

**Draft Transition Procedure  
For young disabled people in Leeds  
v10.1**

# Contents

<b>Chapter 1. Document Control</b> .....	<b>4</b>
1.1. Revision History .....	4
1.2. Approvals .....	4
1.3. Distribution .....	4
<b>Chapter 2. What is Transition</b> .....	<b>5</b>
2.1. Life Transition.....	5
2.2. Service Transition.....	5
<b>Chapter 3. Who Does the Transitions Procedure Apply To?</b> .....	<b>7</b>
3.1. The Procedure .....	7
3.2. Fair Access to Care Services .....	7
3.3. Person Centred Planning .....	8
<b>Chapter 4. How Is Transition Managed?</b> .....	<b>9</b>
4.1. Responsibilities .....	9
4.2. Strategic Transitions Group: Draft Terms of Reference .....	9
4.3. Social Care Transitions Panel: Terms of Reference.....	11
<b>Chapter 5. Transition Procedure</b> .....	<b>14</b>
5.1. From Year 9 to Year 10.....	14
5.2. From Year 11 to Year 13.....	16
5.3. Year 14 and Beyond (Age 18 to Age 25).....	18
5.4. How are Indicative Costs Calculated and Reported .....	18
5.5. Applications to Learning and Skills Council (Specialist Provision) .....	18
5.6. New and Unexpected Entries to the Procedure .....	19
5.7. Out Of Area Schools .....	19
<b>Chapter 6. Transitions Service: Entry and Exit Criteria</b> .....	<b>20</b>
6.1. Entry and Exit Criteria .....	20
6.2. Defining “Complex” Transitions .....	21
<b>Chapter 7. Procedure Flowchart (v13)</b> .....	<b>22</b>
7.1. Purpose of the Flowchart .....	22
<b>Chapter 8. Table of Transitions Assessments</b> .....	<b>30</b>
8.1. Hyperlinks to Assessment Forms .....	31
<b>Chapter 9. SDS: Self Directed Assessment and Resource Allocation</b> .....	<b>32</b>
9.1. Background .....	32
<b>Chapter 10. Legislative Framework</b> .....	<b>33</b>
10.1. Introduction .....	33
10.2. UN Convention on the Rights of the Child 1989 .....	33
10.3. UN Convention on the Rights of Persons with Disabilities, 2006 .....	33
10.4. Children Act 2004 .....	34
10.5. Children Act 1989 .....	34
10.6. Education Act 1996.....	34
10.7. The Learning and Skills Act 2000 .....	35
10.8. Health and Social Care Act 2001.....	35
10.9. NHS Act 2006.....	35

10.10.	Disabled Persons (Services, Consultation and Representation) Act 1986	
	36	
10.11.	NHS and Community Care Act 1990 .....	36
10.12.	Community Care (Direct Payments) Act 1996 .....	36
10.13.	Carers and Disabled Children Act 2000.....	36
10.14.	Carers (Equal Opportunities) Act 2004 .....	36
10.15.	Children (Leaving Care) Act 2000.....	37
10.16.	Disability Discrimination Act 1995.....	37
10.17.	Disability Discrimination Act 2005.....	37
10.18.	Special Educational Needs and Disability Act 2001.....	37
10.19.	Education and Inspection Act 2006 .....	38
10.20.	Childcare Act 2006 .....	38
10.21.	Health Services Legislation and Guidance .....	38

# Chapter 1. DOCUMENT CONTROL

## 1.1. REVISION HISTORY

Version	Status	Revision Date	Summary of Changes	Author
10	Draft	17/12/09	<ul style="list-style-type: none"> <li>• Inclusion of references to agreed FNP</li> <li>• Deletion of references to ICS</li> <li>• Amended Flowchart</li> <li>• Update of Outstanding Tasks</li> <li>• Transitions Panel Terms of Reference from Steve's report</li> </ul>	A Chadwick
10.1	Draft	Tuesday, 05 January 2010	<ul style="list-style-type: none"> <li>• Tidy format for Scrutiny Board</li> </ul>	A Chadwick

## 1.2. APPROVALS

This document requires the following approvals:

Name	Signature	Title	Date of Issue
A Multi-agency Transitions management Structure			
Transitions Project Board			
DMT			

## 1.3. DISTRIBUTION

This document has been distributed to:

Name	Title	Date of Issue	Version
All members of the Transitions Project Board			10
Jane Shepherd			

## **Chapter 2. WHAT IS TRANSITION**

### **2.1. LIFE TRANSITION**

- 2.1.1. Transitions occur at various stages throughout a young person's life, from starting School, leaving Primary School and starting Secondary School, to preparing for independence and leaving home. Each transition can be fraught with uncertainty, fear, confusion, embraced with enthusiasm and excitement about what happens next. These transitions coincide with physical, emotional and psychological developments that are coupled with changes to roles and relationships with family and friends, care staff and the wider community.
- 2.1.2. What makes the difference in how these transitions are experienced is the planning, understanding and information available to those facing transition. When it goes well children, young people and their families can look to the future confident that their child will enjoy their future with whatever guidance, support and opportunity on offer. When it goes wrong families are angry, upset and afraid for their children as they prepare for change.

### **2.2. SERVICE TRANSITION**

- 2.2.1. There has been a growing Governmental recognition of the importance of the period covering the last few years at School and the first years of adult life in determining what will happen to young people throughout their adulthood. Government guidance has highlighted the need for agencies to develop robust protocols to ensure positive outcomes for all Young People going through the transition process and in particular for protocols to address the specific needs of Children with additional support needs.
- 2.2.2. Central to achieving these positive outcomes is the need to ensure that young people are fully involved and participate in the planning process and are supported to have as much choice and control over their lives as possible.
- 2.2.3. The recent government report "Improving Life Chances for Disabled People" underlines the need to co-ordinate services and to fully involve people in planning life choices by setting the targets of:
- By 2015 all disabled young people and their families will experience continuity and coordination in the services they receive, as both children and adults.
  - By 2015 all young people will have the opportunity to be fully involved in the personalised planning of their future activities and provision.
- 2.2.4. Leeds has recognised that to maximise individualised continuity and coordination service change must be kept to an absolute

minimum; and whilst all young people who use our Children's Social Care Services and who go on to use our Adult Services are to some extent in 'transition' these services are sufficiently co-ordinated for adult and children's workers to help the young person manage their life changes. However, in some instances Adult and Children's services have developed in such an uncoordinated way that transitions between the two groups of services is organisationally complex.

- 2.2.5. Therefore, the term "Transition" in relation to this Transitions Service Procedure has a specific definition: here, "Transition" is concerned with a child's passing from one set of funders and service providers to another set of funders and service providers. The "complexity" of the transition refers to the complexity of the organisational arrangements and not the complexity of the child's life as such.

## **Chapter 3. WHO DOES THE TRANSITIONS PROCEDURE APPLY TO?**

### **3.1. THE PROCEDURE**

- 3.1.1. This procedure applies to those young people who are disabled and / or have Special Educational Needs (SEN); (this may include children and young people who are in receipt of School Action Plus), and who meet the eligibility criteria of Leeds City Council's Disabled Children's Service and/or The Fair Access to Care Services Framework
- 3.1.2. Indicators of eligibility include young people resident in Leeds who:
- have a Statement of Special Education Needs and have been assessed as having severe learning difficulties and/or autism or a physical or sensory disability. This may include children and young people who are in receipt of School Action Plus
  - receive a service from the Disabled Children's Team
  - are "Looked After" and have a Statement of Special Education Needs identifying them as having learning difficulties, physical disability or sensory impairments which would mean that they would be deemed to be vulnerable as young adults
  - are care leavers and whose continuing needs will require referral on to Adult Services
- 3.1.3. There may be some young people who are not assessed as having special educational needs but who may need some support in planning for and adapting to adult life because of their impairment e.g. young people with Aspergers Syndrome who may be classified as high functioning and outside the statutory responsibilities for statementing. These young people may need referring to Connexions and Education and Leisure Services to ensure that they are connected with resources in the community.

### **3.2. FAIR ACCESS TO CARE SERVICES**

- 3.2.1. Fair Access to Care Services (FACS) provides a framework for determining eligibility for all Adult Social Care Services. Councils are required to provide or commission services to meet needs, subject to their resources, so that people with similar eligible needs receive services that deliver equivalent outcomes no matter where they live
- 3.2.2. The decision on eligibility should be person centred and made following an assessment/screening of an individuals presenting needs. The size and depth of assessment should be proportionate to the individuals presenting needs and circumstances
- 3.2.3. There are four bands of eligibility threshold to include Critical, Substantial, Moderate and Low. In (insert date) Leeds City

Council having considered funds available to the council determined that those service users identified as being in the **Critical** and **Substantial** band would be deemed eligible for social care support. In addition consideration needs to be given to promote the prevention of any needs, if not addressed that would become Critical or Substantial.

- 3.2.4. See: "Adult Assessment and Review Guidance Pack – Spring 2008" (Insert Hyperlink).

