

Residential Short Breaks Services for Disabled Children and Young People

DRAFT -Service specification

Glossary of key terms

Breaks of Carers for Disabled Children Regulations, (2011): - Legislation which allocates duties to local authorities focused on the provision of short breaks services and providing breaks for parents and carers from caring responsibilities.

Children Act (1989): - Legislation which allocates duties to local authorities, courts, parents and other agencies in the United Kingdom, to ensure children and safeguarded and their welfare promoted.

Child in Need: - Need is defined under Section 17 of the Children Act (1989) as “a child who is unlikely to achieve or maintain a reasonable level of health or development or whose health and development is likely to be significantly or further impaired without the provision of services or a child who is disabled”.

Children’s Homes (England) Regulations (2015): - Legislation which describes quality standards and underpinning requirements which a children’s home must operate according to. These standards and requirements set out aspirational and positive outcomes which need to be achieved and ensure children and young people placed are being provided with the right support for their needs and wellbeing. Regulatory bodies inspect and provide a judgement of the children’s homes against these standards and requirements.

Child Looked After: - This is a child or young person to whom the Local Authority provides accommodation and care on a continued basis and over a period of a time which is longer than 24 hours. According to the *Childrens Act (1989)* this could be as a result of: -

- The absence of any person with parental responsibility for them, or those children who have been lost or abandoned, or in the event the person who had been looking after them is no longer able to provide suitable care or accommodation (section 20).
- Children in police protection, detention or remand (section 21)
- A court order, interim order or order for the emergency protection of children (section 31, 38 and 44)
- Respite care which a child may be receiving which exceeds 75 days in a year whereby they are away from home in a residential placement

Continuing Health Care Checklist: - A tool used by Clinical Commissioning Groups to identify children who are eligible for continuing care. Checklist completed by any professional who identifies a child with additional health needs. Decision Support Tool (DST) completed by a health professional following a positive checklist.

Direct payments: - Financial payments parents and carers receive directly from the Local Authority. Payments are to be used to buy services that will manage all or part of the personal budget allocated to support the education, health and care needs of children and young people as identified in their care and support plan. The Devon Card is used by Devon County Council to pay for services for people who wish to manage their own support by direct payment.

Disabled Child or Young Person: - According to the Children Act (1989) ‘a child is disabled if he is blind, deaf or dumb or suffers from mental disorder of any kind or is substantially and permanently handicapped by illness, injury or congenital deformity or such other disability as may be prescribed”.

Devon County Council Children’s Services: - A group of services within the Local Authority that promote, protect and improve the welfare, well-being and outcomes achieved by vulnerable children, young people and their families in Devon. This will include Children in Need, Children Looked After and children subject to Child Protection plans.

EHCP: - An education, health and care plan replaced the statement of special educational needs from 2014. This plan co-ordinates and documents education, health and care needs, extra support required to meet young person's needs and outcomes to be achieved by the young person into one single legal document. This plan applies from 0 years to 25 years.

KPI: - Key performance indicator, a measure that can be used to assess the efficiency and effectiveness of a service being delivered.

Personalisation: - Designing and producing a programme of support to specifically meet the needs of an individual.

Personal budgets: - Resources that can be used flexibly to support a child or young person with their education, health or care needs as identified in their care and support plan. This does not usually include universal services that all children and young people can access but may include support that needs to be put in place for a child or young person with SEN or a disability. This enables greater choice and control. Personal budgets can be allocated in different ways.

Physical Intervention: - Methods of controlling children that do not involve any use of force to hold a child. For example, a carer may need to offer a "guiding hand" to lead a child away from a harmful situation, or block a child's way to prevent them from putting themselves in danger.

Regulation 44 Visit: - A monthly visit to a children's home by an independent person considering how well the children's home is operating according to quality standards and underpinning requirements detailed in the Children's Homes (England) Regulations (2015). The independent person will summarise outcomes of the visit in a report which will include strengths, weaknesses and areas of improvement for the Children's Home to undertake.

Resource Allocation System (RAS): - System used by the Disabled Children's Social Work service following assessment to indicate indicative amount of personal budget available to children and families to support their needs.

Restrictive Physical Intervention: - Any method that restricts the movement of an individual by physical means, including mechanical means, holding and restraint.

SEND: - Special Educational Needs and Disability

Short Breaks: -A range of services used to support needs of disabled children, young people and their families. Services can include activities provided in the day, evening, overnight or weekend for children and young people. Services can be provided in the family home, home of a registered carer, from a residential setting or in a community setting.

Quality Assurance Framework: - A structure setting out key performance indicators and quality monitoring procedure between the provider and Devon County Council including suspension protocols for delivery of this service.

Service Specification

Part 1:-

This specification sets out the requirements for the delivery of residential short breaks services with the flexibility of offering some alternative community services and shared care and long term care for disabled children and young people and their families in Devon.

