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Assembly

## Research and Information Service Research Paper

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# Transition Planning for Young People with Learning Disabilities in Great Britain

NIAR 359-2014

This paper provides an overview of transition planning services provided to young people with learning disabilities as they move from children's services to adult services in England, Scotland and Wales.



## Key Points

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#### England

- A strong legislative framework underpins transition planning in England;
- The UK Government has published a number of policies to guide the transition process;
- This guidance emphasises the importance of person-centred planning and effective multi-agency co-operation;
- Guidance has also been published which focuses on specific pathways to further and higher education, employment, adult health services and adult social services;
- Local authorities play an important role in transition planning as education services, children's services, adult social care and housing services are involved;
- The Children and Families Act 2014 requires local authorities to provide information, advice and support services to those with special educational needs (SEN) or disability from birth to age twenty-five;
- As a result of this Act, the key guidance document on provision of support at transition, the *Special Educational Needs Code of Practice 2001*, is currently being updated and this consultation process is ongoing;
- A number of nationwide transition programmes have been developed in an effort to standardise transition planning and to collect, share and disseminate good practice throughout England;
- Despite the legislation and policy guidance, shortcomings have been identified in terms of the quality and consistency of transition planning assistance provided to young people with learning disabilities in England;

#### Scotland

- The Education (Additional Support for Learning) (Scotland) Act 2004 and the revised *Supporting Children's Learning: Code of Practice* outline the statutory framework for transition planning for young people with learning disabilities in Scotland;
- A number of government policies impact on the transition planning process, some of which relate exclusively to young people with disabilities, while others, such as the post-16 education strategy, are universal in scope;
- In Scotland, education authorities have the lead responsibility for planning the transition from school to post-school life;

- As there is only a basic statutory framework for the post-school transition planning process in Scotland, the procedures can vary in practice depending on the education authority and the extent of the young person's additional support needs;
- A number of local transition planning projects are being run by voluntary organisations in Scotland;

## **Wales**

- Support for young people with learning disabilities planning for post-school transition is governed primarily by the *National Service Framework for Children, Young People and Maternity Services in Wales* and the *Special Educational Needs (SEN) Code of Practice for Wales*;
- In Wales, the Head Teacher is responsible for overseeing and co-ordinating the delivery of the transition plan and Careers Wales have the lead role in relation to those elements of the plan that relate to the young person's transition into further learning or employment; and
- A number of transition projects, supporting young people with learning disabilities into employment, have been run by local authorities in Wales.





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## 1 Introduction

This paper has been written for the Committee for Employment and Learning as part of its inquiry into post Special Educational Need provision in education, employment and training for those with Learning Disabilities (LD).

The paper forms part of a series of research on transition planning. It is intended as a companion piece to NIAR 384-2014 on transition planning in Northern Ireland and NIAR 385-2014 on transition planning in the Republic of Ireland.

This paper provides an overview of transition planning services provided to young people with learning disabilities as they move from children's services to adult services in Great Britain. It outlines the relevant legislation and policy in England, Scotland and Wales and highlights a number of national and local transition planning projects.

## 2 England

### 2.1 Overview of Legislative and Policy Context

This section highlights the key areas of law and policy in England relevant to the transition process, namely education, social care, housing, health, employment and financial matters.

The areas of law and policy relevant to the transition of young people with a learning disability to adult services and support are wide-ranging and in many cases, complex and overlapping. A number of statutory bodies are responsible for assisting these young people and must assess their needs and put in place a plan to ensure that those needs are met.

The legislative framework for transition planning in England has been established by:

- Disabled Persons (Services, Consultation and Representation) Act 1986<sup>1</sup>;
- Disability Discrimination Act 1995<sup>2</sup>;
- Education Act 1996<sup>3</sup>;
- Special Educational Needs Code of Practice 2001<sup>4</sup>;
- Disability Discrimination Act 2005<sup>5</sup>;
- Apprenticeship, Skills, Children and Learning Act 2009<sup>6</sup>; and

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<sup>1</sup> Section 5 of the 1986 Act requires that when the child is 14 the relevant social services officer be contacted with a view to a social care assessment of the young person's needs being undertaken – so that services are in place when educational provision ceases. [http://www.legislation.gov.uk/ukpga/1986/33/pdfs/ukpga\\_19860033\\_en.pdf](http://www.legislation.gov.uk/ukpga/1986/33/pdfs/ukpga_19860033_en.pdf)

<sup>2</sup> <http://www.legislation.gov.uk/ukpga/1995/50/contents>

<sup>3</sup> <http://www.legislation.gov.uk/ukpga/1996/56/contents>

<sup>4</sup> <http://bit.ly/1sR1utQ>

<sup>5</sup> <http://www.legislation.gov.uk/ukpga/2005/13/contents>

<sup>6</sup> This 2009 Act transferred responsibility to local authorities for planning, commissioning and funding education and training for young people with a learning difficulty aged 16–25. <http://www.legislation.gov.uk/ukpga/2009/22/contents>

- Children and Families Act 2014<sup>7</sup>.

Support for disabled young people preparing for or making transitions has been guided by policy and strategy papers such as:

- Valuing People (2001)<sup>8</sup>;
- National Service Framework: Children, Young People and Maternity Services (2004)<sup>9</sup>;
- Improving the Life Chances of Disabled People (2005)<sup>10</sup>;
- Transition: Getting it Right for Young People (2006)<sup>11</sup>;
- Learning for Living and Work (2006)<sup>12</sup>;
- Aiming High for Disabled Children: Better Support for Families (2007)<sup>13</sup>;
- Progression Through Partnership (2007)<sup>14</sup>;
- A Transition Guide for all Services (2007)<sup>15</sup>;
- Transition: Moving on Well (2008)<sup>16</sup>;
- Valuing People Now (2009)<sup>17</sup>;
- Pathways to Getting a Life: Transition Planning for Full Lives (2011)<sup>18</sup>; and
- Fulfilling Potential: Making It Happen, 2013.<sup>19</sup>

Together, this wide range of legislation and guidance provides a comprehensive map of the requirements, expectations and good practice on transition planning at local level.

*Improving the Life Chances of Disabled People*<sup>20</sup>, published by the UK government in 2005, highlights the fact that though transition into adulthood can be a gradual shift towards independence spanning ages thirteen to thirty and later, the legal transition between child and adult services actually occurs between sixteen and nineteen.<sup>21</sup> During these years young disabled people will leave school and:

Some will move from children's services to adult health and/or social care;

<sup>7</sup> <http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

<sup>8</sup> [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/250877/5086.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/250877/5086.pdf)

<sup>9</sup> <https://www.gov.uk/government/publications/national-service-framework-children-young-people-and-maternity-services>

<sup>10</sup> <http://bit.ly/1livoCL>

<sup>11</sup> <http://bit.ly/1livfPF>

<sup>12</sup> [http://readingroom.lsc.gov.uk/lsc/National/learning\\_for\\_living\\_and\\_work\\_complete\\_2.pdf](http://readingroom.lsc.gov.uk/lsc/National/learning_for_living_and_work_complete_2.pdf)

<sup>13</sup> <http://bit.ly/1qGTynE>

<sup>14</sup> <http://bit.ly/QLZMvE>

<sup>15</sup> [http://www.transitioninfonyetwork.org.uk/media/2490/transition\\_guide\\_for\\_all\\_services.pdf](http://www.transitioninfonyetwork.org.uk/media/2490/transition_guide_for_all_services.pdf)

<sup>16</sup> <http://bit.ly/RTV1Bj>

<sup>17</sup> <http://bit.ly/1n0gi9Q>

<sup>18</sup> <http://www.gettingalife.org.uk/downloads/2011-Pathways-to-getting-a-life.pdf>

<sup>19</sup> <http://odi.dwp.gov.uk/fulfilling-potential/index.php>

<sup>20</sup> Prime Minister's Strategy Unit *Improving the life chances of disabled people* (2005) <http://webarchive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/disability.pdf>

<sup>21</sup> Prime Minister's Strategy Unit *Improving the life chances of disabled people* (2005) p.128 <http://webarchive.nationalarchives.gov.uk/+http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/disability.pdf>

- Some will leave local authority care;
- Some will go into further or higher education; and
- Some will get a job.

