

**Committee and Date**

Audit Committee

26<sup>th</sup> June 2025

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Item

Public



## Short Breaks Service Management Update

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<b>Cabinet Member</b> (Portfolio Holder):	Councillor Ruth Houghton		

### 1. Synopsis

This report provides Committee an update on the progress against recommendations following an audit review of the council's short breaks services. These are commissioned services through three contracts with two service providers.

### 2. Executive Summary

2.1. Shropshire Council provides funding for a variety of Short Breaks services aimed at supporting children and young people with disabilities up to the age of 18. These services are designed to offer enriching experiences for children while relieving parents and carers of their daily caregiving responsibilities. Short Breaks encompass a broad spectrum of activities, including after-school programs, weekend events, school holiday engagements, and overnight stays. They provide valuable opportunities for children to develop independence, confidence, and social skills within and outside their family environment.

2.2. The program offers three tiers of support: universal activities accessible to all children, targeted short breaks for those needing additional assistance to participate in general activities, and specialist short breaks tailored to those with complex needs requiring a social work assessment. Activities range from drama, sports, and clubs to specialised care at residential facilities or support at home. These initiatives aim to foster both enjoyment and personal growth for children who might otherwise struggle to access such opportunities independently.

- 2.3. Currently, these contracts are divided into three Lots. Specialised overnight stays , community short breaks and an "All In" service, which provides universal short break activities. The total contract value is £1.93m for 25/26.
- 2.4. The vision for short breaks over the next twelve months is centered on commissioning and expanding a diverse array of activities and services to ensure that every child, regardless of their individual needs, has access to enriching and supportive opportunities. This involves a refocus on prevention, to meet needs at the earliest possible stage, reducing the need for overnight provision.
- 2.5. An audit was undertaken of the shorts breaks position between February and August 2024. This resulted in several recommendations and overall assurance rating of unsatisfactory. This audit was prior to the work on the new short breaks model.
- 2.6. Work ongoing during Spring/Summer 2023, with PWC resulted in a business case to strengthen the capacity across Commissioning and Contract Management and Quality Assurance aligned to Children's commissioning. This was in light of recognised risks and opportunities identified, including short breaks as a service model for improvement.
- 2.7. A business case was approved by Exec Review Board (ERB) in Dec 2023, a consultation across the team and a restructure led to a strengthened approach and commissioning team structure of Start Well, Live Well and Age Well all-age Commissioning, Contracts and Quality Assurance. This was fully implemented November 2024. There were capacity challenges during this time due to sickness and implementing the new structure in parallel.
- 2.8. As result of this new structure, work on short breaks recommission has accelerated this year and the revised model now proposed will deliver a stronger more sustainable model as described above in 2.4, 2.5 and 2.6.
- 2.9. Contract Monitoring and quality assurance capacity and processes are also now in place. Monthly oversight is through the Social Care Quality and Performance Monitoring Group (QPG).
- 2.10. An additional challenge during this time has been unprecedented pressure within the social care provider market over the last 12 months, particularly financial, arising from the increases in national insurance, and the national minimum wage. Providers have seen a 12-15% increase in these costs. Service continuity and management of risks associated with this position across the sector has been significant.
- 2.11. This report provides the information on the actions taken by Commissioning, Contracts and within the Disabled Children's Team in response to the audit recommendations

### 3. Recommendations

- 3.1. Members to note the updates as set out in the report and support the actions that have been taken to secure service continuity and a move towards a new model with a more diverse short breaks offer for young people and families.

