**Criteria for Children with Disabilities Service & Short Breaks**

**October 2015**

**Definition of ‘Child In Need’**

**A child should be taken to be in need if:**

***He/she is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him/her of services by a local authority.***

***His/her health or development is likely to be significantly impaired, or further impaired without the provision for him/her of such services.***

***He/she is disabled.***

***(Section17(10),ChildrenAct1989)***

The above definition from The Children Act will be used to decide when a child should be considered to be in need. This has the potential to include large numbers of children. Therefore, Councils must identify the extent of need and then make decisions on priorities for services.

*(Children Act,1989, Guidance Volume2).*

In Wirral have a criteria to determine the priority given to any referral. The provision of any services will be based on an assessment of the child’s needs.

Disability Discrimination Act 1995 defines disability as:

1. **Subject to the provisions of Schedule1, a person has a disability for the purposes of this Act if he has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.**

***(Disability Discrimination Act 1995)***

This is further clarified as:

**An impairment is to be taken to affect the ability of the person concerned to carry out normal day-to-day activities only if it affects one of the following:**

**(a) mobility;**

**(b) manual dexterity;**

**(c) physical co-ordination;**

**(d) continence;**

**(e) ability to lift, carry or otherwise move everyday objects;**

**(f) speech, hearing or eyesight;**

**(g) memory or ability to concentrate, learn or understand; or**

**(h) perception of the risk of physical danger.**

***DisabilityDiscriminationAct1995***

**Universal Needs:**

Children or young people with Universal Needs have no additional support needs as they are doing well and have their health, development and achievement needs met by the delivery of Universal Services.

Children who may require a single intervention to deal with a specific problem which will mean that universal services can continue to be accessed.

**Additional Needs:**

Child/family requires advice or support to access local services that are available for all children

Children from families where carer(s) are experiencing difficulties which **may** affect the child’s health, development or achievement

Child/family may require early intervention(s) to ensure that a higher level support is not required at a later stage.

Children that fall within the definition of Vulnerable.

Children with emotional, behavioural and/or social difficulties

Children with disabilities whose needs can be met with support within the community

**Complex Needs:**

Children with Complex needs requiring targeted preventative services, at risk of becoming looked after, significant harm or of significantly compromised parenting capacity

Children whose health and development **is or maybe** impaired or affected

Children with complex disabilities who need substantial support from the Children with Disabilities Service (e.g. Short Breaks)

Children with disabilities whose parents are unable to cope without additional support

**Specialist/High Risk Needs:**

Children **already looked after or in need of Protection or with enduring health problems.**

Children or young people requiring secure accommodation

Children requiring intensive specialist health, educational or mental health provision in conjunction with a severe learning disability

Children requiring alternative accommodation

***Children with Disabilities Eligibility Criteria***

In addition to the general definition of disability:

* The child may be vulnerable because they have ongoing health needs arising from the disability, which require nursing care and supervision
* The child may be vulnerable in ordinary day to day situations without supervision because of his/her disability
* The child may have a level of physical dependency in terms of his/her day to day care needs which substantially impact upon the family or other carers
* The child may have behavioural or emotional difficulties arising out of his/her disability

This is the definition that Wirral CYPD will apply when considering if a child or young person is eligible for access to the specialist Children with Disability Service.

These criteria outline those children and young people that should be referred to specialist services and those that should not.

It must be acknowledged that there will always be exceptions that will require professional judgement due to the complexities of the presenting issues. These cases must not be subject to delays given the required timescales and it is expected that the Heads of Service will reach decisions should the fieldwork teams be unable to do so.

***Children likely to be eligible for services from the disability team***

* Children who have chronic, permanent and substantial ill health in association with a severe learning disability.
* Children who have a substantial disability as a result of an accident. This might include severe head injuries following a road traffic accident.
* Children who have a substantial sensory impairment.
* Children on the autistic spectrum who also have a severe learning disability.
* Children with disabilities where their care needs cannot be met because their carers have a disability themselves. In such cases a Joint Assessment will be requested with the appropriate Adult Services Team.