1. Background & Context

1.1 National context: -

- 1.1.1 This service will support in the delivery of the *Children Act (1989)*; *The Breaks of Carers for Disabled Children Regulations (2011)*; *The SEND Code of Practice: - 0-25 years (2014)*; *The National Residential Contract for the placement of Children in Children's Homes (2012)* and such other national guidance and strategies as are current or shall be issued by the Government in the lifetime of the contract.
- 1.1.2 Under Section 17 (1) of the *Children Act (1989)*, the Local Authority holds a responsibility to safeguard and promote the welfare of children in their area who are in need. Section 17(10) describes a Child in Need as "a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services or a child who is disabled". Paragraph 6(2) of Schedule 2 to the *Children Act (1989)* states the Local Authority's duty to provide services designed to: - "minimise the effect on disabled children within their area of disabilities; give disabled children the opportunity to lead lives which are as normal as possible and to assist individuals who promote care for such children to continue to do so or to do so more effectively by giving them breaks from caring".
- 1.1.3 *The Care Planning, Placement and Case Review (England) Regulations (2010)* and *Table 1 of Short Breaks Statutory Guidance on How to Safeguard and Promote the Welfare of Disabled Children using Short Breaks (2010)* outlines different legal provisions for the Local Authority in providing short breaks accommodation.
- 1.1.4 *The Breaks for Carers for Disabled Children Regulations, (2011)*, Sections 3, 4 (1) and 5 states the Local Authority have a duty to: -
 - 1.1.4.1 Have regard for the needs of carers of disabled children to enable them to continue to provide care or to allow them to undertake education, training, and other leisure activities; to meet the needs of other children in the family more effectively or carry out day to day tasks which they must perform to run a household.
 - 1.1.4.2 To provide, as far as is reasonably practicable, a range of services to assist carers to continue to provide care or do so more effectively. The range should include: - day time care or overnight care (either at home or elsewhere); educational or leisure opportunities outside their homes and services to assist carers in evenings, weekends and during school holidays.
 - 1.1.4.3 Prepare and maintain a statement of range, design and eligibility of services for carers in their area

1.1.5 Clinical Commissioning Groups have a duty to assess and co-ordinate provision to meet health care needs of disabled children who have complex health needs and continuing health care needs as described in the National Framework for Children and Young People's Continuing Care (2016).

1.2 Devon context Short Breaks for Disabled Children and Young People: -

1.2.1 The service will support the delivery of the Devon Multi-Agency SEND strategy 2017-2020, Devon County Council Children's Services Improvement Plan, priorities of the Devon Children and Families Partnership and any other relevant strategy or project.

1.2.2 Outcomes and service delivered will take account of any specialist need or requirement agreed and set out in the relevant plan for individual children and young people including a child's EHCP or complex and continuing health needs identified from health assessment.

1.3 Devon County Council's needs assessment in the context of a multi-agency partnership

1.3.1 Please refer to Devon's Published Performance Information Book and Market Development Plan.
(Add Link when published)

1.4 Provision that is outside of this specification: -

1.4.1 Where there is availability and with the agreement of commissioners' arrangements may be made for residential short breaks services, to be provided under this specification, to be purchased on a spot contracting basis by Other Local Authorities for children who are Children Looked After or Children in Need who have been placed in Devon or Devon County Council Adult Social Care.

1.4.2 Where there is availability and with the agreement of commissioners' arrangements may be made for services, to be provided under this specification, to be purchased by parents or carers for Devon children and young people using their personal budgets.

2. Outcomes to be delivered

2.1 The service provider will deliver the service in line with the outcomes identified in the National Residential Contract for the Placement of Children in Children's Homes (see part 2). Outcomes are aligned with the following values and principles: -

2.1.1 Be Healthy (outcomes BH1-11)

2.1.2 Stay Safe (SS1-6)

2.1.3 Enjoy and Achieve (EA1-5)

2.1.4 Make a Positive Contribution (MP1-8)

2.1.5 Economic Well-Being (EW1-3)

2.2 In addition, the service provider will deliver the following local outcomes for disabled children and young people and their families accessing these services: -

2.2.1 Parents/ Carers of disabled children are happy with and benefit from the service received, as they feel the service received meets the needs of their child and allows them to have the availability to undertake other opportunities, activities and maintain their household.

- 2.2.2 Through support received parents/ carers can meet the needs of siblings within the household more effectively.
- 2.2.3 Disabled children and young people receive personalised and high-quality support which promotes inclusion, communication, safety, personal and social development and good emotional, mental and physical health and wellbeing allowing them to meet the outcomes of their plans and reach their potential for adult life.
- 2.2.4 Disabled children and young people are supported in ways that mean they are able to continue living in their home environment most of the time.

3. Service Description

3.1 Method of Delivery: -

- 3.1.1 The service provider will deliver a residential short breaks service for children and young people who are Children in Need or Children Looked After and aged between 0-18 years according to their individual service plans detailing requirements of their individual package of care, EHCP and/or complex and continuing health needs identified from health assessment following assessment by Devon County Council Children's Services and/ or Clinical Commissioning Groups.
- 3.1.2 Over the life of the contract the service provider will develop and deliver a flexible model of services designed to provide both a residential short breaks service and some shared care and long-term care appropriately to meet the needs and demand for Children in Need and Children Looked After aged 0-18 years in Devon. In addition to alternative service offers to be delivered for Children in Need and Children Looked After aged 0-18 years in their homes and communities. During the life of the contract the service provider will need to work with commissioners to agree delivery of services from 0-25 years as per the requirements of the *SEND Code of Practice: -0-25 years (2014)*.
- 3.1.3 When required the provider will work with Devon County Council and partners to deliver a service for children and young people experiencing crisis. This will include the provision of service to a young person at short notice where there is an agreed need and where there may not be an ability to plan or ascertain information prior to the need for accommodation. Retrospectively the provider and partners will work closely within a wider multi agency group to ensure that all information and planning required to maintain the safe and appropriate care for children and young people at the home is sustained and to assist with the identification and transition to a placement of permanence. The statement of purpose for each home will set out the process that will be undertaken in circumstances where urgent placements are required.
- 3.1.4 The service provider will need to be able to respond to the increasing demand from families who may wish to access breaks and/or alternative services through their own personal budget. Over the lifetime of the contract it is expected that there will be a growth in personal budgets.
- 3.1.5 Residential short breaks services and any shared care and long-term care will be delivered in ways which comply with the requirements of the *National Residential Contract* detailed in part 2 of the service specification and the *Children's Homes (England) Regulations, (2015)* including the Quality Standards and any subsequent amendments to the Regulations.
- 3.1.6 The service provider will deliver a residential short breaks service and any shared care and long-term care that supports children and young people in transition, prepares them for adulthood and will support identified children and young people post 18 to ensure there is a smooth transition to adult services where appropriate This will begin from age 14.
- 3.1.7 The provider of residential short breaks services and any shared care and long-term care will not use physical intervention techniques on children and young people where they are held face down in a