Planning for these transitional periods involves many agencies and professionals and a potentially complex pattern of activities to be planned and supported. Local authorities play a principal role in transition planning as representatives from education services, children's services, adult social care and housing services are often involved. Other participants in the process may include NHS bodies, personnel from Connexions<sup>22</sup> and the voluntary sector.

*Improving the Life Chances of Disabled People* declared the government's ten-year goal:<sup>23</sup>

*By 2015, all disabled young people and their families will experience continuity and co-ordination in the services that they receive, as both children and adults.*

Collectively, the guidance has emphasised the need for children and young people to be at the centre of plans made to support them, for agencies to work together to ensure effective working practice, and for a commitment to ensure that disabled young people are given a real range of choices for their future.

The 'Aiming High for Disabled Children' review in 2007 established the 'Transition Support Programme'. This was launched in October 2008 with the aim of promoting good transition practice across all areas of relevance to disabled young people.<sup>24</sup> In the same year, *A Transition Guide for all Services* was published by the Department of Health and Department for Children, Schools and Families.<sup>25</sup> This guide provided an overarching view of all the services that need to work together to make sure that disabled young people get the support they require as they transition from child to adult services. To achieve this, it proposed the development of:<sup>26</sup>

*...a clear, strategic, multi-agency, agreed protocol on how local services work to meet the needs of disabled young people in their transition to adulthood...*

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<sup>22</sup> The Connexions Service is responsible for overseeing the delivery of the Transition Plan of young people with a statement of special needs from the age of 13 up to 25 and the Connexions Personal Adviser (PA) should co-ordinate its delivery. Department for Education and Skills *Special Educational Needs Code of Practice* (2001) <http://bit.ly/1sR1utQ>

<sup>23</sup> Prime Minister's Strategy Unit *Improving the life chances of disabled people* (2005) pp.131-132 <http://webarchive.nationalarchives.gov.uk/+/http://www.cabinetoffice.gov.uk/media/cabinetoffice/strategy/assets/disability.pdf>

<sup>24</sup> The programme ran until 31 March 2011.

<http://webarchive.nationalarchives.gov.uk/20110809101133/transitionsupportprogramme.org.uk/>

<sup>25</sup> Department of Health *A Transition Guide for All Services: key information for professionals about the transition process for disabled young people* (2007) [http://www.transitioninfnetwork.org.uk/media/2490/transition\\_guide\\_for\\_all\\_services.pdf](http://www.transitioninfnetwork.org.uk/media/2490/transition_guide_for_all_services.pdf)

<sup>26</sup> Department of Health *A Transition Guide for All Services: key information for professionals about the transition process for disabled young people* (2007) p.4 [http://www.transitioninfnetwork.org.uk/media/2490/transition\\_guide\\_for\\_all\\_services.pdf](http://www.transitioninfnetwork.org.uk/media/2490/transition_guide_for_all_services.pdf)

It also recommended the development of a pathway in order to give the protocol operational detail and enable the local authorities and services within them to decide how to work most effectively together to support young people in their transition.

*Transition: Moving on Well*, published in 2008, set out good practice for health professionals and their partners in transition planning for young people with complex health needs or disabilities.<sup>27</sup> In 2011, the Department of Health published *Pathways to Getting a Life: Transition Planning for Full Lives* which focussed on developing pathways to employment, health, housing and social inclusion for young people with learning disabilities.<sup>28</sup>

Fundamentally, these government strategies have been informed by the 2001 Special Educational Needs (SEN) Code of Practice.<sup>29</sup> This key guidance document provides practical advice to local authorities, schools and Connexions services carrying out their statutory duties to prepare and plan for the transition to adulthood. An updated SEN Code of Practice is currently in development which will reflect the changes introduced by the Children and Families Act 2014.<sup>30</sup> The draft Code of Practice is currently subject to the consultation process. The first draft of the Code was widely criticised for:<sup>31</sup>

*...the insufficient focus on disabled children and on post-16 arrangements, particularly the transition to adulthood.*

A revised version of the Code was published on 16 April 2014 and this consultation ended on 06 May 2014. The revised Code contained a significantly more detailed consideration of the transition to adulthood process. It places a legal duty on local authorities to include support for 'preparing for adulthood' in the 'Local Offer'.<sup>32</sup> The

<sup>27</sup> Department for Children, Schools and Families and Department of Health *Transition: Moving On Well* <http://bit.ly/RTV1Bi>

<sup>28</sup> Department of Health *Pathways to Getting a Life: transition planning for full lives* (2011) [http://base-uk.org/sites/base-uk.org/files/%5Buser-raw%5D/11-06/pathways\\_to\\_getting\\_a\\_life\\_dh\\_branding.pdf](http://base-uk.org/sites/base-uk.org/files/%5Buser-raw%5D/11-06/pathways_to_getting_a_life_dh_branding.pdf)

<sup>29</sup> Department for Education and Skills *Special Educational Needs: Code of Practice* (2001) <http://bit.ly/1sR1utQ>

<sup>30</sup> The Children and Families Act 2014 outlines a new legal framework to support children and young people with Special Educational Needs (SEN). It will radically overhaul the SEN framework, replacing Statements of Special Educational Needs with a single Education, Health and Care (EHC) plan which will have a single assessment process and follow a young person from birth to twenty-five. In the draft Code of Practice, the government stated their intention that the majority of Part 3 of Act, its associated regulations and the Code of Practice will be in force from 01 September 2014.

<sup>31</sup> Department for Education *Revision to the SEN and Disability Code of Practice: 0-25 years* (2014) p.2 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304273/SEND\\_consultation\\_document\\_final\\_MC.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304273/SEND_consultation_document_final_MC.pdf)

Consultation on the first version of the SEN Code of Practice ran from 04 October 2013 to 09 December 2013. Department for Education *Draft Special Educational Needs (SEN) Code of Practice: for 0-25 years: Statutory guidance for organisations who work with and support children and young people with SEN* (2013) [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/251839/Draft\\_SEN\\_Code\\_of\\_Practice\\_-\\_statutory\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/251839/Draft_SEN_Code_of_Practice_-_statutory_guidance.pdf)

<sup>32</sup> The Children and Families Act 2014 requires local authorities to publish a 'Local Offer', setting out in one place information about provision they expect to be available across education, health and social care for children and young people in their area who have SEN or are disabled, including those who do not have Education, Health and Care (EHC) plans. Children and Families Act 2014 Part 3 s.30 <http://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) p.17 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

Code also requires that all reviews of Education, Health and Care (EHC) plans from Year 9 (usually age thirteen) onwards include a focus on ‘preparing for adulthood’.<sup>33</sup>

*Local authorities must ensure that the EHC plan review at Year 9, and every review thereafter, includes a focus on preparing for adulthood... Transition planning must be built into the revised EHC plan and should result in clear outcomes being agreed that are ambitious and stretching and which will prepare young people for adulthood.*

‘Preparing for adulthood’ should include:<sup>34</sup>

- Higher education and/or employment – this includes exploring different employment options, such as support for becoming self-employed and help from supported employment agencies;
- Independent living – this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living;
- Participating in society, including having friends and supportive relationships, and participating in, and contributing to, the local community; and
- Being as healthy as possible in adult life.