Underlying these criteria is the assessed impact of the disability upon their daily lives and functioning.

**Children with Disabilities Social Work Team Criteria**

The services provided are to support children in need and their families who have **severe** or **substantial** disabilities, specifically:-

* **A severe or profound learning disability**
* **A severe physical disability**.
* **A substantial degree of visual impairment/moderate and severe hearing loss.**
* **A complex Autistic Spectrum Condition with severe learning difficulty,** (a diagnosis of Autism or Autism Spectrum Condition does not of itself meet the criteria for the service).
* **A complex medical health condition**, (for the youngest children with complex health needs or technological dependence there will usually be involvement from the Continuing Care Co-ordinator).

The service works to the definition of disability defined by the Equality Act 2010 – a physical or mental impairment which has a substantial and long term adverse effect on a person’s ability to carry out day to day activities.

The criteria does not include children whose primary identified needs are emotional and behavioural difficulties, nor will it include children/young people with mental health problems or attention deficit disorder (ADD) or attention hyperactivity disorder (ADHD).

**If you need to discuss whether a contact/referral is appropriate for this team, then please contact us. You should ring the Duty Social Worker or Team manager on 666 4700.**

**Children with Moderate Disabilities and Special Educational needs.**

**Role of the Children with Disabilities Team and Support Services**

The specialist social work and support services for children with disabilities are prioritised for children with substantial levels of disability only. Children with more moderate disabilities will only be supported through this service where the family’s circumstances or the multiple nature of the child’s condition present real obstacles to their receiving appropriate services through other children in need services.

Children with moderate conditions, albeit ones which present families with challenging behaviours to manage, should be viewed as children in need of ‘mainstream’ support available on a preventative basis though Targeted Services. Use of commissioned agency support services can only be provided for children with substantial disabilities and can only be made available if this meets the Sec 17 preventative criteria of the locality social work service.

Following the Children’s Act 1989 principles of providing for children with disabilities as children first and foremost, services are focused on meeting usual childhood needs in normal ways. This involves using specialist provision only where it is necessary to support continued care within the family and essential developmental opportunities.

Children with special educational needs arising from conditions diagnosed as learning disorders of a mild/moderate nature are unlikely to be viewed as fitting the criteria if their difficulties are related to limited communication – behaviour management needs alone without accompanying severe learning difficulties:-

* Children with Aspergers Syndrome are not eligible for specialist respite support unless they present extra ordinary management challenges to their families such as to need quite specialist and structured support.
* Children with Attention Deficit Disorder would not be seen as meeting the overall criteria for specialist services.

Families in need of support with children with such conditions as described above are provided with support through CAMHS, this service can assess situations. Where that proves insufficient and respite is required they can refer in according to the above criteria.

**Services available to those children and young people eligible for services from the Children with Disabilities Team;**

* Child in need procedures will apply, including an assessment of need to identify what services or provision will best address the presenting issues for the child or young person.
* Child Protection procedures including joint investigation procedures will apply if necessary and the Children with Disabilities Service will lead the S47 enquiry.
* If there are non-disabled siblings/children in the household also potentially likely to suffer significant harm the Children with Disabilities Service will undertake the assessment on siblings as well as the disabled child.
* All children and young people will be subject of the same statutory processes that apply to all children without a disability. It is important that the children and young people are able to access the required expertise to ensure their assessments and resulting plans are evidenced based and likely to be successful.
* Some children and young people will be able to access specialist services pending their assessment and outcomes.

Some children and young people will be able to access Direct Payments and will prefer to manage their identified care package in this way;

**A Direct Payment can be made to:**

* A person with a parental responsibility for a disabled child
* A disabled child age 16 or 17

The assessment should include the view of the carers (Breaks for Carers Act 2010).