prone position. This is due to the significant physical risks associated with this type of restraint¹. Providers will follow the most up to date guidance and good practice in terms of the use of restraint and will work in ways which comply with the Devon Children and Families Partnership *Positive Behaviour Support Guidance (2018)*. Behaviour management plans and risk management strategies will be in place for each individual identifying the most effective de-escalation strategies to be used in practice. **(Link to be added latest guidance being updated).**

3.2 Eligibility criteria and referral arrangements: -

- 3.2.1 To access a residential short breaks service or any shared care and long-term care provision, Children in Need and Children Looked After will need to have been assessed by Devon County Council Children's Services or the placing authority of the young person being referred where Devon County Council are not the referrer. The assessment should be a Single Assessment (Working Together, 2015). Eligibility for overnight respite will be determined by the Single Assessment (Working Together, 2018) in line with Devon County Council's Disabled Children's Services eligibility criteria. **(Link to criteria- being reviewed in next year).**
- 3.2.2 The provider will respond to referrals for assessment within one week. The response will be co-ordinated and will describe options for service delivery which are available and will meet the needs of the child or young person within a particular timeframe.
- 3.2.3 The service provider must maintain records of where a referral has been made but services cannot be provided. This information should be used to further service development and improvement.
- 3.2.4 The service provider must deliver services to Children in Need and Children Looked After according to the details contained within an individual child's plan which outline arrangements for each child's package of care. The service provider must also deliver services in ways which adhere to details contained within a child's EHCP.
- 3.2.5 The service provider needs to be able to deliver services to children and young people with complex health care needs. In some instances, the child may be in receipt of CCG additional health funding due to eligibility as determined by *National Framework for Children and Young People's Continuing Care (Department of Health, 2016)*. The appropriate Decision Support Tool assessment will be used to support the decision of eligibility and may be documented in the child's EHCP and/ or package of care.
- 3.2.6 The provision of residential short breaks services will be focused on those children where such respite is necessary to prevent family breakdown due to the intensity of the caring responsibilities, to safeguard both carer and welfare of children and young people.
- 3.2.7 The service provider will ensure an appropriate impact assessment is completed for all children and young people using the residential short breaks or any shared care and long-term service as part of the referral process.

3.3 Details of tasks to be carried out as part of the service and arrangements for delivery of residential short breaks services: -

- 3.3.1 The service will meet the needs of the most challenging and complex children and young people. This will include provision of care which supports the complex health needs, behavioural needs, communication needs, physical needs and additional needs of disabled children which aligns and delivers against the individual's package(s) of care.

¹ http://www.trixonline.co.uk/website/news/pdf/policy_briefing_No-93.pdf

- 3.3.2 Services provided will be provided flexibly to meet needs of parents, families and young people whilst responding appropriately to the local demand for residential short breaks services.
- 3.3.2 The service provider must adhere to the following in relation to specialist bespoke equipment and equipment for generic use: -
- 3.3.2.1 Prior to admission there will be a full assessment for equipment that the child or young person will need to fully access the setting. The assessment for equipment will be arranged by the referrer to be carried out by the Occupational Therapy Service or Physiotherapy service as appropriate. Where children require specialist bespoke equipment to meet their needs this will be provided through the Devon Independent Living Integrated Services (DILIS) contract. The assessment will be shared with the Provider and the Provider will be expected to implement any recommendations in the setting. No child or young person will access the setting without appropriate equipment in place.
- 3.3.2.2 As child's needs change and evolve over time a re-assessment should be requested and undertaken. This may result in specialist prescribed equipment no longer being required or being fit for purpose of catering for needs of the individual child or young person. This will result in the equipment needing to be returned to Devon Independent Living Integrated Services (DILIS). This will also be the case where a child no longer accesses the setting.
- 3.3.2.3 The provider is responsible for the provision of equipment for generic use within the home including but not limited to: - hoists, soft play, plate guards, sensory equipment and a range of communication aids will be used to support needs of children and young people.
- 3.3.2.4 The provider will ensure that the equipment in-situ reflects the needs and wishes of the children and young people accessing the provision. As per health and safety regulation all equipment on site must be replaced, updated and maintained according to manufacturer guidance.
- 3.3.3 Services will be delivered in safe, homely environments promoting inclusion, privacy, relaxation, enjoyment.
- 3.3.4 The provider will ensure that strategies and resources are deployed to achieve maximum mobility and independence for children and young people.
- 3.3.5 Service provision will include the management and administration of medication and any medical procedures that a young person is identified as requiring whilst using the service. This will be delivered in ways that comply with national standards, best practice and are safe.
- 3.3.6 Service provision will include providing and promoting opportunities for participation in community activities and will also be developed within the residential settings. Activities and entertainment should be provided suitable to the child's interests, abilities and needs.
- 3.3.7 Services will be delivered in ways that meet the needs of families from all cultural and ethnic backgrounds considering customs, values, and spiritual beliefs of children, young people and their families and that take account of the wishes of children, young people and their families that acknowledges right to confidentiality and choice while preserving dignity.
- 3.3.8 The service provider will regularly consult with and obtain the voice of children, young people and their families, sharing this with commissioners and using this to shape, develop and improve services and activities available. This will include children and young people with complex communication needs.
- 3.3.9 The service provider will regularly consult with and obtain the views of other relevant professionals and services sharing this with commissioners and using this to shape, develop and improve services.