Despite the Code of Practice and the various strategies and guidance that have followed it, concerns have repeatedly been expressed about the quality of the support offered to young people with disabilities at the point of transition to adulthood. The report from the parliamentary hearings which informed the ‘Aiming High for Disabled Children’ review in 2007 described the transition to adulthood as ‘the black hole’.<sup>35</sup>

*...a time when disabled young people have few options, become more isolated and families experience a drop in levels of support.*

A report by the (then) Commission for Social Care Inspection also expressed concerns about the transition process, noting that services across the country were failing to meet the national standards for transition planning as laid out in the *National Service Framework for Children, Young People and Maternity Services*.<sup>36</sup> This view was also reflected by the authors of *Disabled Children: a Legal Handbook* who noted that:<sup>37</sup>

<sup>33</sup> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) p.112 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

<sup>34</sup> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) p.109 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

<sup>35</sup> *Parliamentary hearings on services for disabled children: summary report* (2006) p.6 [http://www.edcm.org.uk/media/28170/edcm\\_parlhearingsreport\\_summary.pdf](http://www.edcm.org.uk/media/28170/edcm_parlhearingsreport_summary.pdf)

<sup>36</sup> Commission for Social Care Inspection *Growing Up Matters: Better transition planning for young people with complex needs* (2007) p.v

<sup>37</sup> Broach, Steve; Clements, Luke and Read; Janet *Disabled Children: a Legal Handbook* (2010) s.10.7 [http://www.councilfordisabledchildren.org.uk/media/80170/CDC\\_LH\\_Chap\\_10c.pdf](http://www.councilfordisabledchildren.org.uk/media/80170/CDC_LH_Chap_10c.pdf)

*...experience suggests that transition planning too often remains poor. Not untypically, councils simply fail to comply with their statutory responsibilities and even when the transition process is instigated, it is frequently characterised by delay, officer turnover, a lack of incisive action, broken undertakings, ignored complaints and a persistent failure to locate suitable placements...*

A 2011 study questioned the robustness of the statutory transition requirements for young people over sixteen:<sup>38</sup>

*Transition planning and reviewing arrangements for young people once they have left compulsory education appear particularly unsystematic.*

The research also found that, despite the abundance of guidance and policy documents, the limited resources available to local authorities often impacted on the delivery of transition planning services.<sup>39</sup>

*Professionals also reported struggling to fulfil their obligations in terms of transition planning due to limited capacity and high staff turnover.*

## 2.2 Education

Unless there is substantial health or social care involvement with a child approaching transition, then education is usually the lead agency for the transition process.<sup>40</sup> While education generally has the lead responsibility, government guidance has always emphasised that transition planning must always be a multi-agency process.

At present, the two main education duties relating to transition for young people with learning disabilities are:<sup>41</sup>

- Formal transition planning duties from Year 9 for children with a statement of SEN<sup>42</sup>; and
- Duties to carry out a Learning Difficulty Assessment (LDA) in the young person's last year at school and to deliver an action plan which will meet the educational, training and related care needs (identified in the LDA) after they finish compulsory education and up to age twenty-five.<sup>43</sup>

<sup>38</sup> Martin, Kerry et al. *Young people with special educational needs/learning difficulties and disabilities: Research into planning for adult life and services* (2011) p.4 <http://www.nfer.ac.uk/publications/SENT01/SENT01.pdf>

<sup>39</sup> Martin, Kerry et al. *Young people with special educational needs/learning difficulties and disabilities: Research into planning for adult life and services* (2011) p.vi <http://www.nfer.ac.uk/publications/SENT01/SENT01.pdf>

<sup>40</sup> Whittaker, Kate *The Law & Transition: overview and current duties* (2012) <http://www.transitioninonetwork.org.uk/media/2653/the-law-transition.pdf>

<sup>41</sup> Whittaker, Kate *The Law & Transition: overview and current duties* (2012) <http://www.transitioninonetwork.org.uk/media/2653/the-law-transition.pdf>

<sup>42</sup> Department for Education and Skills *Special Educational Needs: Code of Practice* (2001) p.130 <http://bit.ly/1sR1utQ>

<sup>43</sup> Learning and Skills Act 2000 s.140 <http://www.legislation.gov.uk/ukpga/2000/21/section/140>



### 2.2.1 Young People with a Statement of Special Educational Needs (SEN)

For those young people with a SEN Statement, planning for transition should start at the age of thirteen or fourteen. Young people with Statements of SEN will have annual reviews of their Statements until they leave school or until they cease to have a Statement (whichever is the earlier). The expectation is that during the Year 9 annual review of the young person's SEN Statement, the transition planning process begins and a Transition Plan is prepared in the light of these discussions.<sup>44</sup> This Transition Plan is expected to cover both on-going school provision and plans for post-school arrangements. The Year 9 annual review and the subsequent annual reviews, until the young person leaves school, are therefore of crucial importance to the transition planning process.

The Head Teacher of each school is responsible for convening these annual review meetings and inviting professionals involved in the young person's care (such as health and social care professionals) to consider the young person's Transition Plan. The Head Teacher has responsibility for drawing up a plan that clearly defines who is responsible for what and when actions should be taken.<sup>45</sup>

In addition to the Transition Plan, local authorities in England must also arrange for a Learning Difficulty Assessment (LDA) in the last year of school for all young people for whom they maintain a Statement and who they expect to leave school to receive further education, training or higher education.<sup>46</sup> The local authorities have a duty to secure sufficient education and training opportunities to meet the reasonable needs of these young people as identified in the LDA.<sup>47</sup>

### 2.2.2 Young People without a Statement of Special Educational Needs (SEN)

The formal transition planning process outlined above applies only to those young people with Statements of SEN. For those without Statements there is a much more limited requirement on schools to ensure that they receive 'appropriate advice and guidance' on their post-school options.<sup>48</sup> Therefore, if a child does not have a Statement, there is no formal duty on schools or local authorities to ensure that transition planning is undertaken.

The main way in which young people without Statements of SEN can access additional support as they move into further education is through an LDA and the resulting action

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<sup>44</sup> Department for Education and Skills *Special Educational Needs: Code of Practice* (2001) p.130 <http://bit.ly/1sR1utQ>

<sup>45</sup> Department of Health *A Transition Guide for All Services: key information for professionals about the transition process for disabled young people* (2007) p.13  
[http://www.transitioninforonetwork.org.uk/media/1594/transition\\_guide\\_for\\_all\\_services.pdf](http://www.transitioninforonetwork.org.uk/media/1594/transition_guide_for_all_services.pdf)

<sup>46</sup> A Learning Difficulty Assessment is an assessment required under the Learning and Skills Act 2000. Its purpose is to provide a comprehensive report of the support needed by a young person with learning difficulties and disabilities, to ensure they are able to succeed in post-16 education or training, or higher education. Learning and Skills Act 2000 s.140  
<http://www.legislation.gov.uk/ukpga/2000/21/section/140>

<sup>47</sup> *Ibid.*

<sup>48</sup> Department for Education and Skills *Special Educational Needs: Code of Practice* (2001) p.133 <http://bit.ly/1sR1utQ>

plan. The statutory guidance recommends that local authorities use their power to undertake an LDA for:<sup>49</sup>

*Any young person with a learning difficulty but without an [sic] SEN statement, in his/her last year of compulsory schooling, who in the opinion of the local authority is likely to need additional support as part of his/her future education or training and who would benefit from an LDA to identify his/her learning needs and the provision required to meet those needs.*

Having determined that a young person with a learning difficulty but without a Statement of SEN requires an LDA, a local authority must continue to support the young person up to the age of twenty-five if they stay in further education or training (provided they still have learning difficulties).<sup>50</sup>

However, a 2011 survey of six local authorities in England found that it was unclear what level of transition planning and support was available for those young people with special needs that do not have a Statement. Some interviewees across the local authorities surveyed believed the support available was likely to be minimal.<sup>51</sup>

### 2.2.3 Education Health and Care (EHC) Plans

As part of the Children and Families Act 2014, Education Health and Care (EHC) plans will replace the Statement of SEN and the LDA systems in England and Wales.<sup>52</sup> While previously, the obligation to support young people with a disability could end at sixteen years of age, statutory support will be extended by another nine years (up to twenty-five) under the new Act. The EHC plan will be a legal document describing a young person's needs, what should happen to meet those needs from birth to twenty-five. The draft SEN Code of Practice requires that, once finalised, the EHC plan is reviewed by the local authority every twelve months as a minimum.<sup>53</sup>

