

**Draft - Scrutiny Inquiry Report
Transitional Arrangements for
Disabled Young People into Adult
Social Care
11th May 2010**



Introduction and Scope

Introduction

1. At the 17th of June 2009 meeting we expressed our wish to conduct an inquiry into the transitional arrangement in place to support young people aged 14 – 25, with long term needs who are likely to be eligible for Adult Social Care support.
2. We wanted to determine if a sufficient transitional service is being provided and if structures, policies and procedures are in place to facilitate effective multi agency service delivery.
3. We considered the best approach for carrying out this inquiry and concluded that it should be scheduled into the Adult Social Care Scrutiny Board work programme for full discussion at a dedicated meeting.
4. The inquiry was undertaken during the Adult Social Care Scrutiny Board meeting on 13th of January 2010 where we considered a report which outlined the current arrangements and the Draft Transitional Procedure for Young Disabled People in Leeds.
5. We determined that it was important to conduct a joint inquiry with representation from the Children's Scrutiny Board therefore participation from that board was invited. Cllr Brenda Lancaster attended as the nominated representative.
6. We feel it is important to recognise the roles and responsibilities which Adult Social Services and Children's Services have for ensuring that young people and their families are prepared for the time when new support regimes come into

effect. We also feel it is important to state how encouraged we are that the Transitions Service has been recognised as an important support function and by the investment made to prepare for the delivery of a much enhanced transitions service.

7. We are very grateful to everyone who gave their time to participate in this inquiry.

Scope of the Inquiry

8. Terms of reference for this inquiry were agreed at our Board meeting on 16th December 2009 when we decided to focus on the following areas:
 - Differences in Children and Young Peoples Social Care and Adult Social Care eligibility criteria, the difficulties this creates, how this and service user expectations are managed.
 - The current service provision up to the 31st of March 2010 and planned service changes (directed nationally or locally) and how this will impact on service provision.
 - National and Local Performance indicators and targets and performance data, including comparative data to other similar authorities.
 - Self Directed Support - Choice and control for the individual or their representative.
 - Care Planning and Safeguarding arrangements during the transitional period.
9. We received evidence both in written and verbal form from the following:



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- Officers from Adult Social Services
- Officers from Children's Services

10. To promote our level of understanding we were clearly advised that the Transitions Service provided does not replace the usual service delivered to individuals by Children's or Adults Social Services or any other supporting organisation, but is being developed to provide extra support for those who have particularly complex care packages. The inquiry was conducted in the knowledge of this assertion.



Conclusions and Recommendations

Introduction

11. To promote understanding we were provided with a history of how the service had developed over recent years. A Children's Transitions Team was initially formed in response to recommendations made following an inspection in 1999. The inspection highlighted a lack of future planning for disabled young people.
12. The Transitions Service was established in 2001. Originally based in Children's Services, it had a staffing complement of three full time workers and a manager. When Social Services divided into Adult Social Services and Children's Services functions, effort was made to minimise any loss of co-operative working and the assistance of internal audit was requested. Their findings were reported in July 2008.
13. Changes implemented since the audit report include situating the Transitions Service in Adult Social Services. The Social Care Services Board agreed that a joint transitions team should be put in place in order to improve the continuity of care up to the age of 25. To support this the Transitions Team is seeking to establish and recruit five additional staff, funded by the Social Care Reform Grant, who will become operational by the 31st of March 2010.
14. We were advised that the Transitions Service acts as a bridge, pulling young people from Children's Services into Adult Services whilst working alongside the mainstream services. The service specifically works with young people who would meet the eligibility criteria for Adult Social Services as well as Children's Services and require complex care packages. It was clarified to us that this does not necessarily mean those with complex needs as it is often more straight forward to progress individuals with very complex needs into Adult Social Services because the level of service is clearly identifiable. The focus of the transitions service will be to assist those who require support which requires a more bespoke support plan within Adult Social Services and requires significant planning and organisation.
15. We felt reassured when we were advised that the transitional period for young people is now between the ages of 14 to 25. This enables continuity of care and support throughout the particularly difficult age threshold of 18 when potentially children lose a number of support functions. We welcome the early involvement of the Transitions Service at the age of 14 and feel that this is crucial to preparing young people and their families to cope with the changes ahead.
16. We acknowledge that the Transitional Service is in a developmental phase and that the service will evolve considerably over the next twelve months. The inquiry highlighted that a significant amount of work is still required in order to deliver a transitions service which takes a holistic view of all services whilst working in partnership with stakeholders in order to deliver successful outcomes to the young people who receive support.