## Report

### 4. Risk Assessment and Opportunities Appraisal

#### 4.1. Risk table

Risk	Mitigation
Financial - Not investing in short breaks increases the risk of vulnerable children and families needing more intervention, including expensive residential care.	An agreement has been reached to increase the budget for short breaks for a 12-month period to conduct a comprehensive commissioning and financial review. This budget increase aims to stabilize current provisions, thereby reducing the pressure associated with the need for permanent residential care for children with disabilities.
Safeguarding - Interruptions to short breaks provision heighten safeguarding risks.	Alongside the financial increase, meetings have been conducted with the provider to inform families and provide points of contact for additional support and resources.
Legal- failing to fulfill the statutory duty to provide short breaks for disabled children and their families could expose the Council to significant legal risks. This includes potential judicial reviews initiated by affected families or advocacy groups, citing non-compliance with statutory obligations under the Children Act 1989 or associated legislation. Such legal challenges could result in court rulings mandating immediate corrective actions, penalties, or reputational damage to the Council. Furthermore, the absence of adequate provision risks breaching principles of fairness, equality, and human rights, potentially inviting claims under the Equality Act 2010. Engaging in litigation not only incurs financial costs but also diverts resources and attention from critical services, exacerbating the challenges faced by vulnerable children and their families.	Frequent meetings have been held with commissioning, Disabled Children's Team managers, and the provider to discuss support needs and manage risks individually. Shared solutions are sought to meet assessed needs and alternatives found when necessary.

### 5. Financial Implications

- 5.1. The overall annual cost of Short Breaks contracts is £1.93m (overnight and universal).

- 5.2. Currently there are six children accessing overnight short breaks who are assessed as high risk. Without this provision alone we would need full time high-cost placements. We have estimated this could cost upwards of £1.87m.
- 5.3. Benchmarking indicates that moving to a spot purchase agreement would significantly increase costs for overnight short breaks, with Telford reporting a total nightly cost of £1,300, i.e. £450 per night more than the service costs under current contract.

## 6. Climate Change Appraisal

- 6.1. There are no anticipated direct climate change or environmental impacts associated with the recommendations in this report.

## 7. Background

- 7.1. The Audit report from 2023/24 gave an unsatisfactory assurance rating and identified two fundamental recommendations.
- 7.2. A review of evidence against the progress against these measures was completed by internal Audit in April/May 2025.
- 7.3. The detailed report is identified at Appendix 2 of the report.
- 7.4. The table below updates Members on the progress against the recommendations made in the 2023/24 audit:

Recommendation	Management Action	Review Date
The Short Breaks recommissioning work must continue at pace in order to determine and meet the requirements of a child or young person who has a disability and lives in Shropshire. Contracts should be procured in line with the Council's Contract Procedural Rules and formalised prior to the existing expiry date of 31st March 2025.	<p>The recommission of short breaks continues at pace, with leadership from the Commissioning Manager Start Well. Weekly project meetings are in place, oversight by Service Manager, Commissioning under the Joint Commissioning Deliver Group (JCDG).</p> <p>There is currently an extensive work programme to review and change the overall short breaks model. Work will continue to define the new model to provide alternative solutions to support family needs and children. Once the model is final, contracts will be procured as required.</p> <p>The first will be a sub-regional family based short breaks offer to be tested with the market Sept/Oct.</p> <p>Risks considered by DMT on 28th January 2025, and agreement reached to proceed following which the then Assistant Director – Legal and Governance was approached for an exemption from the Council's Contract Procedure Rules. He explained that he was not in a position to agree to</p>	June 9 <sup>th</sup> and ongoing oversight through JCDG

Recommendation	Management Action	Review Date
	such an exemption as it would be a breach of the Public Contracts Regulations. The matter was therefore referred to EMT on the 4th March 2025 regarding the wider position. Due to reliance on the current provider and service, the need for continuation of delivery whilst the new sustainable and diversified model is shaped and put in place, a recommendation was considered and agreed by EMT. Risks considered were significant financial risks if service collapse/lack of continuity and risks for vulnerable young people. EMT understood the risks associated with the extension requiring a clear timeline and actions to be delivered.	
All forms in relation to a referral for services provided by the Provider of overnight short breaks should be held on the child's LCS record.	All new referrals to the Provider of overnight short breaks are uploaded on the system to documents within LCS.	N/A - action complete
<p>The contracts should be reviewed, and consideration should be given to withhold payments to the Providers. Legal advice should be sought as to the consequences of not fulfilling these obligations and withholding payments.</p> <p>Once the contracts are re-procured and operating in practice, a contract manager should be allocated to monitor performance and ensure providers are meeting their contractual arrangements and meeting the demands of service users.</p>	<p>Consideration of sanctions was given, however there is limited facility within the contract for this and deemed too risky in respect of continued provider delivery. Would have resulted in withdrawal of provider and service failure/collapse.</p> <p>Contract Management capacity to support Children's contracts including Action 4 Children is now in place. Posts in the Contracts Team include Contracts and Quality Assurance Officer (started Jan 2025) and Quality Assurance Monitoring Officer also now in place (started Jan 2025). Oversight is through Quality and Performance Group (QPG).</p>	<p>June 9<sup>th</sup> through JCDG</p> <p>Ongoing through monthly QPG meetings</p>