For children and young people with EHC plans, discussions about post-16 options will be part of the 'preparing for adulthood' focus of EHC plan reviews:<sup>54</sup>

*All reviews taking place from year 9 at the latest and onwards must include a focus on preparing for adulthood, including employment, independent living and participation in society. This transition planning must be built into*

<sup>49</sup> Department for Education *Section 139A Learning Difficulty Assessments: Statutory Guidance for Local Authorities* (2013) p.9 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/271397/139a\\_guidance\\_2013\\_-\\_revised\\_23-4-13.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271397/139a_guidance_2013_-_revised_23-4-13.pdf)

<sup>50</sup> Department for Education *Section 139A Learning Difficulty Assessments: Statutory Guidance for Local Authorities* (2013) p.4 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/271397/139a\\_guidance\\_2013\\_-\\_revised\\_23-4-13.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/271397/139a_guidance_2013_-_revised_23-4-13.pdf)

<sup>51</sup> Martin, Kerry *et al.* *Young people with special educational needs/learning difficulties and disabilities: Research into planning for adult life and services* (2011) p.3 <http://www.nfer.ac.uk/publications/SENT01/SENT01.pdf>

<sup>52</sup> Children and Families Act 2014 Part 3 <http://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted>

<sup>53</sup> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

<sup>54</sup> *Ibid.*



*the EHC plan and where relevant should include effective planning for young people moving from children's to adult care and health services.*

The draft Code also requires that consideration be given to further education during these meetings:<sup>55</sup>

*Review meetings taking place in year 9 should have a particular focus on considering options and choices for the next phase of education.*

Under the draft SEN Code of Practice, local authorities must ensure that schools and colleges participate in these reviews and co-operate effectively to ease the transition into post-16 education and training:<sup>56</sup>

*Schools and colleges should work in partnership to provide opportunities such as taster courses, link programmes and mentoring which enable young people with SEN to familiarise themselves with the college environment and gain some experience of college life and study.*

## 2.3 Employment

Paid employment is identified in the forthcoming guidance as a legitimate aim of transition planning, to be given the same consideration as further education or training:<sup>57</sup>

*The overwhelming majority of young people with SEN are capable of sustainable paid employment with the right preparation and support. All professionals working with them should share that presumption.*

However, it has been observed that employment was not frequently pursued as an area in its own right and few young people with learning disabilities have entered employment, even after a period in further education.<sup>58</sup>

In a 2010 report on the 'Getting a Life' project, the authors noted that:<sup>59</sup>

*There is a lack of direct work in school and in college on social and community development to help the person reach a point where paid employment is appropriate.*

This experience is also reflected in a 2011 study which found that:<sup>60</sup>

<sup>55</sup> *Ibid.*

<sup>56</sup> *Ibid.*

<sup>57</sup> *Ibid.*

<sup>58</sup> In 2011/2012 7.1 per cent of adults with learning disabilities were reported to be in some form of paid employment, with the majority of those working part-time. Researchers noted that the employment rates varied considerable across local authorities, ranging from zero to 20.4 per cent. Emerson, Eric *et al.* *People with Learning Disabilities in England 2012* (2013) p.vi [http://www.improvinghealthandlives.org.uk/securefiles/140514\\_1535/IHAL2013-10%20People%20with%20Learning%20Disabilities%20in%20England%202012v3.pdf](http://www.improvinghealthandlives.org.uk/securefiles/140514_1535/IHAL2013-10%20People%20with%20Learning%20Disabilities%20in%20England%202012v3.pdf)

<sup>59</sup> Beyer, Stephen and Kaehne, Axel *Transition to employment: the role of Getting a Life in developing an employment pathway for people with learning disabilities* (2010) p.6 [http://base-uk.org/sites/base-uk.org/files/\[user-raw\]/11-06/getting\\_a\\_life\\_-\\_transition\\_to\\_employment\\_full\\_document.pdf](http://base-uk.org/sites/base-uk.org/files/[user-raw]/11-06/getting_a_life_-_transition_to_employment_full_document.pdf)

*Entry-level courses and foundation learning programmes at further education (FE) colleges appeared to be the default destination at the end of compulsory education for young people with low to moderate needs.*

The survey noted that several local authorities had attempted to raise the expectations of families and schools and ensure that employment was discussed with young people. While a number of these local authorities operated successful supported-employment projects, these could only accommodate small numbers of young people and, due to a reliance on time-limited funding streams, had uncertain futures.<sup>61</sup>

The study found that:<sup>62</sup>

*The consensus was that it is not enough just to offer work preparation programmes, and more needs to be done to facilitate young people with disabilities' entry to employment.*

The recently published draft SEN Code of Practice places an emphasis on promoting employment as a possible post-16 pathway during the EHC reviews.<sup>63</sup>

*Training options such as supported internships, apprenticeships and traineeships should be discussed, or support for setting up your own business. The review should also cover support in finding a job, and learning how to do a job (for example, through work experience opportunities or the use of job coaches) and help in understanding any welfare benefits that might be available when in work.*

The draft Code identifies a role for schools and colleges in encouraging employment as a post-16 option for young people with a learning disability:

*Schools and colleges should raise the career aspirations of their SEN students and broaden their employment horizons. They should use a wide range of imaginative approaches, such as taster opportunities, work experience, mentoring, exploring entrepreneurial options, role models and inspiring speakers.<sup>64</sup>*

Acknowledging that employment has not been seen as a serious prospect for young people with learning disabilities, the Government has launched a number of schemes

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<sup>60</sup> Martin, Kerry et al. *Young people with special educational needs/learning difficulties and disabilities: Research into planning for adult life and services* (2011) p.vi <http://www.nfer.ac.uk/publications/SENT01/SENT01.pdf>

<sup>61</sup> Martin, Kerry et al. *Young people with special educational needs/learning difficulties and disabilities: Research into planning for adult life and services* (2011) p.vii, p.10 <http://www.nfer.ac.uk/publications/SENT01/SENT01.pdf>

<sup>62</sup> Martin, Kerry et al. *Young people with special educational needs/learning difficulties and disabilities: Research into planning for adult life and services* (2011) p.12 <http://www.nfer.ac.uk/publications/SENT01/SENT01.pdf>

<sup>63</sup> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) p.112 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

<sup>64</sup> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) p.117 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

to help these young people into paid work.<sup>65</sup> The first three programmes discussed below were launched as demonstration projects as part of the ‘Valuing Employment Now’ strategy.<sup>66</sup>

### 2.3.1 Getting a Life (2008-2011)<sup>67</sup>

The Getting a Life employment project was set up with the support of the Departments of Work and Pensions, Children Schools and Families, Business, Innovation and Skills and Health, with additional support from the Office of Disability Issues. It formed a part of the wider cross government employment strategies, all of which were pursuing the goal of improving life for people with learning disabilities.<sup>68</sup>

Getting a Life represented an evidence-based approach to the issue of developing an effective employment pathway in transition for young people with learning disabilities. The programme focused on the vital transition period between ages fourteen and twenty-five. It aimed to identify and demonstrate good practice in enabling young people with learning disabilities to get paid employment and have full adult lives when they left education. The project developed and published a model of the actions needed in each year of statutory transition, based on the experience of young people, families and multi-agency project teams in the twelve demonstration sites.<sup>69</sup> This employment pathway brought together a number of parallel processes including person-centred transition planning, personalisation, supported employment, the curriculum, strategic planning and funding schemes.<sup>70</sup>

### 2.3.2 Project SEARCH

Project SEARCH is a supported internship programme aimed at securing and retaining full-time employment for disabled people, or ensuring they leave the scheme ready for work and better placed to secure employment elsewhere.<sup>71</sup> It takes the form of a twelve month programme of on-the-job training, during which the young person works across three different rotations that are situated within different departments in the host business. It is run as a partnership between an employer, a school or college and a supported employment provider.

