City of York Council

Statement of Purpose - Short Breaks for Families with Disabled Children

**Families with disabled children can benefit from regular breaks from their caring responsibilities. Local Authorities have duties to provide Short Breaks Services and make clear how families can access them. Please note, to be eligible for a York Short Break you must live in York. Looked After Children placed in York by another authority will need to apply to the placing Local Authority for short breaks funding.**

# Legal framework used in this statement:

* Breaks For Carers of Disabled Children Regulations 2011
* Care Act 2014
* Children Act 2004
* Children and Young Persons Act 2008
* Children and Families Act 2014
* Chronically Sick and Disabled Persons Act 1970
* Equality Act 2010

# Legal Duties and Responsibilities

Section 25 of the Children and Young Persons Act 2008, which amends the duties that the Local Authority must provide for disabled children contained within paragraph 6 of Schedule 2 of Children Act 1989, requires local authorities to provide short breaks for families with disabled children. This duty came into force on 1 April 2011. Under Paragraph 5 of The Breaks for Carers of Disabled Children Regulations 2010 local authorities must also prepare a ‘Short Breaks Statement’ setting out details of the range of services provided, any eligibility against which services will be assessed and how these will meet the needs of carers in its area. Furthermore, local authorities must publish this statement on their website, keep it under review and revise it where appropriate. In preparation and revision, the local authority must have regard to the views of carers in their area.

Following the implementation of the Children and Families Act 2014 and the Special Educational Needs and Disability Regulations 2014 the short breaks statement should now also be a component of the Local Offer.

A local authority must explain the process by which it decides whether a child is “eligible” for support services, paragraph 5 (1)(b).

The local authority must consider its duties under the Equality Act 2010 and ensure that it does not discriminate against anyone because they have a disability, or against a family member of a disabled child.

# What is a Short Break Statement?

Every local authority must provide a statement. A short break statement gives information to parents and carers of children and young people with special educational needs and disabilities, such as:

* the types of short break services that can offer breaks from caring and the support available for families, that is personalised and achieves positive outcomes.
* who can access short breaks?
* finding out what other help is available.

# What is a Short Break and how can I use it?

Families with disabled children often go above and beyond what typical families must do to care for their children. Moreover, it can be difficult for disabled children to be included in activities that other children can go to and do. For parent carers, Short Breaks can be opportunities to recharge your batteries, spend time with others or pursue a particular interest. Taking a break from caring for your child is not an admission of failure or a way of saying you don’t care. It can be a way of caring more effectively or even being able to carry on caring at all. For disabled children, Short Breaks can support you to have a change of scene, try different experiences, have fun, and make friends.

Short Breaks can be for a few hours or longer, including overnight and can be provided in lots of different ways. A short break could include having additional support so that a child or young person can join in with a club or recreational activity in their community. It could be extra support for the disabled child alongside family leisure and social activities.

**Short Breaks aim to give:**

* Parents and Carers a break from caring.
* Children and young people the chance to try new activities, socialise, make friends.
* A chance to take part in activities that help the child’s development.
* A choice and a range of activities.
* Parents, carers and siblings, quality time to spend together that they would not otherwise have.
* Opportunities for siblings to be able to participate together in some short break activities.
* A positive experience for every member of the family.

We recognise that each child and family is unique and will have different levels of support from their wider family and friendship network. Children and families will use different types of short breaks depending on the age of the child and the child’s interests. Some families may need more support because of their family circumstances, this may be for a short period of time, or it may be for longer. In all cases we will seek to provide the level of support needed whilst being mindful of the need for the Council to use resources effectively.

# Who is Eligible?

City of York Council’s eligibility criteria for short breaks is:

• Children and young people have a permanent and substantial impairment or illness, which has a profound effect on their health, development, and social functioning.

• Families are unable to access universal activities, services, and provision without additional support

Eligibility is not dependant on any single criteria such as diagnosis, or a single impairment. Instead, it is focussed on the identified needs of the child/young person and the impact of this need on the child/young person and their family.

Children need to reside within the boundary of York and not just attend a York school.

# What do Short Breaks Look Like?

In York, short breaks can be offered through the early help short break grant or through an assessment with the disabled children and young people team ( DCYPT)

Referrals through the Early help short break grant are open twice a year in April and October. Families can apply for a discretionary grant of up to £300 to support with activities.

For any support that requires more than the Early help short break grant offer, families need to apply through emailing MASH ( Multi Agency safeguarding Hub) mash@york.gov.uk This includes any support for overnight provision. A social worker would undertake an assessment to identify the level of support required based on your identified needs as a family.

York’s ‘[Local Offer’](https://www.yor-ok.org.uk/families/Local%20Offer/activities-in-york.htm) sets out the services and information available in York for disabled children.

Early help short break grant.

For relatively low levels of short breaks provision, an assessment provided or commissioned by the Local Authority will often not be necessary. An authority may provide some short break provision for disabled children who have been assessed through other processes, for example, access to existing local health or educational facility, receipt of higher-level Disability Living Allowance or locally agreed criteria'.  This is when a referral into the early help short break grant would be appropriate.

The early help short break grant aims to support families with a contribution towards an activity without the need for a formal assessment.

A diagnosis of a disability is not essential to consider eligibility for a short break. Each situation will be considered individually, based on the needs of the child/young person and the impact of their need on them and their family to determine what, if any, services may be required in the child/young person and their family’s best interest**.**

Referral process

All referrals need to be made via the online application portal. Referrals are open twice a year October and April.

The referral form aims to capture the needs of the child/young person so therefore making the referral process more effective. When completing the referral form it needs to be clearly identified what kind of support is being requested in terms of universal or targeted short break

[Short Breaks – York SEND Local Offer](https://www.yorksend.org/homepage/21/short-breaks)

# Reviewing our Short Breaks Statement

Our Short Breaks Statement is reviewed annually or more often if required.

Review of services provided to children with disabilities.

There is an ongoing review of social care support for disabled children