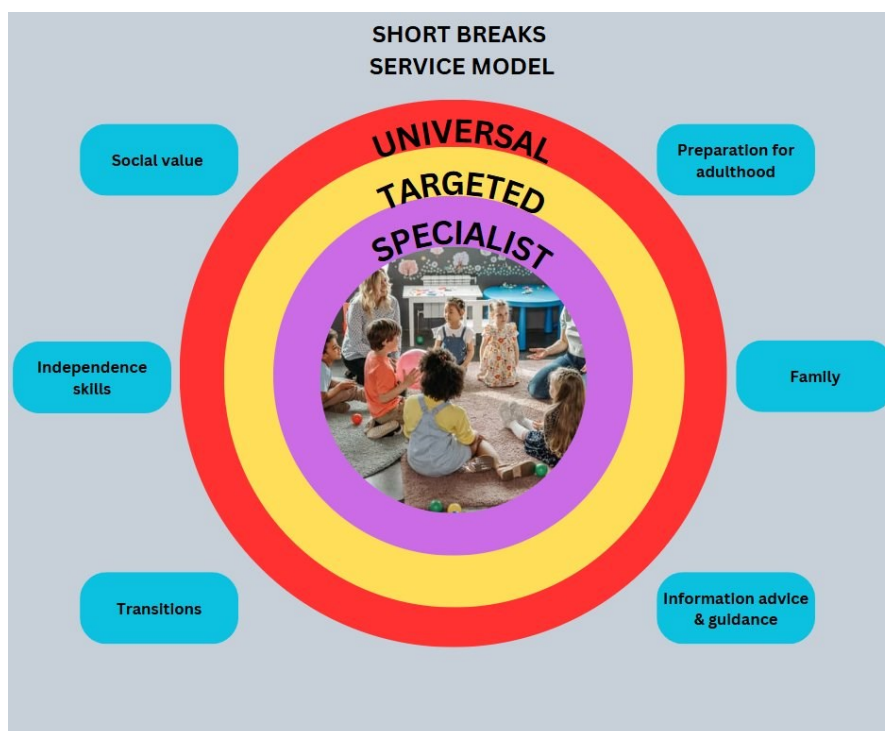
7.5. The refocus through the future recommission and new short breaks model with a stronger emphasis on prevention and meeting needs earlier through an expanded offer of activities and meeting individual needs, presents a positive response to the audit recommendations.

7.6. Sub-regional opportunities have also been identified, offering a chance to collaborate with neighboring areas to optimise resources and enhance service delivery. Currently, a joint commission of family-based care is underway, aiming to

provide alternative options for families while demonstrating cost-effective solutions. The overall vision for the future model can be seen below in Fig 1.

- 7.7. Work is ongoing to further align short breaks with the broader goals set out in the local and national agendas eg Shropshire plan, SEND and Alternative Provision strategy and internal growth project group.

Fig 1



## 8. Additional Information

- 8.1. An interim review of the progress against the recommendations has been completed in May by internal audit. This gave an unsatisfactory assurance rating and identified one fundamental and one significant recommendation. Whilst it was acknowledged that work had been undertaken to address the issues identified in the 2023/24 audit, including strengthening the teams in commissioning, contract management and quality assurance, this had not resulted in a change to the assurance opinion as the processes were not yet embedded.

## 9. Conclusions

- 9.1. Several measures are already underway to address issues raised by the audit. Operational service delivery has been stabilised, to allow the required timeline to redesign the service model and undertake commissioning activity.
- 9.2. Contract management and quality assurance capacity is now in place with active monitoring.

**List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)**

**Local Member:**

**Appendices** [Please list the titles of Appendices]