<sup>65</sup> Department of Health *Pathways to getting a life* (2011) p.14 <http://www.gettingalife.org.uk/downloads/2011-Pathways-to-getting-a-life.pdf>

<sup>66</sup> Department of Health *Valuing Employment Now: Real Jobs for People with Learning Disabilities* (2009) <http://bit.ly/1toVbhq>  
<sup>67</sup> <http://www.gettingalife.org.uk/about.html>

<sup>68</sup> Beyer, Stephen and Kaehne, Axel *Transition to employment: the role of Getting a Life in developing an employment pathway for people with learning disabilities* (2010) [http://base-uk.org/sites/base-uk.org/files/user-raw/11-06/getting\\_a\\_life\\_-\\_transition\\_to\\_employment\\_full\\_document.pdf](http://base-uk.org/sites/base-uk.org/files/user-raw/11-06/getting_a_life_-_transition_to_employment_full_document.pdf)

<sup>69</sup> The twelve demonstration sites were: Manchester, Oldham, Herefordshire, Torbay, Somerset, Medway, Kent, London Borough of Richmond-upon-Thames, Norfolk, Lincolnshire, North-East Lincolnshire and North Tyneside.

<sup>70</sup> *Pathway into Employment* (2011) <http://www.gettingalife.org.uk/downloads/Pathway-to-Employment-FINAL.doc>

<sup>71</sup> The Project SEARCH internships model was created in Cincinnati Children’s Hospital in America in the mid-1990s and was originally developed to provide a transition to work for students with learning disabilities. Office for Disability Issues *Project SEARCH: Evaluation: Final Report* (2012) p.7 <http://odi.dwp.gov.uk/docs/wor/pro/project-search-report.pdf>

An evaluation of Project SEARCH during the academic year 2010-2011 found that around one-in three participants gained either full-time or part-time employment as a result of taking part in the Project SEARCH demonstration year.<sup>72</sup> Project SEARCH therefore achieved an employment rate higher than the then estimates of employment for people with learning disabilities (between eight per cent and sixteen per cent).<sup>73</sup>

In terms of the role it can play in supporting transitions, researchers found that the demonstration sites viewed the model as a constructive change from more traditional vocational courses and residential colleges. They felt Project SEARCH provided a valuable opportunity for young people with learning disabilities to end a repetitive cycle of participating in college courses.<sup>74</sup>

### 2.3.3 Jobs First (2010-2012)

Jobs First was a Department of Health demonstration project which initially ran from April 2010 to April 2011, but was subsequently extended until 2012. The primary aim of the project was to increase the number of those people with moderate to severe learning disabilities (who were eligible for and receiving local authority adult social care) move into paid employment. The project was testing the use of Personal Budgets combined with non-social care funding streams to increase the number of people with moderate to severe learning disabilities in paid employment.<sup>75</sup> Effectively, people with learning disabilities used their personal social care budget, along with other appropriate funding such as education monies or Access to Work, to buy the support they need to get and keep a job or self-employment. The project was run on seven demonstration sites.<sup>76</sup>

### 2.3.4 Supported Internships<sup>77</sup>

Supported internships are a structured study programme aimed at young people aged sixteen to twenty-four with a Statement of Special Educational Needs, a Learning Difficulty Assessment, or an Education, Health and Care Plan who want to move into employment and need extra support to do so. They enable young people with complex learning difficulties to achieve sustainable paid employment by equipping them with the skills they need for work, through learning in the workplace. The internships are unpaid,

<sup>72</sup> Data was collected from eleven of the fourteen demonstration sites. Additional unknown outcomes from the remaining three sites may have skewed the overall employment figure.

<sup>73</sup> Office for Disability Issues *Project SEARCH: Evaluation: Final Report* (2012) p.123 <http://odi.dwp.gov.uk/docs/wor/pro/project-search-report.pdf>

<sup>74</sup> Office for Disability Issues *Project SEARCH: Evaluation: Final Report* (2012) p.11 <http://odi.dwp.gov.uk/docs/wor/pro/project-search-report.pdf>

<sup>75</sup> Stevens, Martin and Harris, Jess *Job First Evaluation: Final Report* (2013) p.i <http://base-uk.org/sites/base-uk.org/files/knowledge/JobFirst%20-%20evaluation%20reports/jobs-first-final-report.pdf>

<sup>76</sup> The seven demonstration sites were: Essex County Council (with Essex Cares); Herefordshire Council, Leicester City Council, London Borough of Newham, Northamptonshire County Council, North Tyneside Council and Oldham Council.

<sup>77</sup> Department for Education *Supported internships: Departmental advice for local authorities, further education colleges, sixth forms in academies, maintained and non-maintained schools, independent specialist providers and other providers of study programmes* (2013) [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/267644/supported\\_internship\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/267644/supported_internship_guidance.pdf)

and last for a minimum of six months. Wherever possible, they support the young person to move into paid employment at the end of the programme.<sup>78</sup> The primary focus of supported internships is to help young people with learning difficulties progress from education to employment, facilitating their transition to adulthood.

## 2.4 Social Services

Local authorities have a clear obligation under the Disabled Persons (Services, Consultation and Representation) Act 1986<sup>79</sup>, the Children Acts<sup>80</sup> and accompanying statutory guidance to make sure that their children's services and adult services departments engage effectively to anticipate the transition of young disabled people.<sup>81</sup>

*The DASS [Director of Adult Social Services] and the Director of Children's Services have put adequate arrangements in place to ensure that all young people with long-term social care needs have been assessed and, where eligible, receive a service which meets their needs throughout their transition to becoming adults.*

If effective assessments have been carried out when the young person is a child, these records and care plans can be adopted to form the basis of adult assessment and planning.<sup>82</sup> A complication arises if the child has not been assessed and is not already receiving support from local authority children's services as an assumption is often made that there is no need for social services to be involved in the transition planning process. However, it is possible that young people with a learning disability may become eligible for adult care services, regardless of whether they have an EHC plan or whether they have been receiving care services under the Children Act 1989.<sup>83</sup> It is therefore incorrect to conclude that a child, previously unassessed, will not meet adult eligibility criteria as the young person's needs may change on transition.

With the successful passage of the Care Act 2014<sup>84</sup>, a local authority will be obliged to carry out an adult care transition assessment where there is significant benefit to a young person (or their carer) in doing so, and they are likely to have needs for care or support after turning eighteen. There is no set age when young people reach this point

<sup>78</sup> Department for Education *Supported internships: Departmental advice for local authorities, further education colleges, sixth forms in academies, maintained and non-maintained schools, independent specialist providers and other providers of study programmes* (2013) p.4

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/267644/supported\\_internship\\_guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/267644/supported_internship_guidance.pdf)

<sup>79</sup> [http://www.legislation.gov.uk/ukpga/1986/33/pdfs/ukpga\\_19860033\\_en.pdf](http://www.legislation.gov.uk/ukpga/1986/33/pdfs/ukpga_19860033_en.pdf)

<sup>80</sup> *Children Act 1989* <http://www.legislation.gov.uk/ukpga/1989/41/contents>; *Children Act 2004*

<http://www.legislation.gov.uk/ukpga/2004/31/contents>

<sup>81</sup> Department of Health *Guidance on the Statutory Chief Officer Post of the Director of Adult Social Services* (2006) p.7

<http://democracy.leeds.gov.uk/documents/s2405/Adult%20Service%20Appendix%201.pdf>

<sup>82</sup> Local authority social services departments have a duty under the *Children Act 1989* to assess a 'child in need', including children who are disabled. *Children Act 1989* Schedule 2 <http://www.legislation.gov.uk/ukpga/1989/41/schedule/2>

<sup>83</sup> *Children Act 1989* s.17 <http://www.legislation.gov.uk/ukpga/1989/41/section/17>

<sup>84</sup> The *Care Act 2014* received royal assent on 14 May 2014.