A carer’s assessment of disabled children;

In undertaking assessments of disabled children and their families we must:

* Have regard to the needs of those carers who would be unable to continue to provide care unless breaks from caring were 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 caring were given to them to allow them to—

Undertake education, training or any regular leisure activity,

Meet the needs of other children in the family more effectively

**What are Direct Payments?**

A Direct payment is money given to parents/carers or young people, by the authority to enable them to buy in support that is assessed as being needed. This is instead of the authority providing that support through their own services i.e. Residential Care or outreach services. Direct payments do not affect benefits.

**Who can get Direct payments?**

Those who have been assessed as meeting the criteria for disabled Children’s Specialist Services and are –

Parents of a disabled child under 18

Disabled young people (16 -18)

How often are Direct Payments made?

Direct payments are paid 4 weekly in advance into a bank account or building account specifically set up for this purpose, as a one of payment or on a weekly basis. If the direct payment is assessed as being needed at key times e.g. school holidays, then payment will be made accordingly.

**What is the process?**

The child’s and /or family’s needs are first assessed by a Social worker. If the child meets the criteria for the Children with Disabilities Social work team they will complete the assessment. For children who do not meet the criteria the assessment will be completed by a Locality social worker.

In addition to completing a Social Work Assessment of Need, they will also make an assessment as to whether the parent / carer or young person is willing and able to administer direct payments.

The Social worker will then present a request to the Children with Disabilities Team Manager who will decide whether Direct payments is the most appropriate option to meet the assessed need and the level of service to be provided.

Once agreed the Direct Payment Co-ordinator will contact the family to explain how the scheme works.

A Direct Payments Co-ordinator will then visit to explain in detail the parents responsibilities as an employer and will continue to give on-going advice and support as required.

**What can Direct Payments be spent on?**

Direct payments can be used to employ a personal assistant( PA) to take the young person/ child into the community to access an activity, support inclusion, going to a club etc.

To work with the child directly within the home to give parents and siblings a break.

Where it has specifically been agreed to stay overnight at the child’s home to give respite to the parents. This can be up to 12 nights per year (depending upon assessed need).

Using an approved agency to provide direct care to meet your child’s needs.

After school clubs and holiday play schemes for your child if there is a financial need that can be evidenced. The Local Authority is unable to fund activities which a family ordinarily fund.

**Things you cannot use your direct payments for**

Direct payments cannot be used for –

Paying for activities which the family would ordinarily do in the course of family life – for instance going to the Cinema.

Paying for play equipment, toys or other items – which parents could reasonably be expected to purchase.

Paying household bills – which is why we have separate accounts.

Meeting the direct costs of activities for the young person – for instance admission fees or drinks.

Buying Local Authority or health authority provided services, for residential care or Short Breaks in children’s homes.

Buying equipment for everyday living which is funded by the loan store.

Anything that is against the law or is a criminal activity

Direct Payments cannot be spent on employing someone who lives in the same household as you**.**

**Suspension and repayment**

Information from reviews and audit should be considered in any decision to suspend or seek repayment.

The Local Authority can seek repayment if –

The Direct payments have not been used to purchase the services identified in the Care plan.

The Direct payments have been used to purchase a service form any of the people identified as being excluded.

There is a significant underspend or a reserve of money not including funds for tax, holiday pay,

The individual is not keeping to the agreed arrangements for Direct Payments.

**Short Breaks can be provided to some children and young people;**

Before making, and when reviewing a decision about whether to provide overnight short breaks under section 17(6) or section 20(4) of the1989 Act there should be careful assessment of the child’s and family’s needs.

**Short Breaks** (overnight respite in specialist placements and accommodation) can be provided under:

* Section 17 of the Children Act 1989
* Section 20 of the Children Act 1989

Where a child is provided with overnight short breaks provision for less than 75 days within a year under S17 the child is **not** looked after.

This provision and plan must be seen as part of a Child in Need Plan and will be subject to review at Child in Need meetings no less than 6monthly.

