

Overnight Short Breaks

Tri x 3_1_3 April 2025

Review date April 2026



1.0 Policy

- 1.1 Children and young people with disabilities may receive overnight short breaks as part of a package of support agreed at a Child in Need planning meeting. This service may be provided by registered foster carers, Stoke-on-Trent's residential short break unit or a suitable alternative.
- 1.2 Children receiving short breaks are considered under short breaks guidance. Short breaks can be provided under:
 - a) Section 17(6) of the 1989 Act or b) Section 20(4) of the 1989 Act.
- 1.3 When a child is not looked after:
 - a) Short breaks under section 17(6) which may include accommodation.
 - b) When the LA provides a sitter or overnight carer in the child's own home.
- 1.4 When a child is looked after: This usually relates to children where their welfare will best be safeguarded by being looked after away from home and:
 - a) Substantial package of short breaks sometimes in more than one setting
 - b) Whose family have limited resources to provide support or monitor the quality of care when the child is away from home.
- 1.5 Regulations are monitored in respect of some short breaks. Regulation 48 applies when:
 - a) No single placement lasts more than 17 days and
 - b) The total of short breaks in one year does not exceed 75 days.

Regulation 48 therefore allows for a series of pre-planned short breaks for a child in the same placement. Planning arrangements are modified to be more appropriate where child's parents are effectively planning the child's future, and the short breaks are a measure of family support.
- 1.6 Before deciding on the appropriate provision under S17 or S20 consideration must be given to:
 - Particular vulnerability of the child
 - Parenting capacity
 - Wider family and environmental factors
 - Length of time away from home

- Whether short breaks (overnight) are to be provided in one setting or more than one
 - Potential impact on child's place in the family and on primary attachments
 - Observation of the child
 - Views of the child and parents
 - Extent of the contact between short breaks carers and family and between child and family during the placement
 - Distance from home
 - Need for an IRO to monitor the child's care
- 1.7 All children and young people receiving overnight short breaks will be the responsibility of the social worker who must ensure high quality safe care arrangements are provided that meet the child/young person's needs.

2.0 Documentation

- 2.1 When an assessment concludes that provision of overnight short breaks should be part of the Care Plan for a child, the request should be presented to Multi Agency Short Breaks Forum for ratification and to determine which provision best suits the child's needs.
- 2.2 If the short break care is provided in a foster home the allocated social worker will complete the required short breaks care plan or relevant CIC documentation if overnight is provided under S20.
- 2.3 If the short break care is provided in a residential unit:
- The social worker will complete the required short breaks or CIC documentation and provide copies as indicated in the **CIC Procedures Documentation**
 - The designated keyworker in the residential unit will complete the additional documentation required for the physical care of the child in the Unit

3.0 Planning and Review

- 3.1 A placement agreement meeting should be held prior to the child commencing short breaks to establish the introductory process and the arrangements for the first overnight stay and to confirm the child's Care Plan
- 3.2 The S20 Care Plan including where Reg48 applies will be reviewed independently by the Independent Reviewing Officer (IRO) in accordance with statutory regulations or by the allocated worker if provided under Section 17. This then has oversight by the Principal Manager.
- 3.3 The Review should focus on whether the short-break placement and its frequency meets the child's needs in the context of the other community-based services available to the child and parents, as outlined in the plan for the child presented to the Review.

4.0 Review Processes for Section 20

- 4.1 On the occasion of the first stay:
 - All new short-break arrangements will be loaded onto Liquidlogic by team support in the Children with Disabilities Team
 - Notifications should be sent to Health and Education of the short break arrangement by team support
 - A 903 will be sent to the Conference & Review Team and a copy kept on the young person's file.
- 4.2 On receipt of the 903 the Conference & Review Team will allocate responsibility for review to an IRO.
- 4.3 Four weeks prior to the Review Meeting, the Conference & Review Unit will send consultation documents to the children's parents/principal carers and their short- break carers.
- 4.4 A consultation document for the child or young person will also be sent to their social worker for them to return as an attachment to their report.
- 4.5 The social worker will agree with the parents and the child/young person the support necessary for their attendance at the review.
- 4.6 The social worker will complete the review document, which will be returned to the IRO three days before the Review Meeting.
- 4.7 Following the Review, the record of the review will be completed and distributed by the IRO. Social will then update the child's Care Plan within 10 working days of the meeting.