[http://www.legislation.gov.uk/ukpga/2014/23/pdfs/ukpga\\_20140023\\_en.pdf](http://www.legislation.gov.uk/ukpga/2014/23/pdfs/ukpga_20140023_en.pdf)

and, as such, transition assessments should take place when it is of ‘significant benefit’ to them (or their carer).<sup>85</sup>

Despite the statutory obligation on local authorities, many young people experience a disrupted transition from children to adult social care services. Half of the councils responding to a 2007 survey by the Commission for Social Care Inspection reported that young people’s care packages changed at, or after, transition and this generally represented a significant reduction in services.<sup>86</sup> There is also an issue with different departments within local authorities sometimes failing to cooperate with each other, leading an author of a 2012 overview of the law governing the transition process to conclude.<sup>87</sup>

*It is in relation to the shift from children to adult social care services that there is perhaps the most overwhelming evidence of disabled young people being failed within the transition process. All too many experience serious disruption, reduction in services, and often long-term damage to outcomes.*

## 2.5 Health Services

Since 2004, the *National Service Framework for Children, Young People and Maternity Services* has required that health services develop appropriate young persons’ services to enable smooth transition to comprehensive adult multi-disciplinary care. Standard 8 sets out expectations in relation to the establishment of a multi-agency ‘Transition Group’ which will assume responsibility for overseeing transitional arrangements at both strategic and operational level and for agreeing inter-agency protocols.<sup>88</sup>

In 2008, the Department of Health published further guidance on health care transition planning.<sup>89</sup> *Transition: Moving On Well* states that:<sup>90</sup>

*The process of transition should start while the child is being cared for by children’s services and may, subject to the needs of the young person, continue for a number of years after the transfer to adult services.*

<sup>85</sup> Care Act 2014 s.58 [http://www.legislation.gov.uk/ukpga/2014/23/pdfs/ukpga\\_20140023\\_en.pdf](http://www.legislation.gov.uk/ukpga/2014/23/pdfs/ukpga_20140023_en.pdf)

<sup>86</sup> Commission for Social Care Inspection *Growing Up Matter: Better Transition planning for Young People with Complex Needs* (2007) p.26 [http://www.ofsted.gov.uk/filedownloading/?file=documents/surveys-and-good-practice/g/Growing%20up%20matters%20\(PDF%20format\).pdf&refer=0](http://www.ofsted.gov.uk/filedownloading/?file=documents/surveys-and-good-practice/g/Growing%20up%20matters%20(PDF%20format).pdf&refer=0)

<sup>87</sup> Whittaker, Kate *The Law & Transition: overview and current duties* (2012) p.11 <http://www.transitioninfonet.org.uk/media/2653/the-law-transition.pdf>

<sup>88</sup> Department for Education and Skills and Department of Health *National Service Framework for Children, Young People and Maternity Services: Disabled Children and Young People and those with Complex Health Needs* (2004) p.38 <http://bit.ly/1mdl6VW>

<sup>89</sup> Department of Health *Transition: moving on well: a good practice guide for health professionals and their partners on transition planning for young people with complex health needs or a disability* (2008) <http://bit.ly/1r0ghou>

<sup>90</sup> The guidance goes on to state that planning for transition should start by thirteen years old at the latest. Department of Health *Transition: moving on well: a good practice guide for health professionals and their partners on transition planning for young people with complex health needs or a disability* (2008) p.5 <http://bit.ly/1r0ghou>



The guidance emphasises the importance of a health transition plan developed by the young person alongside a multi-disciplinary team including the GP, children's and adult health services, and supported by the most relevant health professional who can review it regularly with them:<sup>91</sup>

*Health professionals working with a young person with complex health needs or a disability can prepare them for adulthood by developing a health transition plan, which takes an approach that is much broader than the medical diagnosis and helps the young person to address other lifestyle issues that may be concerning them. This needs to form an integral part of the broader transition plan, linking closely with education and social care.*

The draft SEN Code of Practice also addresses the transition to adult health services. It requires the health services and other professionals to work together with the young person (and their families, where appropriate) to:<sup>92</sup>

*... gain a good understanding of their individual needs, including their learning difficulties or disabilities, to co-ordinate health care around those needs and to ensure continuity and the best outcomes for the young person.*

This means working with the young person to develop a health transition plan, which should identify who will take the lead in co-ordinating care and referrals to other services.

For young people with EHC plans, the local authority and health services must co-operate, working in partnership with each other and the young person to ensure that the EHC plan and the care plan for the treatment and management of the young person's health are aligned.<sup>93</sup>

## 2.6 Examples of National Transition Planning Programmes in England

### 2.6.1 Preparing for Adulthood (PfA) Programme<sup>94</sup>

PfA, launched in November 2011, superseded the Transition Support Programme (see below). It was proposed in *Support and Aspiration: a New Approach to Special Educational Needs and Disability*, a government green paper which outlined extensive reforms to the system of support for young people with SEN and disabilities and their

<sup>91</sup> Department of Health *Transition: moving on well: a good practice guide for health professionals and their partners on transition planning for young people with complex health needs or a disability* (2008) p.10 <http://bit.ly/1r0ghou>

<sup>92</sup> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) p.122 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

<sup>93</sup> Department for Education *Draft special educational needs and disability code of practice: 0 to 25 years: Statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities* (2014) p.123 [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/304534/Code\\_of\\_Practice\\_Draft.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/304534/Code_of_Practice_Draft.pdf)

<sup>94</sup> <http://www.preparingforadulthood.org.uk/>

families.<sup>95</sup> The programme, funded by the Department for Education, is delivered by a partnership between the National Development Team for inclusion, the Council for Disabled Children and Helen Sanderson Associates.

The programme brings together a wide range of expertise and experience of working with young people and families, at a local and national level and across government, to support young people into adulthood with paid employment, good health, independent living and friends, relationships and community inclusion. PfA provides knowledge and support to local authorities and their partners to ensure that young people transition successfully into adulthood.

## 2.6.2 Transition Support Programme (2008-2011)<sup>96</sup>

The Transition Support Programme was a three year national programme initiated to support service improvement at strategic and operational levels across England. Part of the 'Aiming High for Disabled Children' programme<sup>97</sup>, it was run jointly by the Department for Education and the Department of Health. The National Transition Support Team coordinated delivery of the programme, working together with the National Strategies and the Child Health and Maternity Partnership (CHaMP).

The programme involved work with specialist and universal services across health, education and social care and with voluntary sector agencies to raise awareness of and embed minimum standards of service provision and encourage good practice, thereby improving the experience of transition into adult life for young people with special education needs and disabilities and their families. It was hoped that, by the end of the programme, all local areas would meet minimum standards in transition provision and many would have developed outstanding innovative practice.

The Transition Support Programme consisted of two main elements:

The National Transition Support Team, which coordinated the work with local authorities, primary care trusts, transition advisers and existing experts; and Support for change at local level through a combination of direct grants and transition advisers activity.

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<sup>95</sup> Department of Education *Support and Aspiration: a New Approach to Special Educational Needs and Disability* (2011) pp.80-92 <http://bit.ly/1m0S76A>

<sup>96</sup> Transition Support Programme *Information Sheet* (2010) [http://www.transitionsupportprogramme.org.uk/PDF/NTST\\_TSP\\_Year3\\_Information\\_SheetV2.pdf](http://www.transitionsupportprogramme.org.uk/PDF/NTST_TSP_Year3_Information_SheetV2.pdf)  
Case studies of local projects supported by the Programme are available at: [http://www.transitionsupportprogramme.org.uk/resources/case\\_studies.aspx](http://www.transitionsupportprogramme.org.uk/resources/case_studies.aspx)

<sup>97</sup> HM Treasury and Department for Education and Skills *Aiming High for Disabled Children: Better Support for Families* (2007) <http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/eOrderingDownload/PU213.pdf>



Reflecting on the experiences of the Transition Support Programme, a report by Council for Disabled Children acknowledged that substantial progress was made over the course of three years. Ultimately, it found that the:<sup>98</sup>

*The Transition Support Programme succeeded in raising awareness of the challenges involved in transition, particularly when the young people involved have a complex range of support needs.*