- 3.3.9 The service will enable access to advocacy for children and young people appropriately.
- 3.3.10 Residential short breaks services will be delivered from registered Children's Homes, as such an independent visit will be undertaken every month as per Regulation 44 of the Children's Homes (England), regulations (2015). The views of children and young people will be gathered to contribute to Regulation 44 Independent Person Visits and Regulation 45 Quality of Care, appraisals of care staff and as part of unannounced visits to the placement by the Provider.
- 3.3.11 Residential services will be available to operate 24 hours a day, all year round with Christmas and New Year availability in an emergency such as a family breakdown. If there is a requirement for an emergency admission then the referrer can contact the home for the on-call manager contact details and they will decide if this is an appropriate admission. This will be based on the needs of the child or young person and whether a specific home can meet these needs and the impact this may have on existing users.
- 3.4 Alternative service offer
- 3.4.1 The service provider must be flexible in re-directing hours to providing short break offers and alternative offers developed across communities or shared care and long-term care for children and young people as directed by the demand for residential short breaks services.
- 3.4.2 Where this offer includes the provision of shared care and long-term care for children and young people XXXXXXXXXX
- 3.4.3 Where this offer includes community services for children and young people
XXXXXXXXXXXXXXXXXXXX
- 3.5 Staffing requirement
- 3.5.1 The Service Provider must evidence that Safer Recruitment and Safeguarding Policies are in place in line with clause XXXX of the terms and conditions. An enhanced DBS check is required for all staff in line with clause XXXXXX of the terms and conditions. Staff should undertake mandatory training around safeguarding, child protection.
- 3.5.2 The Provider will ensure that staff have appropriate training, qualifications and experience to enable them to work with, support and communicate appropriately and pro-actively with the children and young people in their care, in order to be able to meet their needs. This will include access to child specific training that could be sourced from their lead health professional (e.g. Children's Community Nurses, Learning Disabilities Nurse or CAMHS professional).
- 3.5.3 Services will be provided in a setting where an appropriate mix of children and young people are supported by qualified trained and competent staff members.
- 3.6 Access arrangements
- 3.6.1 Services must be provided in a setting that is accessible, friendly, person centred and flexible.
- 3.6.2 Residential short breaks services and any shared care and long term care will be provided from one of four registered Children's homes located in Tiverton, Exeter, Honiton or Barnstaple.
- 3.7 Service development/plans for improvement
- 3.7.1 The service provider will be required from year 1 and over the life of the contract to work with commissioners to facilitate in achieving Devon's vision and priorities for disabled children as evidenced in the SEND strategy <https://new.devon.gov.uk/educationandfamilies/special->

[educational-needs-and-disability-send-local-offer](#). Therefore, the service provider must work with commissioners to develop a flexible model of service delivery focused upon: -

- a) Continued delivery of some residential short breaks services for identified children, young people and their families living in Devon meeting demand;

Combined with

- b) Flexibility to deliver a range of personalised services using the four homes as a base or community based services to support children with additional needs and disabilities. This could include but is not limited to community offers such as enabling services, sibling activities, parental support, behavioural support.

- c) Flexibility to offer shared care and long term care for Children in Need or Children Looked After in Devon.

- d) Flexibility for young people in transition.

3.7.2 The service provider over the life of the contract will work with other relevant services, settings and teams of professionals to promote integration and joint working to achieve a wider service offer for short breaks across a system that meets the needs of disabled children and young people and their families.

3.7.3 During the life of the contract the service provider will need to work with commissioners to agree delivery of services from 0-25 years as per the requirements of the *SEND Code of Practice: 0-25 years (2014)*.

3.7.4 The Quality Assurance Framework included in Schedule 1 will apply to the services provided.

3.8 Quality Requirements

3.8.1 The Service Provider must deliver services in line with: -

- *The Children's Homes (England) Regulations, (2015) including the Quality Standards and any subsequent amendments to the Regulations.*
- *CQC Registration and Quality Requirements*
- *Ofsted Registration Requirements*
- *Applicable NICE guidance*
- *Most recent practice guidance relating to safeguarding children and young people in practice e.g. Working Together (2018).*
- *Most recent practice guidance relating to safeguarding disabled children and young people in practice.*
- *Devon Children and Families Partnership Positive Behaviour Support Guidance (2018).*

4. Target Groups

4.1 Descriptions of people that the service is aimed at

4.1.1 Services are to be provided to support children and young people aged 0-18 years (with flexibility to deliver for 0-25 years over life of contract) who are Children in Need or Children Looked After who have an individual service plan detailing requirements of their individual package of care following assessment by the Devon County Council Children's Services. This may include Devon Children Looked After who may live out of the Local Authority area but whose foster carers require short breaks for example.

- 4.1.2 Services are to be provided to children and young people to support identified complex physical health needs and/or continuing health care needs as assessed using the continuing health care checklist and Decision Support Tool and which may be documented in the child's EHCP or package of care. Northern, Eastern and Western Clinical Commissioning Group and South Devon and Torbay Clinical Commissioning Group are responsible for ensuring that assessments are undertaken and have a process in place for agreeing eligibility.
- 4.1.3 Services will be provided to support families of the above children and young people by providing parents and carers with an appropriate break from their caring responsibilities.
- 4.1.4 Services provided are for children and families who are registered with a Devon General practitioner; may have life limiting and long-term conditions needing palliative care or have complex additional needs and/or present challenging behaviour.
- 4.1.5 The service provider will deliver services under this specification that supports children and young people in transition, prepares them for adulthood and will support identified children and young people post 18 to ensure there is a smooth transition to adult services where appropriate.

