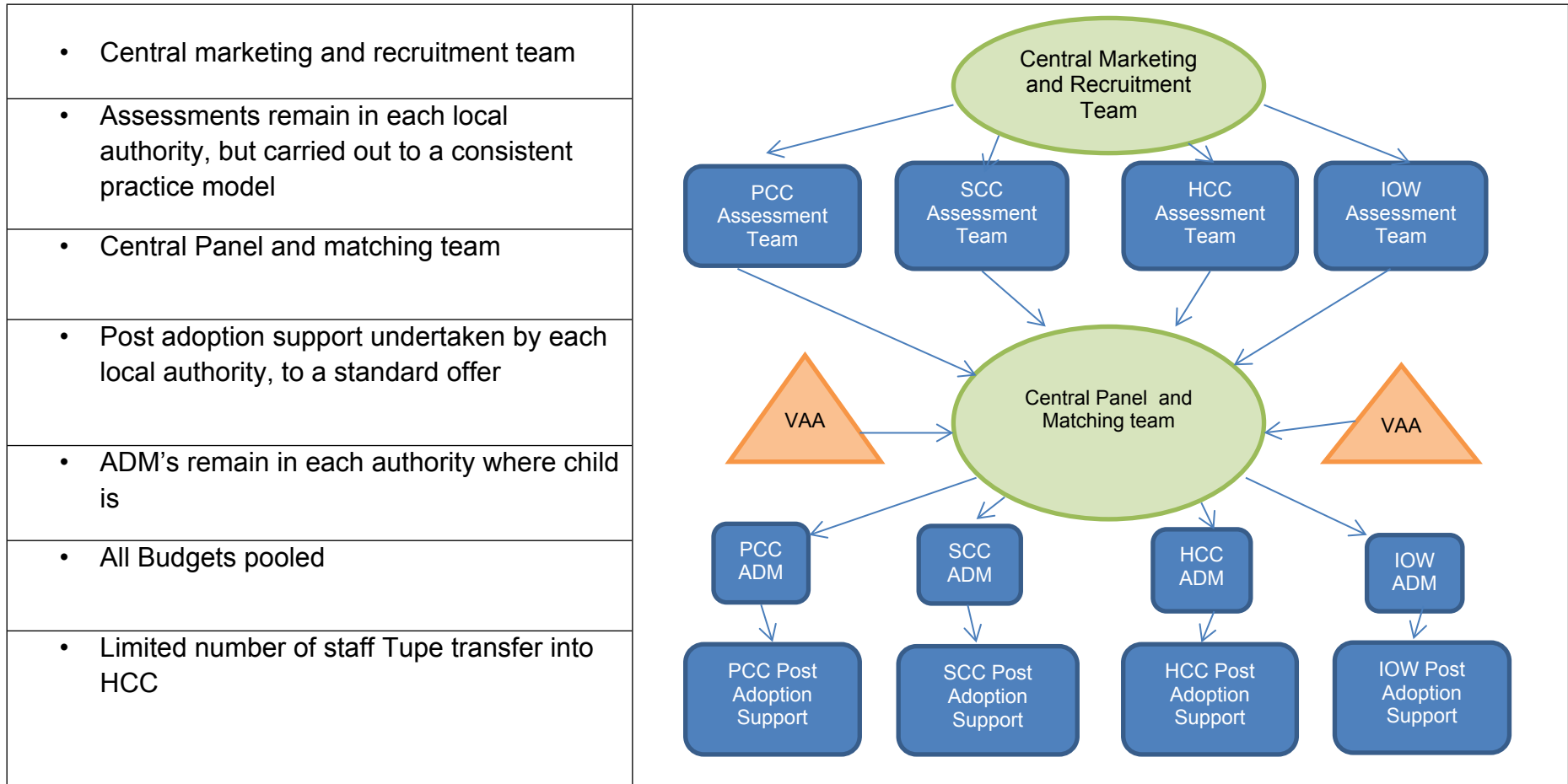
3.1. None identified

4. Climate Change:

- a) How does what is being proposed impact on our carbon footprint / energy consumption?
- b) No impact identified.
- c) How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No impact identified.