## 3 Scotland

### 3.1 Overview of Legislative and Policy Context

As in England and Wales, the process of transitioning from children's to adult services is wide-ranging and complex, both in policy and practice terms. The Education (Additional Support for Learning) (Scotland) Act 2004<sup>99</sup> and the revised Code of Practice<sup>100</sup> lay out the statutory framework for transition planning for young people with learning disabilities in Scotland. However, there are many government strategies and initiatives which impact on transition planning. Some of these are universal policies in which disabled young people, or those with additional support needs, are a priority group, while other policies relate exclusively to them. They include:

- More Choices, More Chances: A Strategy to Reduce the Proportion of Young People not in Education, Employment or Training in Scotland (2006)<sup>101</sup>;
- Partnership Matters: A Guide to Local Authorities, NHS Boards and Voluntary Organisations on Supporting Students with Additional Needs in Colleges and Universities in Scotland (2009)<sup>102</sup>;
- 16+ Learning Choices: Policy and Practice Framework: Supporting all Young People into Positive and Sustained Destinations (2010)<sup>103</sup>;
- Supporting Children's Learning: Code of Practice (2010)<sup>104</sup>;

<sup>98</sup> Council for Disabled Children *Information and Learning from the Aiming High for Disabled Children Transition Support Programme* (2011) p.44

[http://www.preparingforadulthood.org.uk/media/158305/information\\_and\\_learning\\_from\\_the\\_ahdc\\_tsp\\_report.pdf](http://www.preparingforadulthood.org.uk/media/158305/information_and_learning_from_the_ahdc_tsp_report.pdf)

<sup>99</sup> <http://www.legislation.gov.uk/asp/2004/4/contents>

<sup>100</sup> Scottish Government *Supporting Children's Learning: Code of Practice (Revised Edition)* 2010

<http://www.scotland.gov.uk/Resource/Doc/348208/0116022.pdf>

It should be noted that a subgroup of the Advisory Group for Additional Support for Learning was established in October 2012 to consider a revision of the Code of Practice. The most recent report setting out the progress in implementing the Education (Additional Support for Learning) (Scotland) Act 2004 indicates that the review of the Code of Practice has begun. The group will consider a range of concerns that have arisen around the appropriateness of the guidance, including the provisions outlined for post-16 transition planning.

<sup>101</sup> <http://www.scotland.gov.uk/Resource/Doc/129456/0030812.pdf>

<sup>102</sup> <http://www.scotland.gov.uk/Publications/2009/05/08155445/20>

<sup>103</sup> <http://www.scotland.gov.uk/Publications/2010/03/30180354/12>

This is the framework through which local authorities, schools and partners collectively plan and support young people's transitions to post-16 learning – in school, college, training, or in a community-setting - with a focus on particularly vulnerable groups.

<sup>104</sup> <http://www.scotland.gov.uk/Resource/Doc/348208/0116022.pdf>

- Putting Learners at the Centre: Delivering our Ambitions for Post-16 Education (2011)<sup>105</sup>;
- Supporting Implementation of Additional Support for Learning in Scotland (2012)<sup>106</sup>;
- Post-16 Transitions Policy and Practice Framework: Supporting all Young People to Participate in post-16 Learning, Training or Work (2012)<sup>107</sup>; and
- The Keys to Life: Improving Quality of Life for People with Learning Disabilities (2013)<sup>108</sup>

Though current legislation and policy surrounding post-16 transition planning provides a framework to improve young people's experience, concerns have been expressed that new initiatives sit alongside older legislation and policy without clarity about how they interlink.<sup>109</sup> When the Scottish Transitions Forum suggested that the Scottish Government produce a succinct statement of service providers' responsibilities and young people's rights, the response was that the policy framework was too complex to allow it.<sup>110</sup> Researchers have identified this lack of a concise policy guide as a significant barrier to smooth transition.<sup>111</sup>

The Doran Report<sup>112</sup> also expressed concerns about the efficacy of existing transition planning requirements.<sup>113</sup>

#### *Recommendation 11*

*The Scottish Government should provide leadership and where appropriate direction to local authorities and health boards and consider the adequacy of existing legislation to ensure that the transition from children's to adult services for young people with complex additional support needs is properly coordinated, managed and delivered.*

<sup>105</sup> <http://www.scotland.gov.uk/Resource/Doc/357943/0120971.pdf>

<sup>106</sup> <http://www.scotland.gov.uk/Resource/0040/00408302.pdf>

<sup>107</sup> <http://www.scotland.gov.uk/Resource/0040/00408819.pdf>

<sup>108</sup> <http://www.scotland.gov.uk/Resource/0042/00424389.pdf>

<sup>109</sup> Stalker, Kirsten and Moscardini, Lio *A Critical Review and Analysis of Current Research and Policy Relating to Disabled Children and Young People in Scotland: a report to Scotland's Commissioner for Children and Young People* (2012) p.36 [http://withscotland.org/download/critical\\_review\\_and\\_analysis\\_of\\_research\\_research\\_and\\_policy\\_relating\\_to\\_disabled\\_children1-pdf-pdf](http://withscotland.org/download/critical_review_and_analysis_of_research_research_and_policy_relating_to_disabled_children1-pdf-pdf)

<sup>110</sup> Stalker, Kirsten and Moscardini, Lio *A Critical Review and Analysis of Current Research and Policy Relating to Disabled Children and Young People in Scotland: a report to Scotland's Commissioner for Children and Young People* (2012) p.36 [http://withscotland.org/download/critical\\_review\\_and\\_analysis\\_of\\_research\\_research\\_and\\_policy\\_relating\\_to\\_disabled\\_children1-pdf-pdf](http://withscotland.org/download/critical_review_and_analysis_of_research_research_and_policy_relating_to_disabled_children1-pdf-pdf)

<sup>111</sup> Stalker, Kirsten and Moscardini, Lio *A Critical Review and Analysis of Current Research and Policy Relating to Disabled Children and Young People in Scotland: a report to Scotland's Commissioner for Children and Young People* (2012) p.48 [http://withscotland.org/download/critical\\_review\\_and\\_analysis\\_of\\_research\\_research\\_and\\_policy\\_relating\\_to\\_disabled\\_children1-pdf-pdf](http://withscotland.org/download/critical_review_and_analysis_of_research_research_and_policy_relating_to_disabled_children1-pdf-pdf)

<sup>112</sup> The Doran Report, published in 2012, set out the strategic vision for provision for children and young people with complex additional support needs in Scotland. The report made twenty-one recommendations for the future provision for children and young people with complex additional support needs. Scottish Government *The Right Help at the Right Time in the Right Place: Strategic Review of Learning Provision for Children and Young People with Complex Additional Support Needs* (2012) <http://www.scotland.gov.uk/Resource/0040/00408307.pdf>

<sup>113</sup> Scottish Government *The Right Help at the Right Time in the Right Place: Strategic Review of Learning Provision for Children and Young People with Complex Additional Support Needs* (2012) p.30 <http://www.scotland.gov.uk/Resource/0040/00408307.pdf>

Under the Education (Additional Support for Learning) (Scotland) Act 2004<sup>114</sup>, as amended in 2009, education authorities have certain obligations to help all young people with additional support needs to make the transition from school to post-school life successfully. In order to complete a transition plan, education authorities must request information from agencies likely to be involved with the child or young person on leaving school (such as the local authority and NHS boards).

