

Children and Young People's Quality & Expenditure Panel

Terms of Reference

October 2017

Date issued: October 2017

Review due: October 218

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1. Introduction and aims

1.1 The Peterborough City Council Children and Young People's Quality and Expenditure Panel is a multi-agency panel that oversees, challenges, endorses and reviews resource allocation requests arising from the care and support planning process, and additionally if applicable from the education and support planning process for children and young people in need. The new Panel replaces the former Children with Disabilities Panel, and the Joint Agency Support Panel - and aligns the Children and Young People's funding approval process more with that of Adult Social Care.

1.2 The main aims of the Panel are:

- Simplify the care funding approval process and improve the efficiency, oversight and quality of funding allocation requests - ensuring that proper consideration is given to the potential for NHS continuing care entitlement.
- Provide a robust, effective and transparent decision making and resource management process; ensuring statutory compliance, deploying best practice and reflecting corporate priorities
- Aid and improve budget management & accountability, financial governance and operational practice
- Establish a commissioner / operational split - operational staff to present funding requests, commissioning leads to chair/decide on resource allocations
- Emphasise the requirement for personalised and flexible care and support planning that encourages independence and prevents or delays the need for specialised and costly interventions.
- Ensures that all available funding streams are identified and appropriately accessed as appropriate

2. Key principles

The key principles underpinning the operation of the panel are:

- ❖ The child's/young person's safety is of paramount importance, and there must be a clear emphasis on maintaining their learning
- ❖ Wherever possible, children and young people's care needs will be met by their family and within their local community
- ❖ Wishes expressed by the child/young person and their family should be ascertained and will inform the decision making
- ❖ Services commissioned will be of high quality, and will meet all minimum standards for regulated services
- ❖ Assessment and planning will be robust, timely, child centred and take a holistic, multi-agency approach
- ❖ The Panel will be a forum for multiagency information sharing, action planning and review
- ❖ The child will be at the centre of the planning process, and planning will be realistic with clear timescales and will be discussed and shared with children (age

appropriately) and family, including birth family where the child is Looked After by the Local Authority.

- ❖ Where a child is placed in specialist provision outside of the authority contact arrangements with family/extended family and siblings will be arranged in a timely manner and in the best interests of the children
- ❖ Owning and managing quality and risk requires all the multi-agency partners to take a corporate approach and each agency should be clear of its own lines of accountability
- ❖ Staffing and financial resources will be used effectively, efficiently and equitably
- ❖ Wherever possible, reviews will be carried out in a coordinated way
- ❖ Effective governance arrangements will be in place within each organisation to ensure that the child/young person's health, educational and social care needs are met.
- ❖ Any actions agreed must be carried out in a timely way without unnecessary delay.

3. Role, function and scope

3.1 The role of the Children and Young Person's Quality Expenditure Panel is to ensure that funding to meet the individual needs of a child or young person is committed in the most appropriate, effective and suitable way within the Council's and the CCG's agreed financial envelope - using best value principles to achieve the best outcomes.

3.2 Peterborough has established a Quality and Expenditure Panel to consider all funding allocation requests for support packages that meet a child or young person's care, health and educational needs, and to periodically review existing children and young people's care provisions. It will consider such requests in a way that is transparent, holistic, fair and consistent, ensuring that best use is made of limited resources. The operation of the Panel allows for a clear focus on individual care costs, helps to raise case management practice standard, disseminate best practice, and ensure that a fair and consistent approach is taken to individual funding demands.

3.3 A child is defined as any person under 18. A young person is generally described as a person from 14 to 17 years of age. Applications for resources for persons age 18 or over will be considered by the Adults Quality and Expenditure Panel. Applications for care and support and SEND EHC plan resources that were previously heard at the JASP panel will now be heard at the Children and Young People's Panel - cases heard at the PASP (Peterborough Access to Support Panel) will continue to be heard at this Panel.

3.3 The Panel will consider requests for children with a diagnosed learning disability, physical disability, sensory impairment, severe communication difficulty and those with complex and/or significant medical / therapy / mental health / behavioural needs - some of which may require a multi-agency response across health, education and social care.

3.4 All applications for PCC resource expenditure in respect of children and young people must be considered by the Panel. The Panel will consider:

- Cases with an identified need for a support package
- All new, and in the case of emergency placements retrospective requests for placement funding
- Review of placements and funding arrangements as the Panel deems appropriate
- Any requests for enhanced service provision
- Any requests for in-house residential placements or services
- Joint funding arrangements with the relevant NHS Clinical Commissioning Group (co-ordinating CHC funding requests where necessary) and/or Education.
- Transitions to adult services
- All regular payments / financial support being made out of S17 budgets for more than four weeks

3.5 The Panel will have authority within the terms of the Council's scheme of delegation to make decisions about resource allocation from the following consolidated budgets (most of which is already committed through existing service arrangements and is not available for additional spend):

- Children with disabilities - direct payments
- Children with high needs
- Community short breaks
- Preventative interventions
- Children's residential placements for LAC
- Specialist educational placements

4. Decision making

4.1 Panel decisions will wherever possible be reached by consensus following a full discussion, however the Chair is accountable for decisions made, and is the final decision maker. All decisions will be within the parameters and delegated authority terms of the Panel's remit. The Chair reserves the right to defer a decision where additional information or further consideration is deemed necessary, or where the established protocols for resource approval by Panel have not been followed.

4.2 The Chair is responsible for ensuring that decisions reached are clearly recorded on the Panel decision form, including where relevant and appropriate details of the Panel discussion and rationale that preceded the decision.