Appendix 1 - Recommended Structural Operating Model



Appendix 2 Local Authority Adoption Services Budgets in Scope

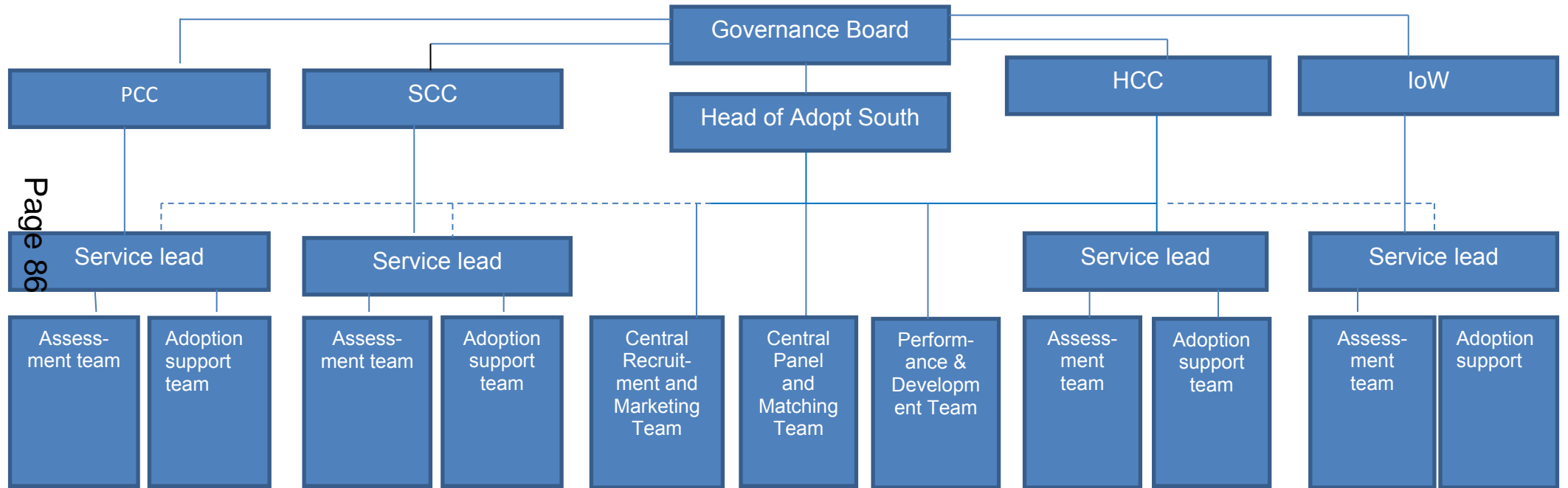
Adoption South Central
Local Authority Adoption Services Budgets In scope
2017/18 Budget

Final agreed partner contributions

	HCC £000	IWC £000	PCC £000	SCC £000	Total £000
Staff	1,212	180	582	432	2,406
Non- staff	326	21	112	218	677
Sub- total	1,538	201	694	650	3,082
Inter-agency*	-157	27	70	738	678
Total	1,381	228	764	1,387	3,760

*Interagency = relates to the purchase of adopters from other adoption agencies (including voluntary adoption agencies)

Appendix 3 - Organisational structure for Adopt South



HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Lead Member for Children's Services
Date of Decision:	12 July 2018
Decision Title:	Children's Services Capital Programme update
Report From:	Director of Children's Services and Director of Corporate Resources – Corporate Services

Contact name: Peter Colenutt, Head of Strategic Development

Tel: 01962 846157

Email: peter.colenutt@hants.gov.uk

1. Recommendation(s)

- 1.1 To approve the updated Children's Services Capital Programme for 2018/19 to 2020/21. This includes further capital grant announcements by the Department for Education on 29 May 2018.
- 1.2 That the revised capital programme cash limit of £92.734m for 2018/19 be approved, including the carry forward of £20m contingency resources to 2019/20.
- 1.3 That the revised 2018/19 capital programme at Appendix 1 be approved, along with the amendments to the 2018/19 capital programme.
- 1.4 That it be a recommendation to Cabinet that resources of £34.210m as set out in Appendix 2 be carried forward from the 2017/18 to the 2018/19 capital programme.
- 1.5 That the projects approved under delegated powers by the Director of Children's Services in Appendix 3 be noted.
- 1.6 That resources of up to £0.35m (including fees) be approved from the 2018/19 capital programme towards capital improvements at Hamble Leisure Complex.