### **3.3. PERSON CENTRED PLANNING**

- 3.3.1. Valuing People requires local agencies to facilitate person centred plans for Young People with a Learning Disability moving between children and adult services. The guidance states that these plans should be separate from Social Work assessments, which look at levels of need and eligibility for services.
- 3.3.2. The opportunity to have a Person Centred Plan can be discussed at the Year 9 Transition Review. All young people known to the Disabled Children's Team will be offered a Person Centred Plan.
- 3.3.3. Commissioning strategies in Children's and Adult services will be informed and influenced by future needs planning that will identify those young people whose planned outcomes are not easily met. The Strategic Transitions Group is responsible for supplying relevant information to Commissioning Services.



## **Chapter 4. HOW IS TRANSITION MANAGED?**

### **4.1. RESPONSIBILITIES**

- 4.1.1. Responsibility for Transition is shared between all agencies who are involved in the lives of children and young people who have a statement of special educational needs and/or who are disabled.
- 4.1.2. There are two transitions management structures in Leeds: the Strategic Transitions Group (which reports to the Healthy Leeds Strategic Commissioning Board) and the Social Care Transitions Panel

### **4.2. STRATEGIC TRANSITIONS GROUP: DRAFT TERMS OF REFERENCE**

#### **Strategic Objective**

- Establish effective mechanisms to support the transition of disabled young people to adult services, in order to gain independence, choice and control over the assistance they need, and achieve their potential.

#### **Purpose**

- To give leadership and strategic direction to the work of transitions
- To ensure all partner organisations are involved in joint commissioning priorities and aligning resources, effective communication, joint training for staff, and reaching agreements on operational working at a strategic level
- To maximise the development of inclusive provision in education, training employment and leisure opportunities for disabled young people in transition
- Ensure there are clear, strategic, multi-agency, agreed policies and procedures on how local services work to meet the needs of disabled young people in their transition to adulthood services
- Ensure disabled young people and their families are involved in reviewing the effectiveness of Transitions procedures and policies
- Identify and report service gaps for children and young people in transition
- Enable disabled young people to have access to work experience and employment opportunities
- Ensure that transitions work is based on transparency, coordination, young peoples' choice, and support for parents, children and professionals
- To respond to priorities and needs identified locally and provide a strategic overview and direction with links to related local and national policies/initiatives.

### **Scope**

- The term “transition” has a number of different meanings within different organisations. “Transition” in relation to the *Transitions Service* and the Transitions Procedure has a specific definition: here, “Transition” is concerned with a child’s passing from one set of *funders and service providers* to another set of *funders and service providers*. The “complexity” of a transition refers to the complexity of the organisational arrangements and not the complexity of the child’s life as such.

### **Task**

- To develop and publish clear multi-agency referral pathways procedures
- Develop a joint Transitions Commissioning and Investment Plan
- To monitor and report on joint transitions work
- Tasks to be added

### **Frequency of meetings**

- The Strategic Transitions Group will meet (to be determined)

### **Governance, Regulation and Control**

- The Strategic Transitions Group will be jointly accountable to (to be determined)

### **Membership**

- The Multi Agency Strategic Transitions Board will have membership from key agencies and services working with disabled young people children. Membership from each agency will be at senior level to ensure ownership of the strategic direction

### **Proposed Membership: the following agencies will be invited to participate on the Board**

<b>Name</b>	<b>Role</b>	<b>Organisation</b>
		Children, Young People Services
		Disability services
		Commissioning Manager Children's Services NHS
		Assistant Director, NHS Care services Direct
		Consultant in Community Paediatrics
		CAMHS
		Assistant Divisional Director, Hospital NHS Foundation Trust

<b>Name</b>	<b>Role</b>	<b>Organisation</b>
		Head teacher,
		Head teacher, Mainstream School
		Executive Head Teacher,
		Executive Director – Learning Disabilities, Adult Social care services
		Lead Commissioner for Children and Young People
		Commissioning, Adult Services
		NHS Provider Services
		NHS Acute services
		Learning and Skills Council
		Supported Employment
		College
		Transport
		Leisure
		Housing
		Voluntary, Faith and Community Sector
		Parent/carer representation Disabled Young people representation

### **Interfaces**

- The Strategic Transitions Group will have links with the following local agendas, strategies, groups and reports:
  - The Children and Young People’s Plan.
  - Family Support and Parenting Strategy
  - x strategy for children and young people with special educational needs, learning difficulties, disability and complex health needs
  - Targeted Youth Support Strategy

### **Administrative Support**

- x will undertake clerical support for meetings such as minute taking, agendas and circulating documents.

## **4.3. SOCIAL CARE TRANSITIONS PANEL: TERMS OF REFERENCE**

4.3.1. The panel will be made up of the following representatives.

- Steve Bardsley – SDM LD Development (chair)
- Graham Heffernan – SDM JCMT-LD

- Linda Randall – Transitions Team leader
- Kwai Mo – SDM Mental health
- Alison Griffiths – SDM Phys dis
- SDM – Children’s services
- SDM – Access and Inclusion adults

**Purpose of Transitions Panel**

4.3.2. The Panel’s Tasks are:

- Case-carrying arbitration within and between the CYPSC, Area Teams, Specialist Teams and the Adult Services Transitions Team
- To develop and publish procedures for the transfer of funding between services
- Introduce and monitor the indicative budget process
- introduce appropriate quality assurance reviews to ensure the Transitions Procedure is being followed and corrective action taken where appropriate
- Facilitate referrals to other service areas if more appropriate to the identified needs of the young person.
- Share information and foster good working relationships
- To report barriers to progression and gaps in provision and services.

4.3.3. The panel will be presented with Future Needs Plans (appendix 3) completed by either the Transitions team or Path Way planning team. From the information presented the panel will decide which Pathway that young person will follow ie which team the individual will receive on going active care management.

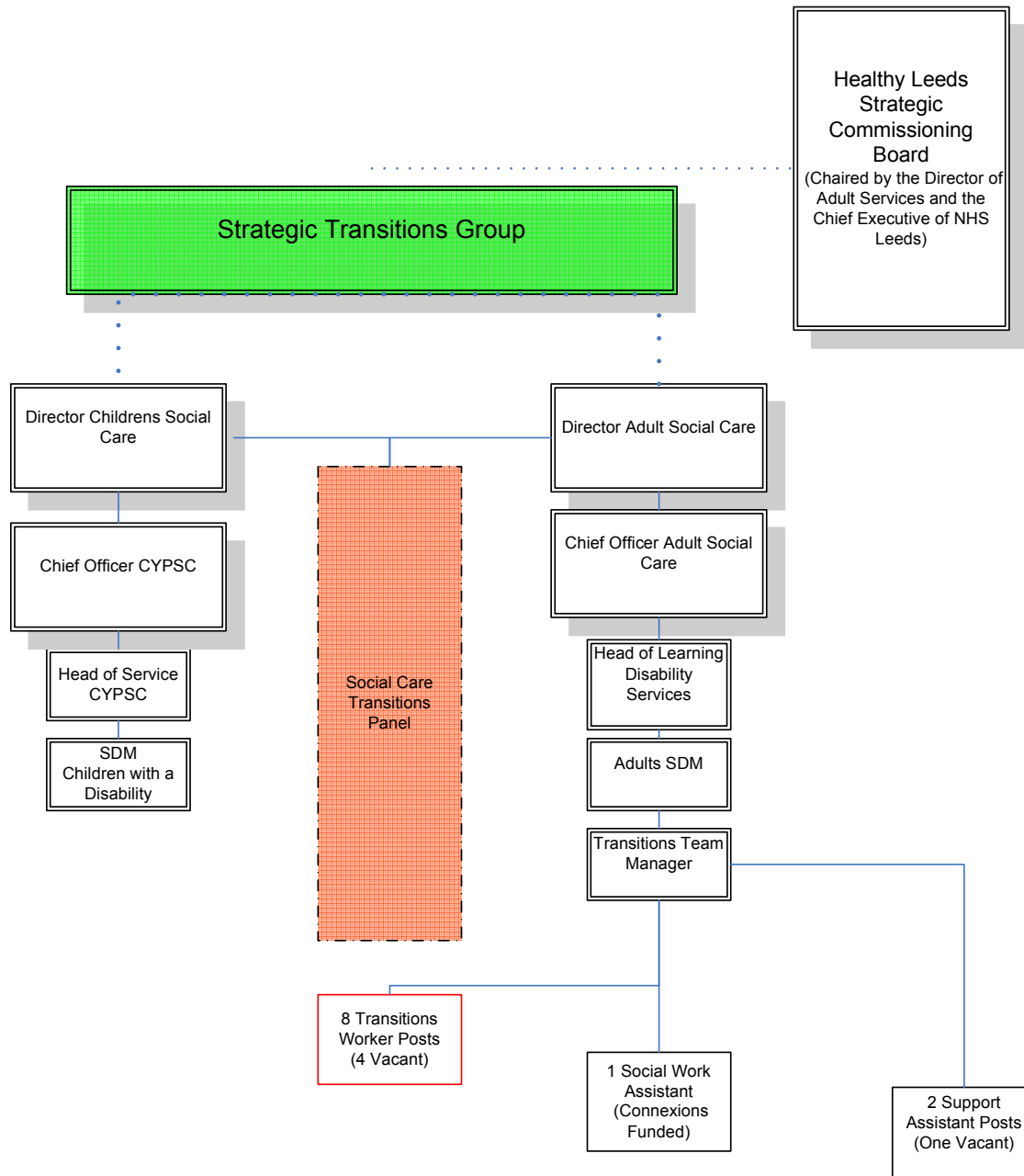
4.3.4. The Panel will meet on a monthly basis, at a central location in the city.