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The Differences in Eligibility Criteria, Providing Support and Managing Expectations

17. We were advised that the statutory framework in Adult Social Services is essentially governed by the fair access to care criteria. This sets eligibility for statutory adult social care services around the risk to the individual's independence which is judged to be either low, moderate, substantial or critical. Within Leeds the threshold for eligibility is set at substantial or critical.
18. A different set of criteria is applied in Children's Services, which are defined in the Children Acts 1989 and 2004. A framework is used for assessment to establish need. Eligibility is set from moderate to severe needs. It is apparent to us that there is some dislocation between the eligibility criteria that applies in Children's Services, which is related to the needs of the individual child and eligibility in Adult Social Services where it is the risk to the independence of the individual which is judged. We believe that one of the main advantages of the Transitions Service will be to bridge and manage this dislocation without emphasising differences in service at the age of 18 when a different set of legislation comes into effect.
19. We were concerned about the difficulties and anxieties that would be presented to families and young people once the individual attained the age of 18, and found that they were no longer eligible to the support from their usual and established network which may

have been a children's social worker, school or paediatrician.

20. It was explained to us that often the experience and support that people have received whilst in Children's Services isn't replicated once a person moves into Adult Social Care. To help manage expectations work commences when a young person attains the age of 14 when information of what the adult world can offer can be communicated. Efforts are made to explain what can be expected in the future, whilst exploring aspirations as well as needs. In addition the advantage of having a team that spans 14-25 is that there is continuity and a point of contact for families.
21. We were reassured that a number of initiatives are in place to alleviate the anxieties raised by a change in service. For example, people are invited to look at particular adult services such as respite services, or invited to meet individuals who are living in supported accommodation. We consider that the opportunity for individuals to meet with those who have been through the transitions process is a positive step forward in order to share experiences. We consider that this step could be further developed to provide a more permanent source of support via a Peer Support Group who could be contacted direct and will be able to discuss the experience of transition, gaining employment, training or independent living.

Recommendation 1 – That the Directors of Adult Social Services and Children's Services establish and publicise the provision of a Transitions Peer Support Group before the 31st March 2011.



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22. The Draft Transitions Procedure for Young Disabled People in Transition provided us with a broad overview of the criteria to be applied when assessing which individuals would benefit from the support of the Transitions Team and we appreciate that some cases will be identified by social workers in the normal process of their work.

23. We feel it is essential for Young People and Families to be fully aware of the support potentially available to them and we welcome the developments so far to communicate the service by leaflet, via the Family Hub website and through events and road shows. However we feel that further promotion could be undertaken to raise awareness by utilising other media such as the Council website, DVD or by producing multi agency information packs.

Recommendation 2 – That the Directors of Adult Social Services and Children’s Services before July 2010, investigate additional methods of promoting the Transitions Service to raise the awareness of those young people and families may benefit from the service.

Development of the Transitions Service and Performance Management

24. Throughout the inquiry we were advised about the aspirations of the Transitions Team over the next 12 – 18 months. This included the development of partnership working, the aim to become

more involved with the regional forum in order to compare progress and share best practice and the intention to deliver comprehensive and informative induction programmes in both Children’s and Adult Services. In order to clearly map out aspiration and monitor progress we consider that the Transitions Service should have a clear Action Plan which determines key objectives for achievement and target dates against which progress can be monitored.

Recommendation 3 – That the Director of Adult Social Services establishes a Transitions Service Action Plan before July 2010, to enable progress against key development objectives to be monitored.

25. With regard to demand on resources we were advised that the Transitions Team currently has a caseload of approximately 125 cases. A further 60 individuals have been put forward, who it is felt will benefit from a transitions service. It is anticipated that further cases will be received once the service is established and fully performing. We appreciate that the number of cases will need to be carefully managed to ensure that the service is not over stretched and remains effective. However we consider that no one who meets the criteria for support should be denied access to the service due to resource restrictions.

26. We were reassured to hear that early involvement with young adults from the age of 14 should assist in forecasting an element of the future budgetary position for Adult Social Services as financial planning can be undertaken at an earlier stage, whether that be within self-directed support or traditional services.



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In addition the team will be able to provide commissioners with information in order to plan services for the future so that they are in place when people need them.