2. Executive Summary

- 2.1 This report seeks approval for the updated Children's Services Capital Programme for 2018/19 to 2020/21.
- 2.2 This report also sets out the proposed changes to the 2018/19 capital programme.
- 2.3 The report has been prepared in consultation with the Executive Lead Member for Children's Services (ELMCS).

- 2.4 The Secretary of State announced details of individual local authority capital allocations on 29 May 2018. These were for Basic Need in 2020/21 and additional funding for Special Educational Needs and Disability (SEND) for the period 2018/19 to 2020/21.
- 2.5 The proposals contained within this report are derived from the departmental service plan(s) which have been developed to support the priorities of the Corporate Strategy.

3. Background

- 3.1 The Secretary of State has now announced details of individual local authority capital allocations for Basic Need (BN) and additional funding for Special Educational Needs and Disability (SEND). The announcement covers the period 2020/21 for BN and 2018/19 to 2020/21 for SEND.
- 3.2 The Children's Services Capital Programme is based on government grants, capital receipts, developer contributions and local resources.

4. Capital Programme 2018/19 to 2020/21

- 4.1 On the basis of recent DfE announcements, resources available for each of the three forward years to 2020/21 are as set out in Table 1.

Table 1 – Three year capital resources summary

	2018/19 (actual)	2019/20 (actual)	2020/21 (actual)	Total
	£m	£m	£m	£m
Basic Need - new pupil places	28.377	0	14.712	43.089
Schools' Devolved Capital	3.350	3.350	3.350	10.050
SEND Grant	1.262	1.849	1.556	4.667
Developers' contributions anticipated	7.235	31.462	24.807	63.504
ESFA Free School Funding*	40.726	0	0	40.726
Corporate capital resources	0.100	0.100	0.100	0.300
Carry forward resources to 2018/19 & 2020/21 (Table 10)	10.818	0	0	10.818
2018/19 Resource Adjustments (as listed in Table 3 and previously reported on 9 May 2018)	11.866	0	0	11.866
Carry forward resources to 2018/19	38.000	0	0	38.000
Carry forward resources to 2019/20	-46.000	46.000	0	0
Carry forward resources to 2020/21	-3.000	-22.000	25.000	0
Carry forward resources to	0	0	-15.000	-15.000

2021/22				
Totals	92.734	60.761	54.525	208.020

Note: *Subject to government approval

Basic Need Allocation 2020/21

- 4.2 The most recent capital announcement by the DfE allocated £14.712m to Hampshire for 2020/21. Government grant for the period 2018-2021 totals £43.089m and the grant allocations from the DfE have largely caught up with the forecast demand for school places. The DfE have developed a fair and transparent way of allocating Basic Need funding that directly relates to the forecast need. In Hampshire, some new school place funding has been provided for places yet to be delivered. There is the potential for a zero or very low capital allocation in 2021/22 as the DfE assess the impact of the free school places that they directly fund. At this stage, it is unclear exactly how this will be calculated, with guidance from the DfE awaited.

Revised Capital Programme 2017/18

- 4.3 As a result of the deferral of resources by the County Council at its meeting on 22 February 2018 and other programme amendments, the revised cash limit for the programme is shown in Table 2.

Table 2 – Revised 2017/18 Cash Limit	£'000
Cash limit reported 15 January 2018	135.151
Projects and resources carried forward to 2018/19	-34.210
Pilgrim's Cross CE (VA) Primary – additional TVBC Grant	0.070
Additional developer contribution – Razers Farm	0.178
East Anton developer contribution reduction	-0.003
Woodcroft Primary Capital Receipt	0.012
Total	101.198

Carry Forward from 2017/18

- 4.4 A total of £45.078m will be carried forward into 2018/19. This includes resources and projects (totalling £10.868m) within the 2018/19 capital programme which was approved on 15 January 2018. Of this sum, £16.501m is already committed and £20m is being carried forward in to 2019/20 to support future basic need projects.
- 4.5 The £8.577m uncommitted funding will be added to the 2018/19 contingency giving a total contingency for the programme of £14.287m.