5. Geographical Area

5. - 5.2 Geographical Area and strategic and operational configuration for services: -

Services will support children and young people detailed in 4.1 of this service specification who live within Local Authority Area of Devon County Council.

6. Volume of Service

6.1 Establishing and amending the volumes of service.

- 6.1.1 The Service Provider will be expected to deliver a minimum per annum of XXXXXXXX overnight short breaks and XXXXXXXX 24 hour stays subject to block purchasing arrangement.
- 6.1.2 Commissioners will be able to purchase additional overnight short breaks from the service provider according to the agreed cost and volume arrangements where additional nights and 24-hour stays are required over and above the core volume which is block contracted.
- 6.1.3 The service provider must be flexible in re-directing hours to providing alternative offers developed across communities or shared care and long-term care for children and young people as directed by the demand for residential short breaks services.

7. Integrated Working

7.1 Working as a member within a multi-agency, multi-disciplinary team

- 7.1.1 The service provider will work to develop and maintain close working relationships with other relevant partners and professionals as appropriate to delivery of a short breaks service/ community based service/ shared care and long-term care provision for children and young people who are identified in this service specification. This must include but is not limited to promotion and maintenance of close working protocols with: -
- Any provider of Community, Health and Care Services
 - Devon County Council Disabled Children's Services
 - Devon County Council 0-25 SEN team
 - Schools and colleges

8. Specific Obligations

- 8.1 List of any particular requirements upon the provider or purchaser (Devon County Council)
- 8.1.1 The Service Provider will be required to attend a monitoring meeting and submit a monitoring report each quarter. The monitoring meeting may involve both the contract manager and front-line delivery staff and managers. The Service Provider will be required to submit the monitoring report at least two weeks before the meeting. The report provided will comply with requirements described in the Quality Assurance Framework as set out in Schedule 1.
- 8.1.2 The service provider will be required to construct, monitor and maintain a development plan with commissioners. Development plans will align with the requirements set out at 3.7 within the service specification and Quality Assurance Framework as set out in Schedule 1.
- 8.1.3 In accordance with delivery of the residential short breaks service as per the Children's Homes (England) Regulations, (2015), the service provider will be required to supply copies of Regulation 40 notifications of notifiable events, as they occur, for Devon children and young people and details of any internal incidents to the following mailbox:
childrenscommissioningsecuremailbox@devon.gcsx.gov.uk
- 8.1.4 The service provider must also provide, on a monthly basis, a copy of the Regulation 44 reports corresponding with delivery of residential short breaks across the four units as described at 3.6.2 to the following mailbox: - childrenscommissioningsecure-mailbox@devon.gcsx.gov.uk

9. Review of any future contracts

- 9.1 The contract will be subject to an annual review. This will take place in the first quarterly monitoring meeting of each year. The review will look back at data for the four quarters as a whole, address any development areas and consider any necessary contract variations.

10. Management & Operation

- 10.1 A list of any management and operation criteria that the contract will be subject to: -
- 10.1.1 The Service Provider is required to supply supporting evidence and information to demonstrate how the service outcomes are being achieved on a quarterly basis and in line with requirements detailed within the Quality Assurance Framework included in Schedule 1.
- 10.1.2 Key Performance Indicators to be reported quarterly against identified targets/ volumes are summarised in the Quality Assurance Framework included in Schedule 1.
- 10.1.3 The Service Provider will supply a minimum of 2 case studies that must include service user feedback to demonstrate the outcomes achieved.
- 10.1.4 Evaluation from Service Users: -The Service Provider will develop a common Evaluation Tool to measure feedback from individual service users before and after they have received a service, including children/young people with complex communication needs and their family members. This should include complaints and compliments received.

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Schedule 1: - Quality Assurance Framework, Short Break Services Feb 2018

SHORT BREAK CHILDREN'S HOME PROVIDERS

**MONITORING DATA & CONTRACT MANAGEMENT
(QUALITY ASSURANCE FRAMEWORK)**

The table below sets out the contract management activity in relation to the contract. Provider will complete all sections.

Contract management schedule		
Activity	Frequency	Who is involved
Individual contract management/development meetings with provider(s)	Every three months	Provider representatives, representatives from, Devon County Council, partner agency representation as appropriate
Key Documentation	As set out below	Provider representative to send to childrens commissioning secure - mailbox childrenscommissioningsecure-mailbox@devon.gcsx.gov.uk
Data returns from provider(s) to be submitted to Devon County Council, to include progress on Individual Outcomes Trackers.	Every three months	All provider – All information will be sent to childrens commissioning secure - mailbox childrenscommissioningsecure-mailbox@devon.gcsx.gov.uk
	Please note that the requests for information set out below do not replace or negate the need for key information to be shared with the social worker in accordance with the Children's Home(England) Regulations (2015).	
Quality Assurance site assessment	Quality assessment through site visit will be carried out once per annum as a minimum as part of the 'standard' contract monitoring process. Additional visits may be carried out where quality concerns arise. These visits will be announced or unannounced.	Representative of Devon County Council and manager / nominated person(s) from provider.

Devon County Council reserves the right to meet with the individual provider(s) in addition to the schedule above, as and when required in relation to individual placements and local planning.