**Administration**

4.3.5. The panel will be supported by one of the Transitions administrators who will record the decision and communicate it to relevant parties including updating ESCR records.

**Review and Evaluation**

4.3.6. The role and function of the Transitions panel will be reviewed after 6 months of it becoming operational. The review will involve panel members, internal audit and a representative from users and carers. The outcome of the review will decided the future of the panel.



## **Chapter 5. TRANSITION PROCEDURE**

### **5.1. FROM YEAR 9 TO YEAR 10**

#### **Year 9 (Age 13/14)**

- 5.1.1. The Transitions Team will identify all children 14+ requiring support, and ensure that these details have been properly recorded on ESCR. **(More detail Required)**
- 5.1.2. Year 9 is the start of the formal Transition process. The annual review in Year 9 is the Transition Review.
- 5.1.3. Education Transition Plans are statutory for children with SEN statements, but may also be issued to disabled children. An Education Transition Plan could also apply to a looked after child entering aftercare.

The Education Transition Plan should cover the Young Persons aims and aspirations for the future, the options that may be available to the Young Person as they prepare to leave School and the support the Young Person may need as they prepare to leave School and when they have left School.

Plans are drawn up and monitored through the annual review process, which is arranged by Schools. Detailed guidance for this reviewing process can be found in the **Special Educational Needs Code of Practice. (DfES 2001)**

- 5.1.4. The review is called by the young persons School and must be attended by:
- The Young Person and their family or chosen representative.
  - School Staff.
  - Connexions Advisor.
  - SEN Team representative
- 5.1.5. The following should attend if involved and with the agreement of the young person and their family.
- Child's Social Worker
  - If the Young Person is not currently involved with Children's Disability Social Work team then the head teacher, SENCO or Review Officer will ascertain whether the Young Person needs any additional involvement and if necessary facilitate a CAF assessment or other referral..
  - Relevant Health Staff (school nurse plus any therapists involved)
  - Person Centred Planner if appropriate.
- 5.1.6. Health staff present at the review will give consideration to whether the young person needs any therapeutic involvement or if any further referrals need to be made.

5.1.7. A Transitions Worker will be allocated to co-work with the case holder and the child if the child is likely to be FACS eligible at 18, and is referred from any of the following:

- Children's Services
- Continuing Care Services
- Children's OT Services
- Children's Asylum / Refugee Team
- CAMHS

The Transitions worker will advise on the Transitions Procedure and provide Transitions Information to children and young people, and their parents / carers.

The Information will contain information regarding social and leisure opportunities, post school options, money matters and the roles and responsibilities of all the agencies involved in Transition Planning.

5.1.8. At this point Connexions will begin working with LDD students in Y9 which will include all those with Statements but also others. A Connexions PA will attend and record all further Education Transition Plan reviews

5.1.9. Transitions staff will indicate on ESCR the completion of the Education Transitions Plan review (and for each following year).

5.1.10. Following the Transition Review:

5.1.10.1. The Transitions Plan will be reviewed annually. Schools take responsibility for writing and holding the Education Transition Plan.

5.1.10.2. Connexions staff will begin their assessment process to contribute to their Section 139a assessment.

#### **Year 10 (Age 14/15)**

5.1.11. The the young person's School will inform everyone involved of Education Transition Plan review dates. These dates should coincide with Children's Social Care reviews and this will be discussed with the reviewing officers and, if appropriate, the two reviews should be 'joined up' and held at the same meeting.

5.1.12. If the pupil is likely to leave statutory education at the end of year 11 or is seeking specialist college provision the Connexions Service, in consultation with the school should begin the Section 139a Assessment as detailed in the Learning and Skills Act 2000.

## **5.2. FROM YEAR 11 TO YEAR 13**

### **Year 11 (Age 15/16)**

- 5.2.1. The relevant School will inform everyone involved of review dates. These dates may coincide with Children's Social Care reviews as in the previous year.
- 5.2.2. The Education Transition Plan will be reviewed by the school.
- 5.2.3. If the pupil is likely to leave statutory education at the end of year 12 or is seeking specialist college provision the connexions service, in consultation with the school should begin the Future Needs Support Plan (Section 139a Assessment) as detailed in the Learning and Skills Act 2000. Ensuring applications are timed to meet deadlines and using the Education Transition Plan to inform the ICS Child in Need Plan/Future Needs plan

### **Year 12 (Age 16/17)**

- 5.2.4. The annual review for Young People who have left School will be arranged by the post 16-education provider if appropriate, otherwise Schools will arrange reviews as in previous years.
- 5.2.5. When a Young Person reaches the age of 16 their financial position may change in a number of ways depending on individual circumstances:
- Disability Living Allowance (DLA) – if this has been claimed on behalf of a Young Person they are now eligible to claim it in their own right.
  - If the Young Person receives the highest rate of DLA care component and significant input from social services they are potentially eligible to access monies from the Independent Living Fund. Any application will be the responsibility of the relevant Social Worker.
  - Some Young People may be able to access Incapacity Benefit and / or Income support. Due to the complexity of these issues, following review a referral will be made to the welfare rights team to ensure that all Young People are in receipt of the correct benefits.
- 5.2.6. At this point the workers involved with the young people need to be providing information about Self Directed Support and Individual Budgets, which is a means for the young people to take greater control over their lives and the support they receive
- 5.2.7. A draft Adult Social Care Support Plan and indicative budget will be calculated by the case carrying worker.
- 5.2.8. If it has been decided that the Transitions Team will be case carrying, then the ICS Plan will record the end date of their involvement.
- 5.2.9. For Young People who are likely to receive a service from Adult Services the following will apply prior to or on their sixteenth birthday:



- Childrens Social Worker / Transitions Worker to provide further information about Self Directed Support / Direct Payments
- Childrens Social Worker / Transitions Worker will assess likely FACS eligibility, calculate indicative ASC costs, and flag user to the relevant Adult Team

### **Year 13 (Age 17/18)**

- 5.2.10. Where a young person is still educated within a school setting, the annual review process will take place as outlined above.
- 5.2.11. For young people that receive a service from a Children's Social Work team and who are likely to receive a service from Adult Services but are not using SDS the following will apply:
- 5.2.11.1. The social worker will complete an Adult Social Care (ASC) Care Plan / Support Plan and a referral to the relevant Adult Team
- 5.2.11.2. Once an Adult worker is allocated they will complete assessment of need/carers assessment in line with Fair Access to Care Services.
- 5.2.11.3. The relevant Children's Social Care staff will help to facilitate this assessment by providing introductions and information as necessary. Applications should be submitted to the relevant funding panel prior to The Young Person's 18th birthday even though funding responsibility will not begin until that date.
- 5.2.11.4. The case-carrier will attend the final Child in Need or LAC review which will be a handover meeting. Transfer of funding and case management responsibility will begin on the Young Person's 18th birthday. Where children are not subject to 'Looked After Child' (LAC) review a specific transition planning meeting maybe arranged as required.
- 5.2.11.5. If an Adult Services panel or relevant team manager agrees to the provision of services, then the social worker will make a referral to the FAB Team. A Fairer Charging Assessment will be completed to determine the level of financial contribution that the Young Person must make to services received once they become 18. The FAB Team will also complete or refer for a benefits check to look at any changes in income that may occur as the Young Person reaches 18.
- 5.2.12. Where a young person is using Self Directed Support their draft support plan indicative budget will need to be formalised using the Supported Self Assessment and the Resource Allocation System
- 5.2.13. The transfer on ESCR of the Primary Worker would be on the young person's 18th birthday.
- There can only be one primary worker; there is no joint management, but ASC may allocate a care manager to co-work from around 17 ½.

- 5.2.14. The whole funding package should transfer from child budget to adult budget at age 18, without sharing or each side being responsible for different elements of the budget.

### **5.3. YEAR 14 AND BEYOND (AGE 18 TO AGE 25)**

#### **Year 14 (Age 18/19)**

- 5.3.1. The final School Review will be available to the Team Managers of the Adult Learning Disability Team and the Physical and Sensory Disability Team or the Community Care Team to inform future needs. Relevant Adult Social Services Representatives should attend all final reviews where it has been identified appropriate at the **Transitions Panel** or requested via school or Connexions.
- 5.3.2. Connexions staff will complete a S139a Assessment for Young People who are remaining in education.
- 5.3.3. Adult Care Manager or Transitions Team (where case carrying) will ensure that the actual costs of ASC Package/Support Plan is recorded on ESCR.