5.0 Review process for Section 20 (Regulation 48)

- 5.1 When the child receives short breaks the parents have primary responsibility for planning their child's future. The short break care plan focuses on those matters to meet the child's needs while they are away from their parents.
- 5.2 Visits to children where Reg48 applies are less frequent. Frequency of visits should be agreed with the child's parents and the IRO and should be recorded in the short break care plan. The visitor should usually be a social worker. The first visit should take place within 3 months and subsequent visits should be no less than 6 monthly.
- 5.3 Regulation 48 short break care plans are reviewed within 3 months of the placement and at intervals of no less than 6 months.
- 5.4 The role of the IRO is more limited and IROs should work closely with, and be particularly sensitive to the role of, the parents. IROs must notify the local authority if the placement is not meeting the child's needs.

6.0 Review process for Section 17

- 6.1 When children receive their short breaks under Section 17 the care will be reviewed in line with child in need procedures.

Table 1: Providing short break accommodation under the different legal provisions		
a) Child is provided with accommodation under section 17(6)	b) Child is provided with accommodation under section 20(4) for a continuous period of more than 24 hours; short breaks are pre-planned and in the same place; no break lasts more than 17 days and the total does not exceed 75 days in one year >> regulation 48 applies	c) Child is provided with accommodation under section 20(4) for a continuous period of more than 24 hours; breaks may be with a range or providers or exceed timescales in column (b) >> regulation 48 does not apply
<p>The child is not looked after. The 2010 Regulations do not apply. Consequently, there is no requirement to appoint an IRO. A child in need plan is required in accordance with the Assessment Framework. As good practice, reviews should be carried out at least every six months, and more often if required.</p>	<p>The child is looked after for the period that s/he is provided with accommodation. The 2010 Regulations apply with modifications in respect of planning arrangements:</p> <ul style="list-style-type: none"> • The authority must make a short break care plan addressing issues key to the safe care of the child; and • An IRO must be appointed. The first visit must take place within three months of the first placement day or as soon as practicable thereafter. Subsequent visits must be at intervals of no more than six months. <p>The child's case must be reviewed within three months of the start of the first placement and then at intervals of no more than six months.</p>	<p>The child is looked after for the period that s/he is provided with accommodation. The 2010 Regulations apply without modifications in respect of planning arrangements:</p> <ul style="list-style-type: none"> • The authority must make a care plan; • An IRO must be appointed; and • The child's case must be reviewed regularly. <p>Visits must take place in accordance with regulation 28. The first review must be within twenty days of the start of the first placement, the second no more than three months after the first and subsequent reviews no more than six months after the previous review.</p>
The provision of accommodation under 17(6) or section 20(4) does not affect parental responsibility		

Ref Short Breaks: Statutory guidance on how to safeguard and promote the welfare of disabled children using short breaks

7.0 Visiting

- 7.1 The allocated social worker will maintain statutory visits and provide support to the family as needed.
- 7.2 The minimum visiting requirements to the child in placement are:
- During the first short break period
 - Within 3 months of the first visit
 - 6 monthly thereafter
- 7.3 If necessary, a greater frequency of visiting may be agreed through the planning processes.
- 7.4 For those children and young people with specific and complex health needs it is good practice for the social worker to be accompanied by an appropriately trained health or social care professional with visits being arranged to afford the opportunity to observe how complex needs are being met.
- 7.5 All statutory visits for short-break care should be recorded on LiquidLogic.