Reporting periods for data returns	2019/20: TBC
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Key Documentation			
Document type	Detail	Frequency	
Incident Reports	Incident reports will be provided in electronic format within a file for the reporting period. The incidents sent will be detailed within a spreadsheet format for overview for each reporting period.	Quarterly	
Notification of a significant event	In accordance with 'Children's Homes (England) Regulations, (2015), the provider will be required to supply copies of Regulation 40 notifications of notifiable events, as they occur.	As they occur	
Investigation reports	Copies of all investigation reports will be provided to Devon County Council upon completion. Where an investigation relates to safeguarding, Devon County Council will be informed of this by the provider using written communication prior to the onset of the investigation, information will include details of the concern, name and position of investigating officer and timescale for completion.	Upon completion Prior to commencement of a safeguarding investigation.	
Independent visitor reports	Independent visit reports including mandatory visits required under Regulation 44 (Children's Homes	Monthly	

Regulatory Report	<p>Regulations, 2015) will be provided to Devon County Council for each reporting period.</p> <p>Any report relating to a regulatory inspection / visit will be provided to Devon County Council when received by the provider and prior to publishing.</p> <p>The provider will notify Devon County Council immediately when informed of any 'Inadequate' judgement following inspection and/or the issuing of compliance notices. Devon County Council will be informed prior to any reports being issued. The above also includes informing Devon County Council of any monitoring visit where this is being conducted following complaint / allegation.</p>	<p>When received</p> <p>Immediately</p>	
Staff Training and Qualification Matrix	<p>Updated training matrix illustrating training for all operational staff to be supplied for each reporting period.</p>	<p>Quarterly</p>	
Staff Recruitment / Retention information	<p>Information will be provided for each reporting period showing the number of staff leaving and starting within this period. Information will include the position of the employee and a reason for leaving that will be obtained through an 'exit interview' process. This information will be set out under the name of each provision as well as a status on that provision showing required and actual FTE.</p> <p>A development plan referring to the key performance indicators (below) will be submitted for each reporting period.</p>	<p>Quarterly</p>	
DATA RETURN			
Key Performance Indicator	Description	Target	Provider data

Provision of Service	<p>Number of day stays per home: -</p> <ul style="list-style-type: none"> • Hillcrest • Welland • Barnes • Meadow park <p>Number of overnight stays per home: -</p> <ul style="list-style-type: none"> • Hillcrest • Welland • Barnes • Meadow park <p>Number of stays for 24-hour period: -</p> <ul style="list-style-type: none"> • Hillcrest • Welland • Barnes • Meadow park <p>Median wait time from decision to refer, to access to a provision</p> <p>Maximum wait time from decision to refer, to access to a provision</p> <p>Number of new referrals and types of need being catered for and number of referrals refused including brief reasons for refusal.</p> <p>Number of young people moving on to adult services at 18 within a 12-month period</p>	<p>TBC</p>	
<p>Placement stability: Robust compatibility / impact assessment review process carried out for each child/young person placed during the period</p>	<p>Number of children or young people where services were ended due to placement breakdown.</p> <p>Evidence of commitment to working in partnership to improve stability – support packages, and attendance at all placement stability and disruption meetings.</p>		

	Number of children aged 14 and above where there is no current process in place that relates to the planning and arrangements for transition to adult services		
Staffing: Provider(s) will ensure that at all times the workforce is able to efficiently respond to the demands of the service and that all employees are of sound nature and good professional character.	<p>Percentage of residential staff who have been employed since start of service.</p> <p>Percentage of staff leaving the organisation during the period</p> <p>Number of occasions agency staff used within the organisation during the reporting period.</p> <p>Number and percentage of staff who have received disciplinary warning or dismissal during this reporting period.</p> <p>Number of registered managers who have left the organisation or who have transferred homes during this reporting period.</p> <p>Number of homes operating without a registered manager, including homes where there is an acting manager during this reporting period.</p>		
Development and training of workforce	<p>% of staff receiving regular supervision and appraisal that is both effective and sufficient for the service area.</p> <p>% of staff who report they receive supervision and appraisal regularly which is effective and sufficient to service area</p>	<p>100%</p> <p>100%</p>	

	<p>Percentage of staff that hold the required qualification for their role.</p> <p>All mandatory training is completed and updated as required.</p>		
<p>Safeguarding: Provider will demonstrate an excellent understanding of the needs of young people placed and enable them to remain safe.</p>	<p>Number of LADO / MASH referrals.</p> <p>Number of occasions that the Police have been called to the home.</p> <p>Number of occasions that young people have been reported as missing.</p> <p>Number of CYP who have been absent from education</p> <p>Number of physical interventions.</p>		
<p>Health</p>	<p>Number of unplanned visits to a hospital following accident / injury.</p> <p>Number of young people currently accessing mental health services and number of young people who are not accessing these services where this is a requirement.</p> <p>Number of medication administration errors.</p>		
<p>Voice of the Child</p>	<p>The views of children and young people placed are collected using a variety of means and demonstrably used to improve practice in the home; provide examples for each provision.</p> <p>Reported scores and feedback from children and young people with a view to capturing satisfaction of and aspects of the following: -</p> <ul style="list-style-type: none"> Confidence 		

	<ul style="list-style-type: none"> • Inclusion • Personal & social development • Emotional health and wellbeing • Physical health and wellbeing • Communication 		
Leadership and management: Manager is appropriately supported and trained	Manager receives regular visits and support from senior leaders Manager receives training appropriate to managing the home and meeting the needs of Children and Young People placed		
Parent and Stakeholder engagement.	<p>Example of key events where parents and stakeholders have been engaged in the provision.</p> <p>Learning and feedback obtained through engagement with parents and stakeholders.</p> <p>Reported scores and feedback from parents and carers before and after child or young person received service with a view to capturing: -</p> <ul style="list-style-type: none"> • Happiness with service received • Health and emotional wellbeing • Health and wellbeing of siblings in household • How far parents/ carers feel they have had a break from caring responsibilities allowing them to participate in other opportunities, activities or maintain household 		

Key performance indicators for the purposes of contract monitoring.