27. We were interested to identify how the Transitions Service currently measures its level of success. We were informed that at this time there are no national or local performance indicators against which the Transitions Service can be measured. The Regional Forum is however undertaking a piece of work to gather information on performance. We were further advised that the service is collecting base line information relating to issues arising, timescales for service delivery and periods of assessment. We note that from February 2010 Leeds will work with the Regional Forum to define its position in comparison to other authorities.
28. In the absence of national performance indicators specific to this service area we would like to see the introduction of challenging but realistic local performance targets. We believe that these will create aspirational goals and objectives for the service to meet before 31st of March 2011 which will support the action plan and overall development of the Transitions Service.

Recommendation 4 – That the Director of Adult Social Services introduces a mechanism for measuring, monitoring and reporting the performance of Transitional Services in Leeds before July 2010.

29. We understand that increasingly Local Authorities are requested to focus on measuring successful outcomes, which

is much more difficult to quantify when compared to measuring service delivery. We are satisfied with the team's intention to obtain feedback from those who have utilised the service and consider that this data will be valuable in measuring success and also to identify where improvements can be made.

30. We were advised that there is an intention to have a full review of the transitions process in March/April 2011. Internal audit will participate fully in the review. We welcome the intention to involve young people, carers and partners in the review in order to obtain their views and experience regarding the service.
31. In accordance with the Scrutiny Boards minutes of January 2010 the Director of Adult Social Services has been requested to provide the Social Care Scrutiny Board or its successor board with a progress report in July 2010. We look forward to receiving this report to identify what has been achieved since this inquiry was undertaken.

Self Directed Support

32. In order to facilitate an individual's option to exercise choice and control over the services they receive we were advised that Self Directed Support will be an option for those who are supported by the Transitions Service. The management of this process will be part of the support provided utilising learning gained from the Early Implementer Project. The Transitions Team will begin to explore the option of a self-directed support package with every individual.



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Care Planning and Safeguarding Arrangements

33. We were determined to identify who is responsible overall for care planning when many different agencies are involved. We were advised that most young people are already known to Children's Social Care Services, may already have a social worker allocated and have a care plan. Once the referral comes into the Transitions Service, a future needs plan is undertaken to explore a number of areas including training, employment and accommodation. The aspirations of the young person and the family is discussed. This information is shared with Adult Social Services before the young person's 18th birthday who can then commission appropriate forms of support and service provision.
34. We were reassured that safeguarding issues up to the age of 18 will be dealt with under children's safeguarding procedures and with a children's worker overseeing this process. When individuals are 18 or over adult procedures come into force.
35. It was explained to us that some young people are subject to safeguarding plans in Children's Services and they may need ongoing safeguarding arrangements. Work is already in progress to look at the difference in thresholds and risk areas, which will inform the development of more robust protocols to provide individuals with the support that they require.
36. The importance of following a risk assessment process was stressed to us when assessing the circumstances of the individual and the formulating the appropriate care package. We were also advised of the emphasis that is placed on getting a risk framework that actually works, that can be used by social workers and that accurately predicts the kind of circumstantial or individual risks that are faced by young people.
37. Understanding that the wishes of the young person and the parents do not always concur we asked how conflicts of interest are resolved between parties particularly where there are opposing views about future support needs. We were informed that the Mental Capacity Act 2005, which is effective once a young person is 16, reinforces the premise that everyone has the ability to take their own decisions, unless it is proved otherwise and that the wishes of the individual must be considered unless there is any very valid reason not to.
38. Young people may not always agree with the recommendations regarding levels of support so there is a whole process around determining whether they have the skills, ability and knowledge to make decisions that are right for them. If they are able to do that, then their decisions are respected.
39. We were advised that where there is a conflict between a young person and their parents the team would aim to work with both parties, looking at alternative measures of service provision. If an individual was requesting a service which was not within acceptable levels of risk then this could be refused. Social Workers have been fully trained to undertake the risk assessment process to create care plan which minimises risk.



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40. In view of the significance of safeguarding, risk assessment and the assessment of mental capacity during the transitions process we consider that these aspects are not adequately reflected in the Transitions Procedure for Young Disabled People in Leeds. It is clear that the ability to recognise and potentially resolve problems is a fundamental skill each social worker/care manager/front line worker must possess, particularly around key stages when legislation becomes, or ceases to be, effective. It should be clear and apparent how the assessment of risk, safeguarding and mental capacity fits into the overall procedure.