Given the overall value of the programme this is considered a prudent sum. A detailed breakdown of these resources is attached at Appendix 2.

- 4.6 Taking in to account changes since the 2018/19 capital programme was last approved on 9 May 2018 (including those proposed in this report), the revised cash limit for the programme is shown in Table 3.

Table 3 - Revised 2018/19 Cash Limit	£'000
Cash limit reported 9 May 2018	77.031
Projects carried forward (not included in original cash limit)	34.210
Resources carried forward to 2019/20	-20.000
Resources brought forward from 2020/21 – Rownhams St John’s CE Primary	0.551
Developer contribution – Harwood Farm	0.018
Developer contribution – Cadnam Farm	0.030
Developer Contribution – Boorley Park	0.240
Deferral of resources – Norman Gate School	-0.030
The Vyne School – External funding	0.684
Total	92.734

5. Amendments to the 2018/19 Programme

The Hamble School

- 5.1 Reported elsewhere on this agenda is a recommendation about the procurement of the sports facilities at Hamble School. The report recommends that a contract is awarded by the County Council to a leisure operator to manage and operate the Hamble Leisure Complex. The complex has accrued a significant deficit and continues to make a loss. As part of the negotiation process with the leisure operator, a capital contribution is required to make improvements to the existing facilities. These works will help generate a higher income through increased membership and usage of the facilities.
- 5.2 Subject to the approval of the leisure contract, it is proposed that a capital contribution of up to £0.35m for the expansion of the gym area, creation of a studio room and other improvements be approved. The Council is working closely with Eastleigh Borough Council who fully support the retention and improvement of these facilities.
- 5.3 Therefore, it is recommended that resources of £0.35m (including fees) be approved from the 2018/19 capital programme.

Rownhams St John's CE Primary

- 5.4 The project to expand Rownhams St John's CE Primary to 1.5fe was approved by ELMCS on 15 January 2018. At that time, it was expected that the project would start in 2020/21. However, following an update of the forecast pupil numbers, it is proposed to bring the scheme forward to the current financial year.
- 5.5 Therefore, it is recommended that the project at Rownhams St John's CE Primary School is added to the 2018/19 capital programme at a sum of £0.551m (including fees).

Park View Primary, Basingstoke

- 5.6 A scheme to expand Park View Junior (now a primary school) by 2 classrooms was reported on 20 January 2016. However, the decision has been taken to defer the expansion project following a review of the forecast pupil numbers in the local area. Further work will take place over the summer to look in detail at the forecast numbers across the school place planning area.
- 5.7 To create a primary ethos for the primary school, internal alterations are to be undertaken to create internal access between the buildings and to create a single staff room. In addition there is a requirement for more car parking and improved pedestrian access through the site. The total cost of these works is expected to be £0.47m (including fees).

South Farnborough Infant, Farnborough

- 5.8 Following an increase in pupil numbers at the school, an expansion of the kitchen facilities is required to manage the increased demand.
- 5.9 Therefore it is recommended that the project at South Farnborough Infant be added to the capital programme at a cost of £0.35m (including fees).

Vyne Community School, Basingstoke

- 5.10 The Vyne Community School has recently been successful in securing external funding from the Football Foundation and Basingstoke & Deane Borough Council to provide a new 3G artificial grass pitch for the school and the local community.
- 5.11 Therefore, it is recommended that funding of £0.684m (including fees) be added to the 2018/19 capital programme. The project is due to complete in the autumn term.

Boorley Park Primary School, Fair Oak

- 5.12 The scheme to build the Boorley Park Primary School was approved on 15 January 2018 at a total cost of £6.47m which is to be funded by ESFA grant. Following ground investigations and detailed design issues, additional funding will now be required to complete the project.
- 5.13 Therefore, it is recommended that additional funding of £0.24m (including fees) be added to the programme.