Please note key performance indicators will be measured on a continuous basis throughout the life of the contract. The areas will be measured as set out, however where applicable other resources may be used to evaluate these areas: -

Overarching aim	Key performance indicators	How will this be measured
<p>Partnership working: Evidence of effective partnership working using a multi-agency approach, to achieve positive outcomes for children and young people</p>	<p>Provider work with placing authorities and key agencies such as Health and Education to ensure that placement stability is achieved for each young person placed.</p> <p>Provider must have a clear process to alert placing authorities (including LADO where appropriate) of key risks or issues affecting each young person placed.</p> <p>Provider is able to evidence input to EHCP process.</p> <p>Provider work effectively with appropriate services to escalate risk in relation to safeguarding including child exploitation and to work with partner agencies to formulate a risk management plan where required.</p> <p>Devon County Council and commissioned inspectorates (for example Ofsted or CQC) will be notified immediately by the service provider of any wish or intention to consider specialist support that may impact upon the registered status of the provision</p>	<p>Social work / professional feedback. Evidence of communication and key meeting minutes sought through (site assessment).</p> <p>Workforce training. Safeguarding Policy. Missing person plan where applicable High Risk multiagency assessment where applicable CSE Risk Assessment where applicable Visible material / staff knowledge base demonstrated. (Site assessment and request for copy of documentation)</p> <p>Refer to risk management below.</p> <p>Evidence of notification to DCC, Ofsted / Care Quality Commission. Provider to demonstrate clear knowledge of legislation that relates to their provision of service. (Evidence sought through site assessment and request for documentation)</p>

<p>Preparing for Adulthood:</p>	<p>Provider demonstrate acute awareness of the needs and outcomes identified within each Child in Need Plan / Care plan and Education Health and Care Plan and work as a partner to Devon County Council in supporting each child and young person to achieve targets.</p> <p>Provider will escalate concern where young people are not reaching targets or where this has been impacted by an event / incident. This will be achieved via regular reporting to the placing authority.</p> <p>Provider will work with partner agencies and other organisations to promote skills for independence including opportunities for young people that will help them to be safe, happy and achieve in their independence. This will include learning that will raise awareness in relation to topics such as substance misuse, exploitation and domestic violence, supporting each young person to develop the understanding and skills to recognise or withdraw from a damaging, exploitative or harmful relationship</p> <p>Communicate to each young person expectations about their behaviour and ensure that they understand those expectations in accordance with their ability and understanding</p> <p>Planning in partnership with others for transition of young people (from age of 14) appropriately</p>	<p>Data return includes individual trackers for young people placed. Further evidence where required to be sought through social work feedback and site assessment.</p> <p>Assessment of Monthly reports sent to Social Workers where required.</p> <p>Individual outcome trackers. Social Work / multi professional feedback.</p> <p>Assessment of incident occurrence and criminalisation. Site visit assessment / data return / social work and multi professional feedback.</p>
<p>Quality of premises and accommodation</p>	<p>Accommodation is provided to young people that is in a good state of repair and decoration, clean, safe and warm. Young people will not be stigmatised by monitoring such as internal CCTV</p>	<p>Site Visit assessment Social Work / multi professional feedback including young people, family and advocates.</p>

	<p>and door alarms. <i>(These aids may be used where necessary and where there is a multiagency plan to support this including sought permissions from parent or person with parental responsibility).</i></p> <p>Furnishings and resources within the home will be suitable to the young person's needs and will allow them to undertake study where required. Young people's voice, views and opinions will be sought in relation to plans of change for the provision including décor and furnishings. Young people will be encouraged to be a part of their community and supported to attend suitable events, religious forums, clubs and so forth where this is appropriate to the young person's beliefs and identity and encouraged to support their community in ways of voluntary work or similar.</p>	
Recruitment of workforce	<p>Creativity in methods of attracting and recruiting and retaining staff</p> <p>Understanding local authority needs and how this is converted into managing and supporting expectations of staff from induction onwards.</p> <p>Contingency plans for managing staff vacancies</p>	<p>Data return.</p> <p>Team meeting / supervision records. Statement of purpose or similar. Professional meetings.</p> <p>Data return / site visit assessment / multi professional feedback.</p>
Training and development of workforce	<p>Staff are well trained to meet the needs of young people whom they support.</p> <p>Provider's process of improving standards by ensuring continued professional development for their workforce.</p>	<p>Staff training matrix to be provided / site visit to cross reference with the needs of young people receiving a service</p> <p>Impact assessment / development plan / site visit assessment.</p>

Leadership and Management: Quality of provision	<p>An effective improvement plan is in place to improve the quality of provision and is monitored regularly, to anticipate any issues with performance</p> <p>Reference to any issues raised by the local authorities and other agencies during the previous period and provides information on how these have been dealt with.</p>	<p>Development Plan measured through site visit assessment and data return.</p> <p>Self-explanatory, measured through site visit assessment, development plan and multi professional / social work feedback.</p>
Views, wishes and feelings. Young people will be treated with dignity and respect and will be consulted on a regular basis about their plans and options.	<p>Provider will consult young people on decisions that are being made about them or the environment that they are living in.</p> <p>Staff members will build positive relationships with young people allowing them to positively role model and support young people daily and during crisis. Support young people to express their views and wishes and advocate for them where required.</p> <p>Ensure that young people are fully supported and have access to a complaints process that allows the young person to raise concern internally within the organisation and external to the organisation and always allows a young person to do this without redress to employees of the organisation.</p>	<p>Site Visit assessment Request for documentation Daily logs</p> <p>Individual outcome trackers from data return. Monthly reports to social workers and site visit assessment. Incident reporting.</p> <p>Site Visit assessment Social work / multi professional feedback Evidence of complaints management / response</p>