#### **Age 18 – 25**

- 5.3.4. Some Young People with special educational needs remain at School until they are 19.
- 5.3.5. Adults aged over 18 are entitled to an assessment of need if they meet Section 47 (1)NHS CCA 1990).Following the assessment, if Fairer Access to Care Services Eligibility Criteria are met, an application may be made to identify an appropriate support plan and individual budget..
- 5.3.6. For those young people who are being supported by the Transitions Team – a year before the end-date of the children in need plan / future needs plan, the appropriate adult team will be informed of the transfer and the individual budget / support plan costs.
- 5.3.7. Following an initial three-month review, all adults in receipt of a service will have a minimum of an annual review to determine continued eligibility for a service.
- 5.3.8. Connexions can provide advice and guidance to Young People up to the age of 25 years. A small number of Children who were “looked after” are entitled to ongoing support under the Children Leaving Care Act (2000).

### **5.4. HOW ARE INDICATIVE COSTS CALCULATED AND REPORTED**

- 5.4.1. Dave Rosser to add

### **5.5. APPLICATIONS TO LEARNING AND SKILLS COUNCIL (SPECIALIST PROVISION)**

- 5.5.1. Where a Young Person needs to continue with their education in specialist provision Connexions and SEN staff will facilitate a funding application to the Learning and Skills Council, this includes obtaining

supporting reports from Health and/or Children's or Adults Social Care professionals. The Learning and Skills Council will give advance notice of the dates when funding applications are to be heard.

- 5.5.2. Where the cost of specialist provision is likely to involve a contribution from Children's /Adults Social Care or Health Services, representatives from the relevant teams must be fully involved in the decision making and applications process.

## **5.6. NEW AND UNEXPECTED ENTRIES TO THE PROCEDURE**

- 5.6.1. These may occur, for example as a result of people moving home, or as a result of a Young Person acquiring an enduring injury during the transition phase. Case carrying responsibilities for new entries to the system will be determined by [\(the Transitions Panel?\)](#).

## **5.7. OUT OF AREA SCHOOLS**

- 5.7.1. A small number of pupils are educated in out of area Schools and Secure Units. The above procedure will still apply.
- 5.7.2. Connexions advisors in Leeds will liaise with Connexions advisors in the host authority to ensure that the APIR process and S139a assessments and LSC applications are completed.
- 5.7.3. Connexions advisors will inform the Transitional Panel of these out of area young people and referrals will be made for transitional assessment as appropriate.

## **Chapter 6. TRANSITIONS SERVICE: ENTRY AND EXIT CRITERIA**

### **6.1. ENTRY AND EXIT CRITERIA**

- 6.1.1. The transitions team will operate on a consultancy basis.
- 6.1.2. The team will not be involved as lead in Child Protection or Adult Safeguarding investigations.
- 6.1.3. However, there will be a number of cases for whom transition straight to an adult team at 18 will not be possible because the transition itself is complex. These complex cases will be carried within the team until the service user is ready to move on.

#### **Entry: Non-Case Carrying Functions**

- 6.1.4. The transitions team will assist CYPSC and ASC care managers and social workers develop future needs plans where:
  - the person is aged between 14 and 25 years (n.b. 18 to 25 year olds will be phased in from April 2009)
  - the young person is in receipt of CYPSC services (or eligible for CYPSC services) and is likely to be eligible for ASC support
  - the young person has long term needs in relation to a disability, condition, or health related issue

#### **Exit: Non-Case Carrying Functions**

- 6.1.5. Involvement with young people aged between 14 and 25 years will finish on completion of a Future Needs Plan, although advice can still be requested.

#### **Entry Case Carrying Functions**

- 6.1.6. The Transitions team has a case carrying responsibility that will relate to the complexity of the transitions process rather than just complexity of need. For cases to be eligible to be carried by the team the following criteria have to be met:
  - significant risks have been identified in relation to the transition process failing to be achieved successfully

#### **Exit: Case Carrying Functions**

- 6.1.7. Young people care managed by the Transitions team will exit the service between their 18<sup>th</sup> and 25<sup>th</sup> year when
  - the complex elements of the transition have been resolved with an agreed plan