Where a child is provided with overnight short breaks under s20 for a continuous period of more than 24hrs; short breaks are pre planned and in the same place; no break last more than 17 days and the total does not exceed 75 days in one year the child is looked after for the period that s/he is provided with accommodation *(Regulation 48 – The Care Planning, Placement and Case Review Regulations 2010)*

If a child or young person is accessing provision and is looked after all statutory processes including looked after children reviews will apply.

Any change of legal status that occurs during an assessment, delivery of a plan or emergency circumstances will be agreed by Wirral’s Access to Resources Panel which is chaired by the Head of Service.

**Admission Criteria for Willowtree**

The criteria for Overnight Short Breaks as set out within the Fair Access to care for Children with Disabilities must be met before a referral is made.

A young person would be considered for a place where the following criteria have been met;

* Young person is aged between 8 and 17 years old and has a complex learning and /or physical disability which cannot be supported via family placement.
* The Assessment and Care Plan identifies the need for a young person to access Short-breaks within Willowtree
* The support is required to prevent breakdown of the caring situation due to the impact on parent/ carer `s physical or mental health.
* The child `s sleep pattern is irregular and results in significant disturbed sleep for parents/ family members
* Behavioural demands significantly impair normal family functioning
* The support will aid the child to attain greater personal and emotional independence
* The support offered will contribute to maintaining the quality of life of parent / family members

The service is available to children accommodated on a voluntary basis under Section 17(6) or Sections 20(4) / 31 of the Children Act 1989 and 2004; the category of admission being determined by the Social Work Team Manager and Social Worker. The home has 9 individual bedrooms to accommodate nine children for varying periods of time determined according to their Short Breaks care plan.

To obtain a placement at Willowtree an application by the child’s Social Worker with parental agreement is made to the Wirral Access to Resources panel, which meets weekly. The panel will decide on the suitability of the service for the young person and may make further suggestions of other services that may be appropriate, or may ask for further information.  This is an essential stage of planning to ensure the child receives the right kind of service to meet their individual needs, and to consider the impact on the other children’s needs that are already using our service.  A decision will be made at this panel as to the level of support which should be offered to the young person; this could vary from 7, 14, 21, 28, 35 days up to a maximum of 120.  Planned patterns of stays are usually agreed 6 monthly with parents. The level of support to be offered is only increased with further presentation to the Panel.

**Admission Process**

If a placement at Willowtree is offered, there may be a waiting list to obtain a place. When a place becomes available the Registered Manager will make contact with parents /carers, and invite them and the young person to come and look around the building. If after looking around parents /carers decide that Willowtree is the right place for the young person; then a programme of introductory visits will be planned for.

A Short Breaks Care Plan and Personal Profile will be drawn up with Parents and Social Workers; young people will be asked to contribute to plans at every stage as far as they can express any view. Willowtree will discuss with parents and seek agreement about their preferred patterns of stay and these will be taken into account when planning service provision. Short break care plans and Personal Profiles are developed to include information which is necessary to allow staff to support the young person safely and sensitively and to promote good outcomes for the young person. This includes information about the young person’s health, emotional and behavioural development, specific communication needs and the young person’s likes and dislikes with regard to leisure activities. Profiles will identify the young person’s daily routine with parents in order to maintain consistency of approach across settings.

Any little piece of information is important to learn about individual children in order to provide personalised support Willowtree seeks to be clear on what is important to the young person in their life so that they can be confident of providing personalised support.  This Personal Profile is reviewed on a 3 monthly basis initially, and then a 6 monthly basis in order to continue to develop staff’s knowledge and understanding of the developing young person ,however this can also be updated at any time within these set periods and works as a living document which reflects the changing needs of the young person.

Parents / carers will be asked to fill in and sign medical forms to allow staff to administer medication safely and will also be asked to support the completion of a Manual Handling Risk Assessment to ensure young people are effectively and safely supported and to minimise risks.

