

Appendix 1

Response of the Cabinet Member with responsibility for families and children to the Scrutiny Report "Future Provision of Overnight Unit-Based Short Breaks for Children with Disabilities"

The Cabinet Member notes the report of the Task Group on the future provision of overnight unit-based short breaks for Children with Disabilities and thanks them for their work on this issue.

The consultation on the future provision of unit-based short breaks has been complex and challenging. I share the sadness of the Task group regarding any stress that the consultation and uncertainty have caused but we cannot arrest improvement of services for fear of change, and there must be openness about any proposals.

It is not my purpose to criticise the integrity of the scrutiny exercise but I feel the report would have been enhanced if the background had included the details of the early briefings provided for all councillors. This gave those who attended the opportunity to shape the engagement process. Some comparison of the level of provision in neighbouring and 'family group' areas would have also helped with context.

Furthermore, a table showing the number and general location of family members who provided evidence to the task group would have helped give the report greater validity. This might still be provided as a supplement to confirm that evidence taken came from credible sources and not exclusively from employees, organisations with a commercial interest or those on the periphery. This would have added weight to the *conclusion*.

Notwithstanding the above, I respect the experience of councillors of the task group which means that the *recommendations* must and will receive serious consideration.

Assessing the 'impact' of the proposals on all units during the consultation, and before recommendations were made, was an ambitious objective for the Task Group and the robustness of the report contents and recommendations can only reflect the views of parents and others that were engaged in the process.

I have considered the contents of the report carefully and respond below to the recommendations in the report.

Recommendation 1: The Task Group strongly urges the Cabinet Member to refer the final decision on the future provision of unit-based overnight provision to a public meeting of the Cabinet rather than making this very difficult decision by the delegated decision making process. This would allow greater transparency and public accountability and the public would have the opportunity for public participation.

The recommendation that Cabinet delegate the final decision on the future provision of unit-based overnight (short break) provision to the Cabinet Member with Responsibility for Children and Families, was agreed by Cabinet on 14 December 2017.

The process for a Cabinet Member decision includes the publication of report and recommendations and supporting information and data, in full, before the decision is made. In this case I have previously committed to the publication of the recommendations report and supporting documents well in advance of making a decision, with time for the information to be fully accessed by families and other stakeholders. However, in light of the recommendation

outlined above and emerging issues, I do not intend to exercise the delegation to make the final decision on the future provision of unit-based overnight provision and have requested that this matter be considered by Cabinet.

This is an important set of proposals to make a decision on and the information that has informed the report is complex. The consultation has also raised new considerations, so that the decision would benefit from being taken by Cabinet members collectively in a public meeting.

Recommendation 2: Before the County Council embarks on any consultation which may result in changes to services, there must be a pre-consultation engagement process, which would allow better planning and a clearer understanding of the needs of service users already accessing the services. This should be applied as standard across all County Council Consultations and the Task Group wishes to share this recommendation with the Cabinet Member with Responsibility for Transformation and Commissioning for consideration also.

I accept in principle that pre-consultation engagement may often be good practice and should generally be considered but it may be impractical for a number of reasons.

The comments on the need for the Council to adopt a consistent approach to consultations and to aspire to a 'gold standard' apply wider than this particular process and I am not sure that there can be a 'one size fits all' approach given the breadth of the Council's functions and stakeholders.

Recommendation 3:

The County Council must urgently review how it can improve its partnership working with the Worcestershire Health and Care NHS Trust (WHCT) and other service providers involved with the Service

It is accepted that there is always room for improvement in the relationship between the Council and its providers, whilst acknowledging the commercial nature of the relationship.

A significant amount of work is being undertaken by commissioners and social workers to strengthen relations with short break providers in general in order to improve choice for families and to ensure that services are delivered in a way which supports outcomes for children and young people while delivering meaningful respite for parents and carers.

The report to Cabinet (12 July 2018) of which this response forms part, contains specific recommendations in relation to the review of contract arrangements with Worcestershire Health and Care NHS Trust to provide clarity on the service provided.

Recommendation 4:

When undertaking a consultation on proposed changes to services, planning for the pre-engagement should commence at the time that the County Council first becomes aware that changes are likely, allowing adequate time for planning to avoid the Consultation being (or appearing to be) rushed.

In principle it is agreed that planning for pre-engagement and/or consultation should take place sufficiently in advance, with the caveat that preparatory work such as the gathering of information and data may be necessary before effective pre-consultation or consultation activity can be planned or commenced.

Recommendation 5:

There should be a consistent approach to engagement with service users to ensure that the impact on the wider service can be accounted for.

Whilst I agree that there should be an appropriate approach to engagement with service users, it is not the case that the engagement with various groups of service users, or even individuals within groups, should always be the same. In this consultation the potential impact on one group of service users (families accessing the unit in Ludlow Road) was likely to be significantly different to other service users (were the recommendation to be agreed) and therefore a different style of engagement was felt to be appropriate when the consultation activity was planned.

In all cases the approach to engagement should be appropriate and proportionate to the actual or perceived level of impact on service users.

Recommendation 6:

The Cabinet Member must ensure that Consultation proposals are supported by clear, concise, accurate and understandable relevant supporting information, which has been verified before the Consultation process commences.

I agree that Consultation proposals should be supported by clear, concise, accurate and understandable relevant information and anticipate that officers will ensure that this is the case. The purpose of a consultation is such that additional information will come to light during the process and must then be considered as part of the overall information available to the decision maker(s).

I will consider in full all of the information in the final recommendations report prior to any decisions being made.

Recommendation 7:

The outcome of this consultation should result in an overnight Short Breaks Service that is stable, resilient, sustainable and responsive and not under constant review.

I agree that the final recommendations following the consultation should ensure that ultimately the service is stable, resilient and responsive.

Without underestimating the disruption of change I am determined that any new arrangements are sustainable – for children of today and tomorrow.