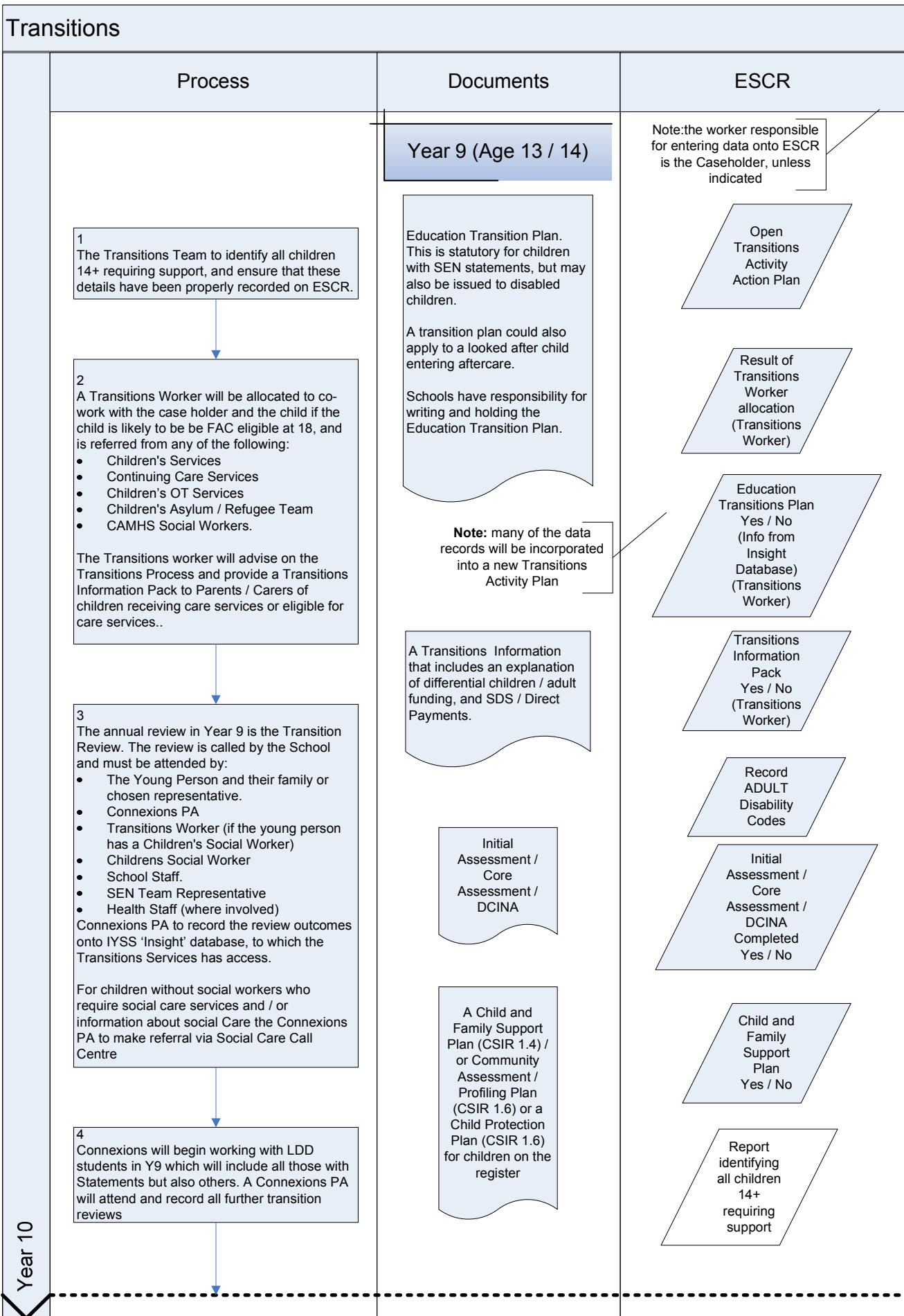
## 6.2. DEFINING “COMPLEX” TRANSITIONS

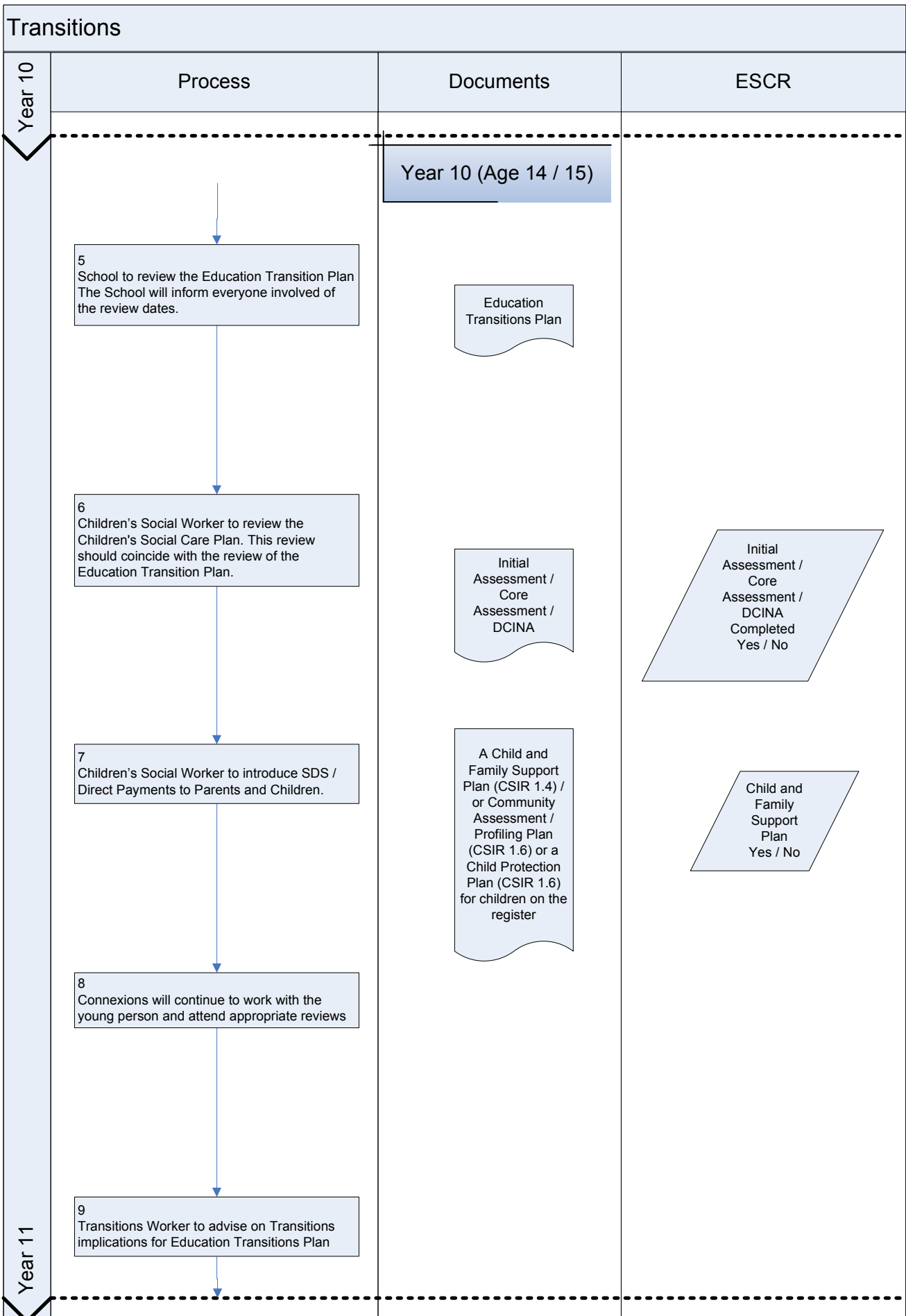
- 6.2.1. We need to define ‘Complex Transitions’ for the purposes of whether the enhanced Transitions Team will be wholly, or partially, case-holding.
- 6.2.2. The dictionary definition of transition is very broad.  
**transition [ tran zish'n ] (plural transitions)**  
  
**noun**  
  
**Definition:**  
  
**1. process of change: a process or period in which something or someone undergoes a change and passes from one state, stage, form, or activity to another. For example, in transit from childhood to adulthood**
- 6.2.3. “Transition” in relation to the *Transitions Service* has a much more specific definition: here, “Transition” is concerned with a child’s passing from one set of *funders and service providers* to another set of *funders and service providers*. The “complexity” refers to the complexity of the organisational arrangements and not the complexity of the child’s life as such.
- 6.2.4. Therefore, the decision to case hold or not **will not** be based on, for example: ‘complexity of the impairment’, complexity of the family structure, complexity of social circumstances (e.g. the unlawful discrimination faced, etc).
- 6.2.5. The decision to case hold or not **will be** based on the complexity of the transitions process itself, the change from one service to another, which *may* include:
- The discrepancy between the resources available for a previous care plan within children’s services and the resources available for a care plan to achieve similar / same outcomes within adult services
  - Whether services that are designed for children do not exist into adulthood. For example, specialist residential / educational establishments for children and young people with autism that have no parallel in adult services
  - Whether the services received by the family or the support network during the service users childhood will continue to achieve similar outcomes when the services are provided by adult services.
- 6.2.6. It must be remembered that any criteria operates within an environment which is continually subject to change in terms of organisational resources, e.g. numbers of available social work staff in either area or specialist teams.

## **Chapter 7. PROCEDURE FLOWCHART (V13)**

### **7.1. PURPOSE OF THE FLOWCHART**

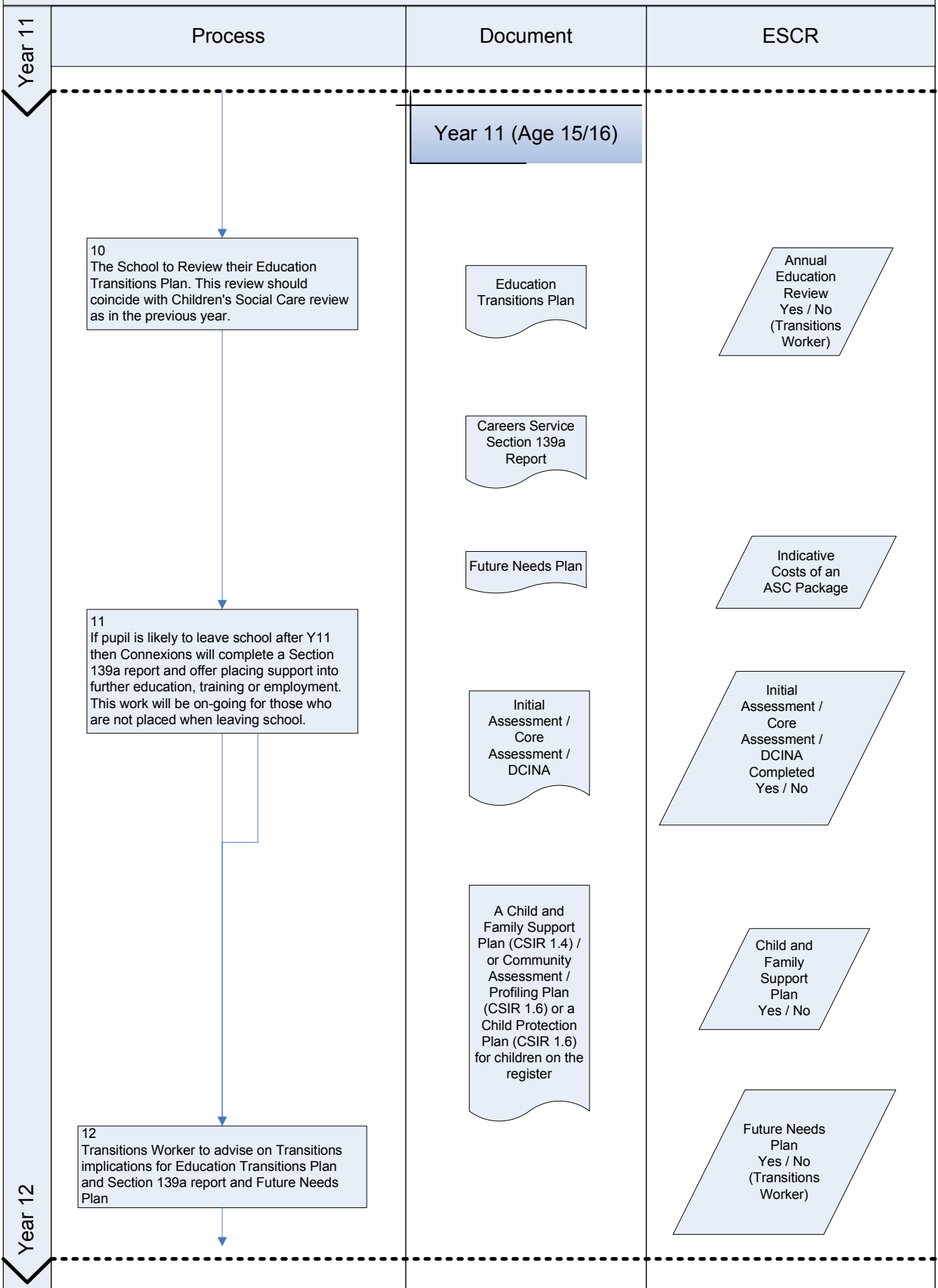
- 7.1.1. The flowchart provides a high-level overview of the Processes, Documents, and ESCR Recording and Reporting.
- 7.1.2. For ESCR, the responsibility for recording lies with the case holder unless otherwise indicated.