**Level 1 – 14 – 27 nights**

Young person has a diagnosis of ASD, SLD and may present challenging behaviour that’s presents risk of harm to self or others.. Young person may have a physical disability alongside a Learning Disability. Young person’s level of needs result in them being unable to participate in some community activities which increases social isolation and restricts siblings personal or social lives. Parents need to provide significant care to the young person and the young person’s needs are impacting on parents personal or social lives. Young person open to CWD Social Work Team .

**Level 2 – 28 – 45 nights**

**Level 1 +**

Young person requires 1:1 Adult support to ensure their needs can be safely met . Requires some involvement and interaction with multi-disciplinary services

**Level 3 - 45 – 74 nights**

**As above Level 1 and 2 +**

Young person very vulnerable to risk of significant impairment of health or development. Young person will likely require life time support from social care. Childs needs are impacting on outcomes for siblings . Young person’s needs are met by carers but at a significant cost to their own physical or mental health. Risk of breakdown and service needed to enable parental resilience. Young person has severe needs that cannot be met without a minimum of 1:1 adult support. Family requires regular involvement and interaction with multi-disciplinary services

**Level 4 - 75 – 120 nights**

**As above Levels 1,2 and 3 +**

Services required to prevent immediate risk of long term accommodation being required. Young person’s essential care needs relating to their disability cannot be met without intensive support. Siblings needs cannot be met because of disabled child’s needs. Family at significant risk of breakdown and service is required to enable parents to continue to provide care or to do so more effectively. Young person has severe and complex needs that cannot be met by service without a minimum of 2:1 adult support. Family requires intensive involvement and intervention with multi-disciplinary services

**This Matrix is not definitive as some young people will fall outside of these categories .It must therefore be taken into consideration that each case must be looked at on an individual basis in consultation with the individual Social Worker and CWD Management Team**

When planning the introductory visits, Willowtree will typically offer a series of tea visits, where the young person will be brought to Willowtree by Education Transport after school to have tea, and then be picked up by parents / carers at 6.00pm. However some parents /carers may wish to transport them from school to Willowtree and stay for tea with them, this can be arranged too. As a guide most young people need between 2 and 6 tea visits before they feel comfortable to stay for an overnight visit, some need less, some may need more, this very much depends on how the young person settles.

Within the meetings and visits Willowtree will talk to the young person and parents on how to individualise their bedroom furnishings ready for when they first stay .Overnight stays will commence when both the young person and the parents agree that this would be appropriate and will be usually 1 night at first progressing to 2 nights and so forth. The essence is that introductions are done at a speed that suits the young person’s needs and will be discussed regularly with parents / carers / Social Workers and the young person to ensure staying away from home is fun.

A Key worker and Co-key worker will be allocated to each young person, who will establish preferred means of maintaining contact with parents /carers. Staff will usually undertake several home visits in the introductory period and then on at least a 6 monthly basis thereafter; with regular telephone contact to discuss progress and any issues that may be encountered. Home contact during stays is actively supported; young people are supported to talk to their parents and other family members. Staff will ring parents before, during and after stays to pass on information, and will provide a written summary after each stay.

Dependent on the young person `s needs Willowtree will undertake more frequent  home visits, joint activities and school visits and or professional meetings ; so that the parent and young person feel confident with the service and in order for the service to best support parents and the young person.

Reviews will be held in line with the appropriate regulations and will be dependent on the number of overnight short breaks agreed.

Willowtree seek to achieve a very close working relationship with parents, schools and any other agencies involved in the child/young person’s life for instance: Physiotherapists, O.T’s, Complex Special Needs Team, Advocacy Service Leaving Care Team and Children’s involvement Officer. Willowtree aims to ensure that young people develop their self-help skills and independence by encouraging decision making, personal care skills, going out for shopping and community access in the form of days out which are fun and educational, around interpersonal skills, give and take, learning to care about themselves and others and hopefully build self-esteem. Key workers will work with parents and schools to identify key areas for skills development in order to ensure a consistent approach is offered across all settings. Key workers will go to the child’s school and liaise with the Social Worker, to ensure support around communication, personal goals and behaviour is effective too.