Recommendation 5 – That the Director of Adult Social Services reviews the Draft Transitions Procedure before July 2010 to adequately reflect Safeguarding, Risk Managements and Mental Capacity requirements for young people in transition.

Strategic Roles and Responsibilities

41. We were advised of the intention to establish a multi agency strategic transitions board, the purpose of which would be to provide leadership, a strategic direction to the transitions work and to ensure full participation of all partner organisations.
42. We sought assurances regarding the effectiveness of the board particularly the consistent attendance of partners and the authority to make effective decisions. We were advised of the aim to invite representation at the right level

of authority to facilitate the decision making process however, the Leeds City Council has no power to compel partners to attend. Optimistically partners have expressed their enthusiasm to become fully involved as it is viewed as a priority in their areas of responsibility. Transitional operations will be an area of interest for the Care Quality Commission and Ofsted who will consider the robustness of transitions arrangements in place across the country.

43. We were advised that part of the board's remit from April 2010 will be to inform the production of a Transitions Strategy for the city with the Joint Strategic Commissioning Body for Adults and the Integrated Strategic Commissioning Board for Children. Consequently there is an emphasis on organisations to provide committed individuals to populate the group. It is anticipated that the draft Transitions Strategy for the city will be prepared before the end of December 2010.

44. We would welcome the involvement of service users in formulating the strategy utilising their experiences and lessons learned from the transitions process so far.

45. It is our firm opinion that the process of transition for a young person should incorporate their aspirations with regard to housing, health, employment and training. This should be reflected in the Transitions Strategy which should formally bring together those key partners who deliver services outside the remit of Social Services. We have been assured that work has already been undertaken in scoping out the services that would need to be



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incorporated with a view to formulating and publishing a strategy which incorporates all key areas.

To aid the nominated Champion we feel that a specification of their intended role should be produced in order to clarify the extent of their duties and responsibilities.

46. We acknowledge the service provided by Connexions (information and advice service for 13 – 19 year olds) currently being utilised by the Transitions Service, particularly relating to training and employment. In addition we were advised that processes have been put into place to speed to delivery of accommodation at a time when it is needed by individuals. The Independent Living Project has also enabled young people in transition to obtain accommodation at a time to suit their individual requirements.

47. We would like to see a Transitions Strategy which represents the foundation of a city wide sustainable and comprehensive support network for young people in transition and their families.

48. We further consider that a Transitions Champion with a strategic overview would be beneficial to:

- communicate the value of transitional services across stakeholder groups, partners and local authority services
- to enhance political awareness of the service and provide feedback to Elected Members
- to influence and inform colleagues/elected members, stakeholders and partners.

Recommendation 6 – That the Executive Board Member for Adult Health and Social Care identifies an Elected Member to undertake the role of Transitions Champion before August 2010.



Monitoring arrangements

Standard arrangements for monitoring the outcome of the Board's recommendations will apply.

The decision-makers to whom the recommendations are addressed will be asked to submit a formal response to the recommendations, including an action plan and timetable, normally within two months.

Following this the Scrutiny Board will determine any further detailed monitoring, over and above the standard quarterly monitoring of all scrutiny recommendations.

Reports and Publications Submitted

- Report of the Head of Scrutiny and Member Development, Terms of Reference Transitional Arrangements for Children into Adult Social Care – 16th December 2009
- Report of the Director of Adult Social Services, Transitional Arrangements for Disabled Young People into Adult Social Care – 13th January 2010

Action Plans and Guidance Documents

- Draft Transition Procedure for Young Disabled People in Leeds

Witnesses Heard

Dennis Holmes – Deputy Director (Strategic Commissioning), Adult Social Care

Michele Tynan – Chief Officer, Learning disabilities, Adult Social Care

David Rosser – Head of Service, Learning Disability Services, Adult Social Care

Stephen Bardsley – Service Delivery Manager, Learning Disability Services, Adult Social Care

Barbara Shaw – Interim Head of Disability Services, Children's Services

Linda Randall - Transitions Team Manager, Children's Services

Dates of Scrutiny

16th December 2009 – Adult Social Care Scrutiny Board

13th January 2010 – Adult Social Care Scrutiny Board

Scrutiny Board (Adult Social Care)
Transitional Arrangements for Disabled Young People into Adult Social Care
11th May 2010
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