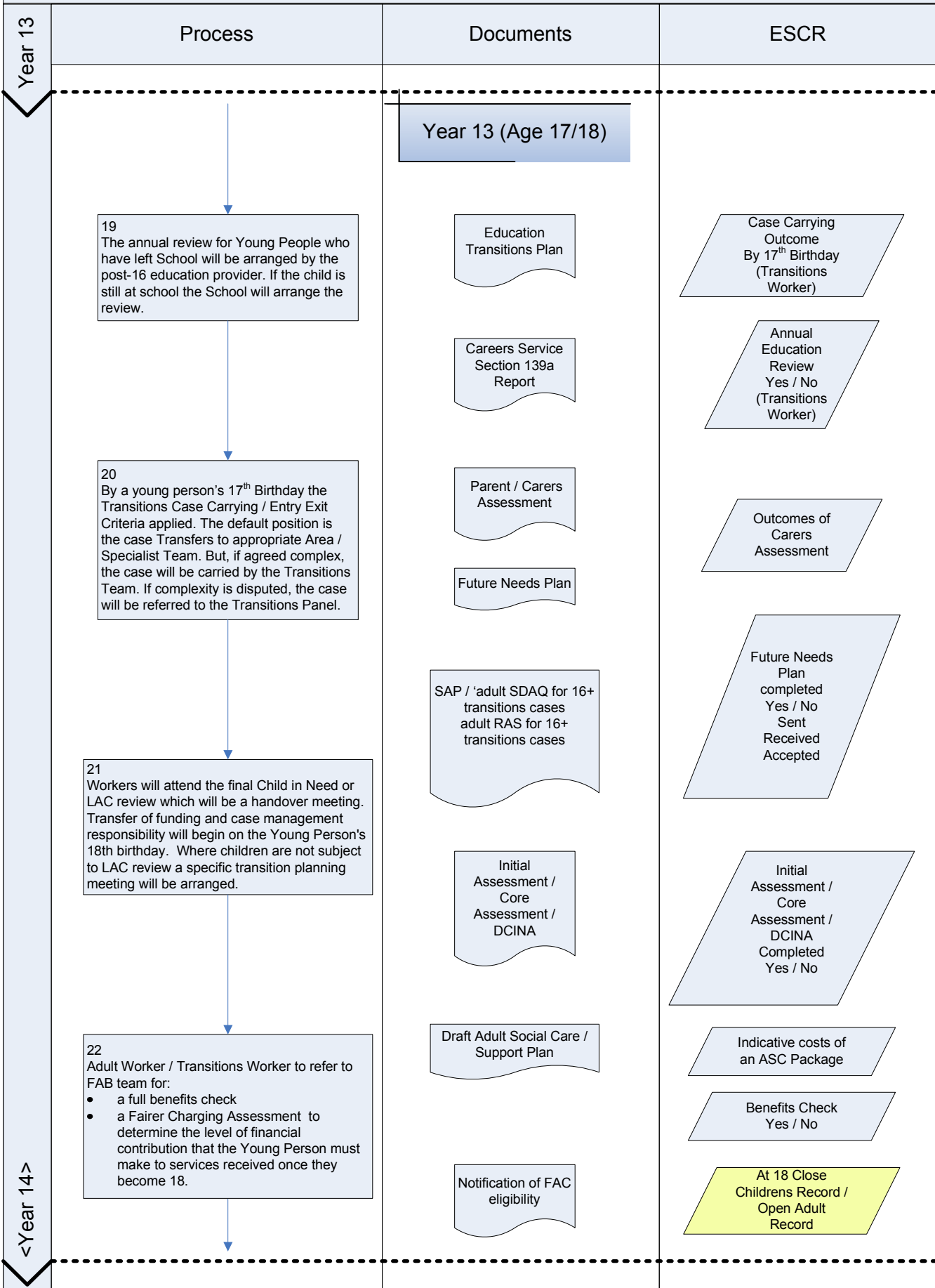
# Transitions



# Transitions

Year 12	Process	Document	ESCR	
<p>Year 12</p>	<p>13 The annual review for Young People who have left School will be arranged by the post 16-education provider if appropriate, otherwise Schools will arrange the review.  Transitions Worker to invite Adult Social Worker</p>	<p>Year 12 (Age 16/17)</p>	<p>Annual Education Review Yes / No (Transitions Worker)</p>	
	<p>14 Childrens Social Worker to Review Financial Position:  <ul style="list-style-type: none"> <li>Continuing Care Assessment</li> <li>Disability Living Allowance (DLA)</li> <li>Independent Living Fund</li> <li>Incapacity Benefit and / or Income support, and EMA</li> </ul> </p>		<p>Parent / Carers Assessment</p>	<p>Annual Education Review Yes / No</p>
	<p>15 Transitions Worker to advise on Transitions implications for Education Transitions Plan the Section 139a report and the Future Needs Plan</p>		<p>Careers Service Section 139a Report</p>	<p>Outcomes of ICS 16+ Care Assessment</p>
	<p>16 Childrens Social Worker to determine appropriate assessments (e.g. Pathway Plan, Carers Assessment, Future Needs Plan)</p>		<p>Pathway Plan</p>	<p>Future Needs Plan completed Yes / No Sent Received Accepted</p>
	<p>17 Social Worker to involve the Pathway Planning Team where a disabled child is looked after full-time</p>		<p>Future Needs Plan</p>	<p>Initial Assessment / Core Assessment / DCINA</p>
	<p>18 For Young People who are likely to receive a service from Adult Services the following will apply prior to or on their sixteenth birthday:</p>		<p>Initial Assessment / Core Assessment / DCINA</p>	<p>Initial Assessment / Core Assessment / DCINA Completed Yes / No</p>
	<ul style="list-style-type: none"> <li>Childrens Social Worker / Transitions Worker to provide further information about Self Directed Support / Direct Payments</li> </ul>		<p>A Child and Family Support Plan (CSIR 1.4) / or Community Assessment / Profiling Plan (CSIR 1.6) or a Child Protection Plan (CSIR 1.6) for children on the register</p>	<p>Child and Family Support Plan Yes / No</p>
	<ul style="list-style-type: none"> <li>Childrens Social Worker / Transitions Worker will assess likely FACs eligibility, calculate indicative ASC costs, and flag user to the relevant Adult Team</li> </ul>		<p>Draft Adult Social Care / Support Plan</p>	<p>SAP / 'adult SDAQ for 16+ transitions cases adult RAS for 16+ transitions cases</p>
<p>Year 13</p>				