**Family Support**

The Children with Disabilities Family Support Service specialises in planned time limited support for young people who have complex disabilities. The team provides tailor made support to assist families in meeting the unique challenges of living with complex disability. The service works primarily with young people who have an ASD diagnosis, SLD and who may present challenging behaviour. Work involves intensive wrap around parenting support and direct work with young people taking them out for short breaks in the community. The team works closely with LD CAMHS and Clinical Psychologists, to support young people.

The Team support young people across the Wirral in :

* Family homes - modelling behaviour strategies ,establishing routines , offering advice and support around sleep patterns.
* School settings - observations, contributing to behavioural workshops, supporting school holidays and activities.
* Local community activities - promoting independence skills i.e. shopping road safety awareness, accessing local sport and community based activities

Support is provided on an individual basis and may include areas including introducing a young person to a new activity which they may have previously found difficult due to sensitivity issues . This is achieved by using some of the following techniques::

* slowly introducing the young person
* breaking the activity into small sections
* identifying different ways of supporting the activity e.g. objects of reference , picture symbols and photographs etc

in order to support the child to undertake the activity and feel secure

The access process follows a specific pattern:

(a) Social Worker would contact Team Manager with initial enquiry, following identification of need for support with other key professionals.

(b) Social Worker supported to complete an Referral form

(c) After receipt of Referral Form agreement to offer support is discussed within Wirral Access to Resources Panel Children

(d) A Service Level Agreement will then be confirmed with parent to identify to confirm objectives, agreed activities and review arrangements.

Referrals to the team come primarily via the Social Worker. Who in turn would receive referrals from the wider group of professionals including : Head Teachers, Educational Psychologists, Consultant Child and Adolescent Psychiatrists, Consultant Community Paediatricians, Clinical Psychologists, Other Family Support Workers, School Nurses.

**Short breaks Services**

Section 25 of the Children and Young Persons Act requires Local Authorities to provide a range of short breaks for families with disabled children. Short breaks provide opportunities for disabled young people to spend time away from their primary carers. These include day, evening, overnight or weekend activities and can take place in the young person’s home or in a community setting. This has been achieved through a range of specialist services being commissioned to support young people being able to access universal activities.

Services can be accessed in 2 ways:

* Direct Access using the Short breaks directory available on www,Wirral.gov.uk/shortbreaks . The Short Break Directory details all the short break services available for Children with Disabilities with relevant information such as : days and times , venues and accessibility, how to access and cost.
* Children’s Social Care Assessment which can be requested via CADT or a young person’s Social Worker. This assessment will then determine what short break a young person is eligible for

**Children who are not eligible for a service from the Children with Disabilities Teams who following assessment may be eligible for services from another team**

* Children with Attention Deficit Disorder or children with Attention Deficit Hyperactivity Disorder in the absence of additional disabilities
* Children with emotional and behavioural difficulties in the absence of additional disabilities
* Children with Moderate Learning Disability in the absence of additional disabilities
* Children on the autistic spectrum who do not have a severe learning disability.

**Transition Services.**

Transition Services are a continuation and extension to the Children with Disability Service within the Children and Young People’s Dept.

All young people in receipt of support services from the CWD will transfer to Transition Services at age 16yrs. Their allocated Social Worker will work with the young person and their family to assess eligibility for on-going support from Adult Services, together with any relevant support from Health and other partner agencies.

Involvement from the service will continue until completion of school education provision and the young person’s circumstances are settled to allow transfer onto a mainstream Adult Services Team

The service also works closely with Children’s Services Locality and Child in Care Teams. Where it is identified that a young person is likely to require support into their adulthood, Transition Services will assist and work collaboratively with the CYPD Social Worker to ensure all preparatory work is undertaken to enable a smooth transition from Children to Adult Services on their 18th birthday. The young person will at 18yrs of age then transfer to a Transition SW to continue until settled post school education.