<p>Education, Young people will have access to education, and will be supported and encouraged to attend</p>	<p>The provider will have an excellent awareness of support services and other agencies that can help with this who they will support the young person to access where required. Concerns will be shared with the placing authority at an early stage to prevent escalation of concerns.</p> <p>Staff will understand the barriers to learning that each young person may face and take appropriate action to support them to overcome any such barriers.</p> <p>Support and encourage each young person to develop their hobbies and interests and to encourage participation in activities that will develop and expand these interests.</p>	<p>Site Visit assessment Individual outcomes tracker Data Return Multi Professional / social work feedback Professional meetings</p> <p>Workforce Training Resources and equipment Site Visit assessment Multi Professional / social work feedback</p> <p>Individual outcomes tracker Monthly reports sent to social workers Multi professional feedback</p>
<p>Risk Management: Risk will be well assessed and reduced in all areas ensuring a safe environment for young people placed.</p>	<p>Provider will reduce risk and prevent unnecessary risk where possible. Using tools such as compatibility / impact assessments provider will regularly review and update assessments in concern to the young person group (compatibility) the ability of the provision to provide a safe and effective environment (impact).</p> <p>Risks for the individual will also be assessed as well as risks within the locality of accommodation.</p> <p>Provider will suitably escalate concerns to stakeholders and work with Devon county council and partner agencies to assess and develop strategy to reduce risk.</p>	<p>Policy document including process Location Risk assessment Individual risk assessment Compatibility / impact assessment Multi agency 'high' risk strategy (where applicable) Missing from home strategy (Where applicable) Environmental risk assessment</p> <p>Data return Individual outcome tracker Multi professional and social work feedback Site Visit assessment.</p>

	Provider will develop skills through training and learning that will enable them to de-escalate crisis situations without reference to the Police where appropriate and to avoid incident wherever possible.	Incident reports Data return Training Matrix Site Visit assessment
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Consequences if data is inaccurate or targets are not achieved:

In the first instance targets, not being met or inaccurate data being recorded without adequate explanation will trigger a review meeting. This review meeting will involve jointly agreeing ways to raise the level of support, back to the target level and in timescales required.

If the issues are not resolved or defaults appear on subsequent quarterly data, then a Default notice may be issued.

If provider subsequently fails to improve, then new placements may be suspended pending quality improvements and/or a credible and agreed action plan to improve standards (if a provider persists in delivering an inadequate service the local authority reserves the right to terminate the contract).

Any Material Breach of contract may entitle the Local Authority to rely on its termination rights under the Terms and Conditions of the Framework Agreement.

CONTRACT MONITORING & INVESTIGATIONS PROTOCOL – SUSPENSIONS & ADVISORY NOTICES

The Devon County Council contract monitoring and investigations protocol forms part of the terms and conditions and Performance Monitoring Framework of this contract. The aims of this protocol are to provide immediate protective action for children using Suspension and Advisory Notices based on the following principles:

- Immediate protective action for children, using Suspension and Advisory notices
- Openness and transparency
- A thorough and fair investigative process
- Prompt and full feedback to provider(s)
- A clear improvement plan, with input from DCC through review and Quality monitoring meetings
- An early decision on whether or not to reinstate procurement of services

- A final investigative report, circulated to all appropriate parties including partner agencies and regulators if relevant, and which is kept on file as part of Devon County Council's performance management records

Devon County Council is responsible for:

- Determining whether the matter is serious enough (see end section) to warrant recommending immediate suspension from providing services. If this is agreed, the relevant officer will then notify via a 'Suspension. A Suspension Notice will result in a Contract Default notice being served
- If the concern is significant but requires further investigation Devon County Council has the right to issue an 'Advisory Notice' whilst further information is gathered. In this scenario Provider / Provisions would not be suspended but may still result in a contract default notice being served
- Arranging an investigation.
- Notifying Regulators of the concern/incident and the Local Safeguarding Children's Board where appropriate, and the plan for the investigation

Conducting a fair and thorough investigation, which will usually involve:

- Gaining background information on the concern/incident from the originating source, and from the key workers involved (social worker, personal advisor, partner agencies etc.)
- Confirming that any social care/police Section 47 investigation has been completed, and will not be prejudiced by the contract monitoring investigation
- Obtaining information on young people placed both present and past.
- Making one or more visits to the provider, to meet with management and other staff as required, to view documents, collect evidence, and ask questions
- The provision of prompt and full feedback to the provider on recorded notes from these meetings
- The drafting of a clear Improvement Plan in partnership with the provider. This is to be circulated to all appropriate parties (including regulators and partner agencies where relevant)
- It is important that the lead Commissioning/Placements Officer on the investigating team provides a timely recommendation to whether or not the provider can return to providing service.

Provider may be recommended for suspension if:

- Any young person from Devon County Council placed with the provider becomes subject to a child protection investigation under Section 47 of the Children Act 1989.
- Any young person from outside of Devon becomes subject to a Section 47 investigation.

- There is an act or omission that puts young people at risk.
- There is a serious breach of duty/professionalism.
- There is exigent financial instability.
- The provider is no longer able to provide the service under contract.
- There is misleading/false information provided in the provider's pre-qualification submission.
- There is unethical/illegal business conduct.
- The provider has failed to comply with Devon County Council's Improvement Plan as a result of either an earlier concern visits or an annual monitoring visit.
- There is a breach of contract under the relevant sections of the contract.
- There is grave cause for concern concerning the achievement of outcomes for young people.

Part 2: -

**National Residential Contract for the placement of Children in Children's Homes (2012)
Schedule 1**



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Contract for Childre

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