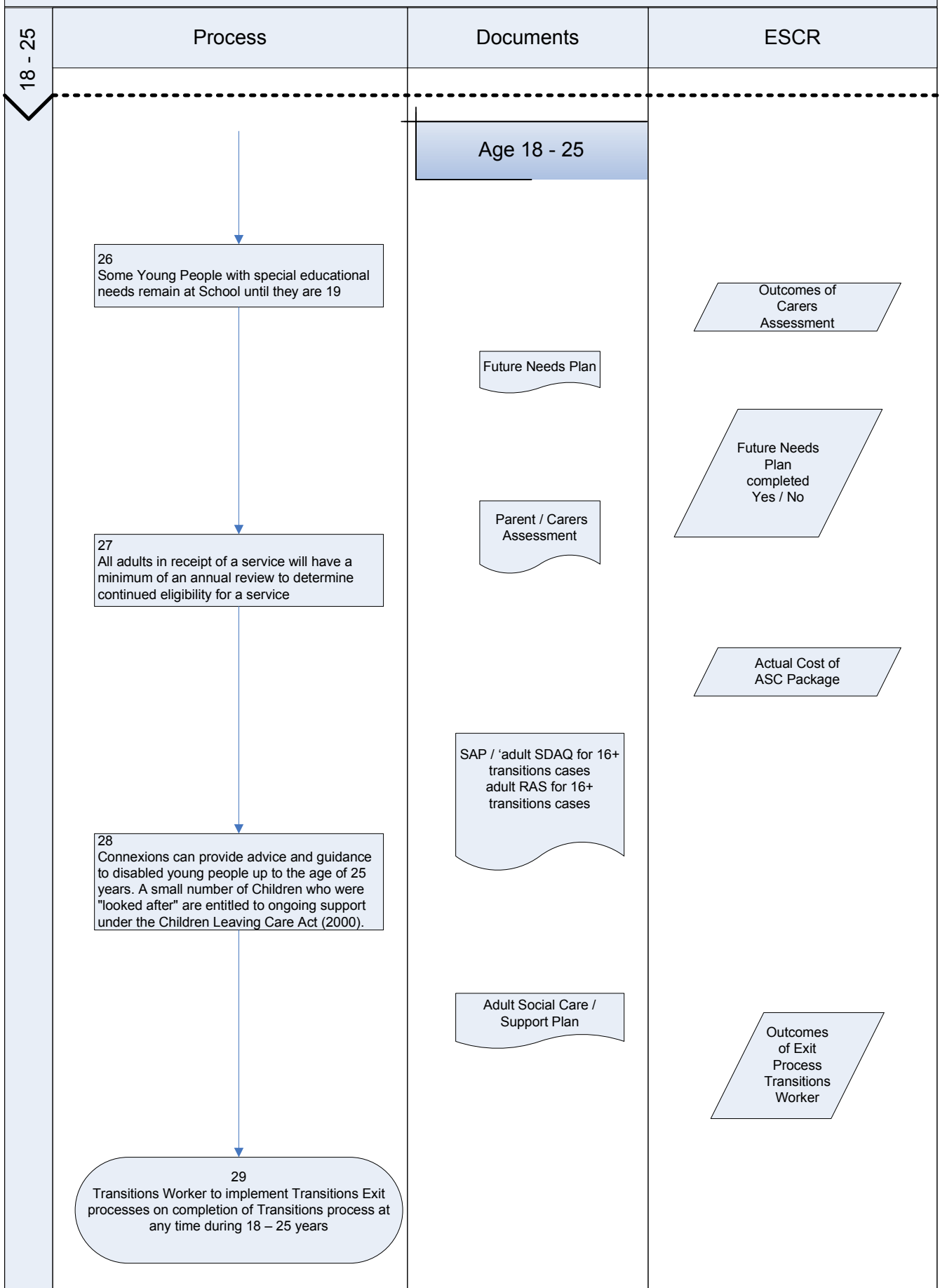
# Transitions



# Transitions

Year 14	Process	Documents	ESCR
<p>Year 14</p> <p>18 - 25</p>	<p>23 Where a Young Person is still educated within a School setting, the annual review process will take place as outlined above. Where the young person is in post 16 education, the provider will organise the review</p> <p>24 The final ICS Core Assessment will be available to the Team Managers of the Adult Learning Disability Team, Disability Services Team or the Care Management Team to inform future needs.</p> <p>25 Connexions staff will complete a S139a Assessment for Young People who are leaving school. Note - Connexions are meant to do an S139a at other times of transition such as leaving college to go to training but this is not implemented yet.</p>	<p>Year 14 (Age 18/19)</p> <p>Education Transitions Plan</p> <p>Careers Service Section 139a Report</p> <p>Parent / Carers Assessment</p> <p>Future Needs Plan</p> <p>Notification of FACs Eligibility</p> <p>SAP / 'adult SDAQ for 16+ transitions cases adult RAS for 16+ transitions cases</p> <p>Adult Social Care / Support Plan</p>	<p>Future Needs Plan completed Yes / No</p> <p>Outcomes of Carers Assessment</p> <p>Actual Cost of ASC Package</p> <p>Indicative costs of an ASC Package</p>

# Transitions



## **Chapter 8. TABLE OF TRANSITIONS ASSESSMENTS**

<b>Assessment</b>	<b>Summary</b>	<b>Age of young person</b>
Common Assessment Framework	Initial, basic assessment tool for use by all services. Social care use as first point of contact. 'Gateway' to other more specialist assessments	Any age – should be used for initial contacts
Framework for the Assessment of Children in Need and their Families (The Assessment Framework)	Assess and plan support from social services including: <ul style="list-style-type: none"> <li>• Short breaks</li> <li>• Equipment</li> <li>• Direct payments (at 16)</li> </ul>	Until transferred to adult services at 18 or 19.
The Children (Leaving Care) Act 2000	Multi-agency assessment and development of a Pathway Plan	15/16
Disabled Persons (services, consultation and representation) Act 1986	Assessment from social care for possible support needed on leaving school or college. Generally, this is not used as has been superseded by other practice.	14 (Year 9)
Education Act 1996 SEN Annual Review/Transition Review	Prepare Transition Plan – Review meeting every year	13/14 (Year 9) up to leaving school or college where kept up.
Learning and Skills Act 2000 - Section 139a Assessment	Assess and plan support for post-school	16 – or until the young person leaves school
NHS and Community Care Act 1990 (incorporating the Chronically sick and disabled persons Act 1970)	Formal assessment of need leading to a Care plan Assessment for support from the Independent Living Fund	18 onwards
Supported Self-Assessment	Differs from traditional assessments in that the customers themselves drive the process, with support as required	16 Onwards

Above table needs to include reference to Future Needs Assessment and Plan

## **8.1. *HYPERLINKS TO ASSESSMENT FORMS***

To be added:

- Transitions Service Future Needs Assessment
- 
-

## **Chapter 9. SDS: SELF DIRECTED ASSESSMENT AND RESOURCE ALLOCATION**

### **9.1. BACKGROUND**

- 9.1.1. SDS processes are currently being piloted in Leeds through the Early Implementer project. The cohort includes four people in transition from Children's to Adult's Services; however, this sample size is insufficient to draw detailed conclusions as to how future processes should operate, so additional work is required before the below points can be agreed.
- 9.1.2. Self Directed Support is based on the principle that individuals should be able to exercise choice and control when it comes to identifying their own needs, the outcomes they want to achieve, and the services and support that will meet their requirements. The model used for assessment is the first step in achieving this, giving customers an opportunity to provide information about what they need against a range of domains, and also what support is already available to them from carers, family and friends. It differs from traditional assessments in that the customers themselves drive the process, with support as required.
- 9.1.3. Once the initial assessment is complete, and has been validated by a Care Manager, the information is then input into the Resource Allocation System (RAS), which determines their indicative budget. This allows customers to start the process of support planning, where they identify the outcomes they want to achieve, and the types of services and support they can buy to meet them. Again, it should be noted that customers are encouraged to lead this process, with support as needed, and so are able to exercise greater choice and control. In addition, evidence shows that in many cases, they are able to identify much more innovative and cost effective ways of achieving their outcomes with SDS.
- 9.1.4. In order to secure reliable future budget management in Adult Social Care an indicative budget has to be produced on or around a young persons 16<sup>th</sup> birthday. Where SDS is in operation the young person's indicative budget should be based upon a self directed assessment leading to a resource allocation.
- 9.1.5. To avoid repeated assessments it is suggested that the initial self directed assessment and RAS (used to produce an indicative budget) is based upon the ICS 16+ Core Assessment and ICS Children and Young Peoples Plan / Future Needs Plan (ICS N1).



## **Chapter 10. LEGISLATIVE FRAMEWORK**

### **10.1. INTRODUCTION**

- 10.1.1. The following listing covers the main legislation, guidance and policy from Government which has an impact on the transition to adulthood for disabled young people.
- 10.1.2. At the time of writing, a number of new bills, reviews and consultations were in place which may have a significant impact on the transition process for disabled young people. For up to date information on consultations and proposed legislation see [www.dcsf.gov.uk/consultations](http://www.dcsf.gov.uk/consultations) and [www.dwp.gov.uk](http://www.dwp.gov.uk). The Transition Information Network website also has details. Details on further guidance and effective practice from government is available from

[www.transitioninfonet.org.uk](http://www.transitioninfonet.org.uk).

### **10.2. UN CONVENTION ON THE RIGHTS OF THE CHILD 1989**

- The UNCRC is an international treaty which was ratified in the UK in 1991. Articles 12 and 13 of the Convention enshrine the right of all children to express their views and for these to be taken into account in decisions that affect them. Further to this, Article 23 focuses specifically on disabled children and young people, recognising their right to dignity, independence and participation within their community.

[www.unicef.org.uk/youthvoice/pdfs/uncrc.pdf](http://www.unicef.org.uk/youthvoice/pdfs/uncrc.pdf)  
[www.everychildmatters.gov.uk/uncrc](http://www.everychildmatters.gov.uk/uncrc)

### **10.3. UN CONVENTION ON THE RIGHTS OF PERSONS WITH DISABILITIES, 2006**

- *Adopted by the UN General Assembly, December 2006, UN signature ceremony 30 March 2007. Then individual countries will ratify.* Embodies the rights of disabled people to equal participation in public, political (Article 29), cultural life (Article 30) and within their community (Article 19). The convention also states that disabled children and young people should have access to the same rights and freedoms as all children, with particular reference to ensuring they have the right to express their views on all issues which affect them and to be provided with the appropriate support to enable them to do so (Article 7). This is supported by Article 21 which states that to enable disabled people to exercise their right to freedom of expression, states parties should take steps to ensure that they are able to receive and impart information using a range of formats, including assistive and augmentative communication, and that information provided to the general public should be made available to disabled people in a range of accessible formats.

[www.un.org/esa/socdev/enable/index.html](http://www.un.org/esa/socdev/enable/index.html)

#### **10.4. CHILDREN ACT 2004**

- Makes various amendments to existing legislation including the **Children Act 1989**.
- Sets the legislative foundation for the actions agreed as a result of Every Child Matters. Includes provision for the establishment of a Children's Commissioner and for each children's service authority in England to make arrangements to promote co-operation between the authority, its partners and other appropriate bodies to improve the well-being of children in the authority's area relating to areas which include physical health, emotional well being and education and training.
- Sets out a mechanism for establishing a database and sharing information, (Integrated Children's System).
- Brings in roles of Key worker and lead professional
- States that the views and wishes of children and young people should be ascertained and given due regard in determining the provision of services to them.

[www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk)

#### **10.5. CHILDREN ACT 1989**

- Provides the framework for social care services for children and young people. Includes the need for the views and interests of children to be taken into account.
- The Act has been amended by numerous statutes.

[www.dfes.gov.uk/publications/childrenactreport](http://www.dfes.gov.uk/publications/childrenactreport)

#### **10.6. EDUCATION ACT 1996**

- The transition review process which forms the main monitoring and planning tool for most disabled young people is built on this Act and the code of practice issued under it, the **SEN Code of Practice 2001**.
- The SEN Code of Practice outlines the statutory assessment process to identify special educational needs for young people who will probably require more support than is given at School Action and School Action Plus.
- **School Action** aims to help young people get additional learning support from their teacher. If the young person does not make adequate progress, the school will offer further support at **School Action Plus** which means involving specialist help from outside. If the young person still does not progress, the school or parent may ask the local education authority to make a Statutory Assessment under sections 329A or 329 of the Education Act 1996.