4.3 Where alternative support or placement is available that meets the identified needs at a lower cost, it is expected that only in exceptional circumstances will the higher cost placement be agreed. Panel reserves the right to defer a decision until these alternative arrangements are fully explored and considered.

4.4 A record of Panel decisions will be kept and used to build an aggregate picture of collective needs, and to assist in ensuring consistency of decision making.

4.5 In reaching its decision, the Panel will:

- a. Ensure consistent application of eligibility criteria and that the requests for care provision funding meet with the Council's statutory obligations in this regard.
- b. Ensure there is a multi-agency assessment of need to inform short and long term care needs, and facilitate robust multi-agency challenge, options and proposals analysis to enable creative and flexible solutions to jointly meet the individual child/young person's needs, taking into account what the child or young person regards as their highest priority.
- c. Undertake detailed cost analysis to ensure accuracy and value for money, including where applicable staffing ratios.
- d. Ensure that the respective financial responsibilities of health, education and social care services are agreed on the basis of rigorous assessment of needs and in line with responsible commissioner and continuing health care guidance.
- e. Ensure that anticipated, measurable outcomes of the placement/support are agreed and suitable time limits and timescales for review are stipulated.
- f. Consider the range of available options put forward, and will have due regard to the preferred option and the required timescales.
- g. Ensure that personalised care solutions personal budgets are identified
- h. Ensure that decisions are based on the best and most up to date available evidence, and that decision making is consistent and fair
- i. Ensure that where possible care provisions are safe, appropriate, not disproportionately expensive, are compliant with the Council's financial regulations and current procurement and contracting requirements.
- j. Consider how best to nurture and enhance the child or young person's existing good relationships
- k. Establish and promote best practice
- l. Through the operation of the Panel, contribute to departmental and corporate performance targets, and inform commissioning plans and strategies.
- m. Maximise all available funding sources, particularly NHS and Education funding where applicable, and ensure that block-purchased and in-house services are fully utilised where appropriate.
- n. Fully comply with relevant legislative requirements, including human rights legislation, and with the principles of equality, diversity and human rights.
- o. Promote joint-working with the NHS CCG and other key partners and agencies
- p. Promote the duty of confidentiality in regard to matters heard at Panel, and ensure that data protection principles are applied.

5. Panel membership and format

5.1 The core membership of the Children and Young Persons Quality and Expenditure Panel reflects the key agencies involved in the placement of, and planning for children with social care, health and education needs:

Core membership:

- ❖ Assistant Director for Adult Social Care - interim chair
- ❖ PCC Head of Commissioning Children's Health & Wellbeing - Co-Chair
- ❖ PCC Head of Service - 0-25 - Co-Chair
- ❖ PCC Head of Finance - People & Communities, or suitable delegate
- ❖ PCC Commissioning Manager - Children's Health and Wellbeing and/or Brokerage Lead or suitable representative
- ❖ Lead professional - to present applications

Administrative support is also required for each Panel.

Additional membership for co-funding decisions:

- PCC Head of SEN & Inclusion or rep with delegated authority for co-funding decisions
- TACT representative - for co-funding decisions
- NHS CCG Commissioning Manager or representative with delegated authority for co-funding decisions
- Head of Service CLA or suitable rep

5.2 The Panel is quorate when the core membership or their suitable representatives/delegates are in attendance. It is expected that the lead professional will attend to present the Panel request.

5.3 The Panel meets fortnightly on a Tuesday afternoon at the Town Hall (unless it falls on the second Tuesday of each month and clashes with the Peterborough Access to Support Panel, in which case it will move to Monday afternoon). Times of Panel will vary according to the number of cases tabled.

6. Panel process, documentation and administration

6.1 See flow-chart at the end of this document for the Panel application process

6.2 Completed Panel application forms must be received by the Panel Administrator at least 2 working days before the next available Panel to ensure it is heard at this. All applications must be accompanied by CAF, IA or a core assessment accompanied by a CIN plan. Needs, both short and longer term, should be clearly identified, as should interventions and support requests and the outcomes and benefits expected from these - including particularly the potential for achieving independence.

6.3 NHS continuing care assessment and eligibility should be determined where possible before funding requests are referred to Panel, and copies of this documentation should accompany the panel application.

6.3 Panel applications and associated paperwork are distributed to Panel members in advance of the Panel date to enable attendees to prepare for the application to be heard.

6.4 Panel administration will be supplied by Serco Business Support. Duties will include drawing up an agenda, arranging venues, issuing invites, scheduling of cases, circulating of paperwork/electronic records and maintaining the record of Panel decisions.

7. Emergency out of panel decisions

7.1 Any placement made on an emergency basis should be regarded as an interim arrangement and must be presented to the next available Panel meeting. Emergency funding approvals should be sought from the Chair or co-Chair, and recorded in the Panel decisions database.

8. Appeals/review process

8.1 An internal appeal / request for review may be made in writing within 10 working days to the Chair of the Panel where the application was originally discussed.

8.2 The Chair of the Panel will make arrangements for the application to be heard by two members of the People & Communities senior management team to review the case within 5 working days. The social care practitioner may provide information/comment in support of their case. The outcome of the review will be put in writing as soon as is practicable after the decision has been reviewed - but no later than 21 days.

8.3 If new information comes to light following a Panel decision that impacts on the original decision then the case may be re-submitted for further consideration.

8.4 Families/representatives/young people should be advised of funding decisions made by Panel in the same, standard way that decisions about care and support funding are usually communicated. Any challenges to these decisions should be made by either contacting the department to raise specific concerns, or by following the statutory complaints process.

Panel Application Process Flowchart