Kings Furlong Infant and Nursery School and Kings Furlong Junior School

- 5.14 A scheme to expand Kings Furlong Infant and Nursery School and Kings Furlong Junior School by 1fe was reported on 20 January 2016. However, the decision has been taken to cancel the expansion project following a review of the forecast numbers in the local area. This will also require a revocation of the Public Notice. The position has been shared with the headteachers and governing bodies who understand the situation.
- 5.15 However, there remains an intention to invest in a new nursery building for the infant school that will allow for the school to manage the bulge in pupil numbers. The revised scheme will provide for a nursery building to accommodate 42 pre-school children together with improvements made to the outside teaching and play areas at an estimated cost of up to £1.25m.

6. Action taken by the Director of Children's Services

- 6.1 Under delegated powers, and following consultation with the Executive Member for Children's Services, the actions set out in Appendix 3 have been taken and it is recommended that these approvals are noted.
- .

CORPORATE OR LEGAL INFORMATION:**Links to the Strategic Plan**

Hampshire maintains strong and sustainable economic growth and prosperity:	yes
People in Hampshire live safe, healthy and independent lives:	yes
People in Hampshire enjoy a rich and diverse environment:	yes
People in Hampshire enjoy being part of strong, inclusive communities:	yes

Other Significant Links

Links to previous Member decisions:		
<u>Title</u>	<u>Reference</u>	<u>Date</u>
Children's Services Capital Programme 2017/18 to 2019/20	7917	18 January 2017
Children's Services Capital Programme update	n/a	19 June 2017
Children's Services capital programme update	n/a	20 September 2017
Direct links to specific legislation or Government Directives		
<u>Title</u>	<u>Date</u>	

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

IMPACT ASSESSMENTS:

1. Equality Duty

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Due regard in this context involves having due regard in particular to:

1. The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
2. Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
3. Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Equality and diversity objectives are not considered to be adversely affected by the proposals of this report.

3. Impact on Crime and Disorder:

Crime and disorder objectives are not considered to be adversely affected by the proposals of this report.

4. Climate Change:

How does what is being proposed impact on our carbon footprint / energy consumption?

When the Children's Services Capital Programme invests in new build, replacement or refurbishment works, Property Services colleagues include an assessment of reductions in energy consumption (carbon use) in the design. In all new buildings and in the majority of refurbishment type investments, the latest technologies and materials are specified in order to maximise the impact on reducing carbon consumption. Many projects are also able to employ passive design approaches including natural ventilation and improved insulation to actively reduce consumption in summer and winter conditions.

How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

The proposals seek to provide compact and energy-efficient building envelopes. Any new build or extensions will meet current building regulations standards for thermal performance. Where possible appropriate sustainable materials will be employed to reduce the environmental impact of the proposals.

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Revised Children's Services Capital Programme 2018/19

Category	Project	Estimated Starts Value £'000
Primary School Improvements	Boorley Park Primary, Fair Oak	5,986
	Bursledon Junior, West End	395
	Castle Hill Primary, Basingstoke	3,510
	Church Crookham Junior, Fleet	1,500
	Kings Copse Primary, Hedge End	2,000
	Northern Junior, Portchester	400
	Petersgate Infant, Clanfield	1,714
	Rownhams St John's CE Primary	551
	South Farnborough Infant, Farnborough	350
	Whitchurch CE Primary, Basingstoke	2,070
Secondary School Improvements	Secondary School Improvements	194
	Deer Park School, Hedge End	21,480
	Hamble School	350
	King's School, Winchester	2,800
	The Vyne School, Basingstoke	684
Special Schools & Resourced Provision	Special School Improvements	2,187
	Chineham Park School, Basingstoke	13,500
	Samuel Cody Specialist Sports College, Farnborough	700
Other Improvement Projects	Other Improvement Projects	2,000
Block Votes	Access Improvements in Schools	747
	Early Years Grant for 2 year olds	407
	Early Years Grant for 30 hour provision	494
	Furniture & Equipment	250
	Health and Safety	400
	Healthy Pupils Capital Fund	1,537
	Minor Works	716
	Modular Classroom replacement	2,000
	Projects funded by developer contributions	245
	Schools' Devolved Formula Capital (DFC)	3,350
	Stubbington Study Centre	19
	Contingency	15,287
Children's Social Care	Children's Homes	1,243
	Foster Carers	168
	Adaptation Equipment	250
	Swanwick Lodge	3,250
	Total	92,734