- If the authority agrees to carry out a **Statutory Assessment**, the young person will be seen by an Educational Psychologist and a doctor or medical officer, who will advise the local authority on the type of learning support they require. The child's school, any other professional such as a speech and language therapist, and the parents will be asked for advice on the young person's learning difficulties and the provision they need.
- If the local education authority believes the support needed is greater than generally provided by mainstream schools at School Action Plus they will draw up a **Statement of Special Educational Needs**. This is a document that sets out that young person's needs and states the special educational provision they require. Appeals against the local education authority's decisions on whether to assess and whether to draw up a statement may be made to the Special Educational Needs and Disability Tribunal.
- Subsequent legislation relating to pupils with SEN builds on this legislation.

[www.opsi.gov.uk/acts/acts1996/1996056.htm](http://www.opsi.gov.uk/acts/acts1996/1996056.htm).

### **10.7. THE LEARNING AND SKILLS ACT 2000**

- Places a duty on the Secretary of State, through Section 140 of the Act, to make arrangements for the assessment of disabled young people when they are undertaking or likely to undertake post-16 education or training or higher education.
- Requires the LSC to have regard to the needs of persons with LDD and to any report of an assessment carried out under Section 140.
- Sets out the reasons for seeking a specialist residential placement.

[www.opsi.gov.uk/acts/acts2000/20000021.htm](http://www.opsi.gov.uk/acts/acts2000/20000021.htm)

### **10.8. HEALTH AND SOCIAL CARE ACT 2001**

- S57 covers direct payments and extended their use to disabled young people aged 16 and 17.
- S58 added S17A to the Children Act 1989 which made provision about direct payments in respect of children.

[www.opsi.gov.uk/acts/acts2001/20010015.htm](http://www.opsi.gov.uk/acts/acts2001/20010015.htm)

### **10.9. NHS ACT 2006**

- Section 242 of this Act places a duty on Strategic Health Authorities, Primary Care Trusts, NHS trusts and NHS Foundation trusts to make arrangements to involve and consult with persons receiving health services for which these bodies are responsible, or their representatives, in relation to the planning and provision of such services, developments and changes in such services and decisions affecting the operation of those services.

[www.opsi.gov.uk/acts/acts2006/20060041.htm](http://www.opsi.gov.uk/acts/acts2006/20060041.htm)

#### **10.10. DISABLED PERSONS (SERVICES, CONSULTATION AND REPRESENTATION) ACT 1986**

- The Act was designed to improve the coordination and effectiveness of resources and services for disabled people and those with mental illness. *Its use is now limited as it has been superseded by other legislation and guidance.*
- Note that the duty on local authorities under section 8 of this Act to take into account the abilities of the carer is overridden where the Carers (Recognition and Services) Act 1995 applies. The 1995 Act has been amended several times (by the Carers and Disabled Children Act 2000 and the Carers (Equal Opportunities) Act 2004) but is still an important part of the picture.

[www.opsi.gov.uk/si/si1987/uksi\\_19870564\\_en\\_1.htm](http://www.opsi.gov.uk/si/si1987/uksi_19870564_en_1.htm)

#### **10.11. NHS AND COMMUNITY CARE ACT 1990**

- Local authorities are required to publish and keep under review a plan for the provision of Community Care services in their area. The Act also places a duty on local authorities to assess individuals' need for services, where they appear to be needed.

[www.dh.gov.uk](http://www.dh.gov.uk)

#### **10.12. COMMUNITY CARE (DIRECT PAYMENTS) ACT 1996**

- The relevant provisions from this Act were repealed by S67 of the Health and Social Care Act 2001.

[www.dh.gov.uk/en/Publicationsandstatistics/Publications/](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/)

#### **10.13. CARERS AND DISABLED CHILDREN ACT 2000**

- The Act requires local authorities who receive a request for a carer's assessment to assess the carer's needs and provide services which they think are appropriate and will support the carer to continue in their caring role. The services provided may be physical help or other forms of support. No such provision was made in relation to children's services because local authorities can provide services to the family under section 17A of the Children Act 1989. There is some overlap between the Carers (Recognition and Services) Act 1995 and the 2000 Act.

[www.everychildmatters.gov.uk](http://www.everychildmatters.gov.uk)

#### **10.14. CARERS (EQUAL OPPORTUNITIES) ACT 2004**

- This introduced a legal obligation on social services to inform carers of their rights. It ensures that work, lifelong learning and leisure are considered when a carer is assessed. It also allows social services to ask housing, health, and education authorities as well as other local authorities for help to support carers.

[www.opsi.gov.uk/acts/acts2004/2004015.htm](http://www.opsi.gov.uk/acts/acts2004/2004015.htm)

### **10.15. CHILDREN (LEAVING CARE) ACT 2000**

- The Act amends the previous provision for care leavers set out in the Children Act 1989 and is designed to improve the life chances of young people living in and leaving local authority care. Provides an entitlement to an assessment and a Pathway Plan and a personal adviser for each looked after and former looked after young person to improve the:
  - preparation and planning for leaving care
  - financial arrangements for care leavers
- and to:
  - ensure that young people continue to receive the support they need to make an effective transition to adult life.

[www.everychildmatters.gov.uk/socialcare/lookedafterchildren/leavingcare/](http://www.everychildmatters.gov.uk/socialcare/lookedafterchildren/leavingcare/)

### **10.16. DISABILITY DISCRIMINATION ACT 1995**

- Legislation which set a new definition of disability, places duties on all providers of services to the public, including education, to make services accessible, making reasonable adjustments to do so. Associated codes of practice also available.

[www.opsi.gov.uk/acts/acts1995/1995050.htm](http://www.opsi.gov.uk/acts/acts1995/1995050.htm)

[www.tso.co.uk](http://www.tso.co.uk)

### **10.17. DISABILITY DISCRIMINATION ACT 2005**

- Widens the definition of disability, places a new duty on public bodies, including maintained schools, to positively promote disability equality and not discriminate in carrying out their functions. Local authorities and others are required to draw up a Disability Equality Scheme to illustrate how they are meeting the duty locally. Associated codes of practice also available.

[www.opsi.gov.uk/acts/acts2005/2005013.htm](http://www.opsi.gov.uk/acts/acts2005/2005013.htm)

[www.tso.co.uk](http://www.tso.co.uk)

### **10.18. SPECIAL EDUCATIONAL NEEDS AND DISABILITY ACT 2001**

- amends both the Education Act 1996 and the Disability Discrimination Act 1995
- applies to pre- and post-16 education
- makes it illegal to treat a disabled person less favourably than a non disabled person for reasons related to his/her disability, without justification
- requires institutions to make reasonable adjustments to ensure that a

- disabled student is not placed at a substantial disadvantage.
- Associated codes of practice also available.

[www.opsi.gov.uk/acts/acts2001](http://www.opsi.gov.uk/acts/acts2001)

[www.tso.co.uk](http://www.tso.co.uk)

### **10.19. EDUCATION AND INSPECTION ACT 2006**

- Contains tools to implement Youth Matters, as well as the White Paper, *Higher Standards, better Schools For All*, and the 14–19 Education and Skills White Paper. Section 6 amends the Education Act 1996 and places a duty on local authorities to improve the well-being of young people aged 13–19 (and up to 25 for those with learning difficulties) by providing access to sufficient educational and recreational leisure-time activities and facilities. Authorities will be expected to meet these requirements by:
  - providing activities and facilities;
  - commissioning others to provide activities and facilities; or,
  - making other arrangements to facilitate access, including providing information, financial assistance and transportation.
- Authorities must consult with young people on existing provision and take their views into account when providing local information on these activities.

[www.dfes.gov.uk/publications/educationandinspectionsact/](http://www.dfes.gov.uk/publications/educationandinspectionsact/)

### **10.20. CHILDCARE ACT 2006**

- Measures in the act formalise the important strategic role local authorities' play through a set of new duties. These duties will require authorities to:
  - Improve the five Every Child Matters outcomes for all pre-school children and reduce inequalities in these outcomes
  - Secure sufficient childcare for working parents
  - Provide a better parental information service

[www.everychildmatters.gov.uk/earlyyears](http://www.everychildmatters.gov.uk/earlyyears)

### **10.21. HEALTH SERVICES LEGISLATION AND GUIDANCE**

- Health services have an essential role to play in disabled young people's transition to adulthood both across health services and in the wider transition process. Whilst there is not statutory 'health transition' requirement, the following legislation and guidance requires health services involvements in the transition process:
  - Health and Social Care Act 2001
  - Education Act 1996

- Special Educational Needs Code of Practice and SEN Toolkit (S12) 2001, DfES
- Valuing People: A new strategy for learning disability for the 21st century, 2001 DH
- National Service Framework for Children, Young People and Maternity Services, 2004 DH and DfES
- Transition: getting it right for young people. Improving the transition of young people with long term conditions from children's to adult health services, 2006, DH
- Our health, our care, our say: a new direction for community services, Health White Paper, 2006 DH
- Health Action Plans and Health Facilitation: Good Practice Guidance for Learning Disability Partnership Boards, 2002 DH
- Action for health, health action plans and health facilitation detailed good practice guidance on implementation for learning disability partnership boards, 2002, DH.