Children's Services Capital Resources 2018/19

	£'000	£'000
Cash Limit reported 9 May 2018		77,031
Project deferrals from 2017/18	34,210	
Deferral of resources to 2019/20	-20,000	
Resources brought forward from 2020/21 – Rownhams St John's CE Primary	551	
The Vyne – Football Foundation Grant	317	
The Vyne – B&DBC developer contribution	367	
Developer Contribution – Harwood Farm	18	
Removal of Resources- Norman Gate	-30	
Developer Contribution – Cadnam Farm	30	
Developer Contribution – Boorley Park	240	
Total Resources		92,734

Foster Care	Project	Funding Source	Year	£'000
Fareham Area	Loft conversion	Social Care	2018/19	20
	Total			20

Capital Programme 2017/18

Schemes Not Started by 31 March 2018 - To Be Carried Forward to 2018/19

Scheme	Value £000	Anticipated Start Date	Reasons for Deferral and Re-scheduling
Foster Carers	68	June 2018	Projects planned during 2018
School Improvement Projects	1,573	Various	Specifications being finalised for named projects
Access Improvements in Schools*	247	August 2018	Projects planned during 2018
Special School Improvements	625	July 2018	Specifications being finalised for named projects
Modular Classrooms	128	July 2018	Projects planned for summer 2018 to meet increasing pupil numbers.
Kings' School, Winchester	2,800	April 2018	Specification being finalised with funding partners. Scheme to complete during 2019.
Samuel Cody Specialist Sports College, Farnborough	700	April 2018	Scheme expected to complete during April 2018.
Early Years grant for two-year-olds	407	Various	Projects being planned and costed.
Early Years grant for 30 hour provision	484	Various	Projects being planned and costed.
Furniture & Equipment*	611	Various	Planned F&E for future named projects.
Health & Safety	345	July 2018	Projects planned for summer 2018.
Minor Works	192	July 2018	Specifications being finalised for named projects
Projects funded by developer contributions	110	July 2018	Projects planned during 2018
Contingency	25,920	Various	Inflation and abnormal costs
Total Children's Services	34,210		

Note: *Schemes controlled on an expenditure basis

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Actions by Director of Childrens Services

School	Project	Funding Source	Year	Cost £'000
Aviary Nursery, Eastleigh	Internal alterations	Capital Receipt	2018/19	70
Boorley Park Primary, Botley	Additional funding for new school	Developer Contributions	2018/19	240
Fryern Junior, Chandler's Ford	Classroom reorganisation	Basic Need	2018/19	45
Gosport Family Centre, Kent Road	Internal re-modelling	Capital Receipt	2018/19	130
Mayhill Junior School, Hook	Classroom conversion	Minor Works	2018/19	20
Oak Lodge School, Dibden Purlieu	Additional car parking	SEN	2018/19	166
Overton CE Primary, Basingstoke	Staff room expansion	Basic Need	2018/19	60
Prospect School, Havant	Garage conversion	SEN	2018/19	100
St James' CE Primary, Emsworth	Access improvements	AIS	2018/19	12
St Thomas CE Infant, Newbury	External improvements	Developer Contributions	2018/19	18
Saint James CE Primary, West End	Additional funding for expansion	Basic Need	2018/19	120
Trosnant Infant & Junior, Havant	Additional costs of construction	Basic Need	2018/19	150
Tweseldown Infant, Hart	Additional funding for expansion	Basic Need	2018/19	190
Wickham CE Primary, Fareham	Classroom conversion	Minor Works	2018/19	55
Wootey Junior, Alton	Provision of SEN Room	Developer Contributions	2018/19	30
Total				1,406

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