The timeframe for these requests is outlined in the Act's Explanatory Notes:<sup>115</sup>

*This all should be done at least 12 months before the child or young person is expected to leave school, so it could be done when the child is 15 years old or even earlier.*

The Code of Practice advises that these timescales refer to the latest times by which a particular stage of the transition planning process should have been completed. In fact, for post-school placements the Code suggests that transition planning start much earlier than the timescale required by the Act, perhaps even in the early years of secondary school, so that there is sufficient time for post-school planning.<sup>116</sup>

Effective co-ordination of transition planning for care and support at a local level is important, as young people with additional support needs (including those with learning disabilities) often come into contact with numerous practitioners in the fields of health, education and social care. Though there is no statutory duty on local authorities and relevant agencies to co-operate, the Scottish Government has stated the importance of multi-agency planning in order to improve the experience of transition for the young person:<sup>117</sup>

*Partners who plan in a joined-up way are more likely to ensure that young people can access the support they need to make effective transitions. This means having an effective multi-agency approach and the involvement of universal services, with clearly defined responsibilities.*

While the Code of Practice does not prescribe a shared planning approach (beyond the provision of information from relevant agencies), it does recommend that other agencies, such as health and social work services, Skills Development Scotland, further education colleges and institutions of higher education should be involved in transition planning where required. In cases where there is multi-agency involvement, the Code advises that the transition planning process be co-ordinated by one

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<sup>114</sup> <http://www.legislation.gov.uk/asp/2004/4/contents>

<sup>115</sup> Education (Additional Support for Learning) (Scotland) Act 2004. Explanatory Notes  
<http://www.legislation.gov.uk/asp/2004/4/notes/division/2/12>

<sup>116</sup> Scottish Government *Supporting Children's Learning: Code of Practice (Revised Edition)* 2010 p.108  
<http://www.scotland.gov.uk/Resource/Doc/348208/0116022.pdf>

<sup>117</sup> Scottish Government *Implementation of the Education (Additional Support for Learning) (Scotland) Act 2004 (as amended): Report to Parliament 2013 (2014)* p.41 <http://www.scotland.gov.uk/Resource/0044/00448013.pdf>

person.<sup>118</sup> This lead professional may be a teacher, careers adviser, social worker, community education worker or someone from another agency.<sup>119</sup>

However, despite the statutory requirements and guidance on the process, a 2012 study commissioned by Scotland's Commissioner for Children and Young People found that:<sup>120</sup>

*Transition planning often starts too late and is marred by poor inter-agency collaboration.*

The Code of Practice also outlines a number of principles of good practice which education authorities should take account of whenever a child or young person with additional support needs is approaching a transition point in their school education. These include:<sup>121</sup>

- Transition planning should be embedded within the education authority's policies and procedures for additional support needs and the more universal policies and procedures for children and young people;
- The child's or young person's views should be sought and taken into account when discussing changes in school education; and
- Transition should be co-ordinated by a relevant person known to the child or young person and their family.

Beyond the timescales imposed on education authorities by the Education (Additional Support for Learning) (Scotland) Act 2004, there is no statutory format for the post-school transition process. Given this lack of a standard framework, transition planning procedures for young people vary depending on the education authority and the child's additional support needs. The findings of the Scottish Government's *Report on Implementation of School to Post-School Transitional Planning for Children and Young People with Additional Support Needs* confirmed that practice varied significantly:<sup>122</sup>

*Post-16 transitional planning for young people who have additional support needs and require more choices and chances represents a very mixed picture across Scotland.*

<sup>118</sup> Scottish Government *Supporting Children's Learning: Code of Practice (Revised Edition)* 2010 p.108  
<http://www.scotland.gov.uk/Resource/Doc/348208/0116022.pdf>

<sup>119</sup> Scottish Government *Supporting Children's Learning: Code of Practice (Revised Edition)* 2010 p.116  
<http://www.scotland.gov.uk/Resource/Doc/348208/0116022.pdf>

<sup>120</sup> Stalker, Kirsten and Moscardini, Lio *A Critical Review and Analysis of Current Research and Policy Relating to Disabled Children and Young People in Scotland: a report to Scotland's Commissioner for Children and Young People* (2012) p.48  
[http://withscotland.org/download/critical\\_review\\_and\\_analysis\\_of\\_research\\_research\\_and\\_policy\\_relating\\_to\\_disabled\\_children1-pdf-pdf](http://withscotland.org/download/critical_review_and_analysis_of_research_research_and_policy_relating_to_disabled_children1-pdf-pdf)

<sup>121</sup> Scottish Government *Supporting Children's Learning: Code of Practice (Revised Edition)* 2010 p.112  
<http://www.scotland.gov.uk/Resource/Doc/348208/0116022.pdf>

<sup>122</sup> Scottish Government *Report on Implementation of School to Post-School Transitional Planning for Children and Young People with Additional Support Needs* (2011). Unpublished. Key points are available from the Scottish Transitions Forum:  
<http://scottishtransitions.org.uk/report-on-implementation-of-school-to-post-school-transitional-planning-for-children-and-young-people-with-additional-support-needs/>

The study found that at a strategic level, local authorities were producing their own plans and attempting to integrate different strands of the Act and relevant policies into their guidance and procedures. It identified a number of examples of effective practice in transitional planning for young people with additional support needs moving from school to post-school.<sup>123</sup> Some local authorities have also agreed joint protocols with other agencies in an effort to secure a smooth transition from child services to adult services.<sup>124</sup>

Unlike in England, the Scottish government has not issued specific policies dedicated to developing transition 'pathways', such as pathways to employment or pathways to education for young people with disabilities. However, the 2013 learning disability strategy, *The Keys to Life*, does emphasise the role that further education plays in the transition process.<sup>125</sup>

*We must not underestimate the role further and higher education plays in assisting the transition from school and its role in personal development at all stages.*

Similarly, the Scottish Government has declared their commitment to ensuring that young people with a learning disability have access to paid employment:<sup>126</sup>

*The Scottish Government is committed to helping people with learning disabilities who want to work, and it is our ambition that with the right support, they are able to find work in mainstream employment, suitable to their skills.*

However, the government acknowledged that a minority of people with learning disabilities had a paid job, and that, where people were employed, they often worked for less than sixteen hours per week.<sup>127</sup>

As in England, researchers in Scotland found that:<sup>128</sup>

<sup>123</sup> A number of local authorities have published comprehensive guidance on the post-school transition planning process for practitioners, including Orkney (<http://bit.ly/1otg8bv>), Midlothian (<http://bit.ly/1keZp3X>), Moray (<http://bit.ly/RAVW8X>) and West Dunbartonshire (<http://bit.ly/RAXJe9>). Fife Council have developed a Charter for Transition (2012) setting out the standards that young people preparing for transition may expect from the local authority: <http://bit.ly/1oJC7IP>

<sup>124</sup> Highland Council and NHS Highlands *Integrating Services for Young People and Young Adults with Additional Support Needs as a Result of Disability and/or Complex Health: Joint Transitions Policy* (2012) <http://bit.ly/1tmODhm>

<sup>125</sup> Scottish Government *The Keys to Life: Improving Quality of Life for People with Learning Disabilities* (2013) p.93 <http://www.scotland.gov.uk/Resource/0042/00424389.pdf>

<sup>126</sup> Scottish Government *The Keys to Life: Improving Quality of Life for People with Learning Disabilities* (2013) p.94 <http://www.scotland.gov.uk/Resource/0042/00424389.pdf>

<sup>127</sup> Scottish Government *The Keys to Life: Improving Quality of Life for People with Learning Disabilities* (2013) p.94 <http://www.scotland.gov.uk/Resource/0042/00424389.pdf>

In 2012, 3,393 adults with learning disabilities were in employment or training for employment. This is 13 per cent of all adults with learning disabilities. This represents a decrease of 16.1 per cent (653 adults) on the proportion of adults in employment or training for employment compared to employment figures in 2011. Scottish Consortium for Learning Disability *Statistics Release: Adults with Learning Disabilities known to Scottish Local Authorities 2012* (2013) [http://www.sclcd.org.uk/sites/default/files/statistics\\_report\\_colour\\_1.pdf](http://www.sclcd.org.uk/sites/default/files/statistics_report_colour_1.pdf)

<sup>128</sup> Stalker, Kirsten and Moscardini, Lio *A Critical Review and Analysis of Current Research and Policy Relating to Disabled Children and Young People in Scotland: a report to Scotland's Commissioner for Children and Young People* (2012) pp.36-37

*... despite Government policy that Skills Development Scotland should raise young people's expectations and aspirations, especially for those needing additional support, negative assumptions may be made about some young people's potential, with employment options seldom considered.*

## 3.2 Examples of Transition Planning Projects in Scotland

### 3.2.1 Project SEARCH<sup>129</sup>

In 2010, the Scottish Consortium for Learning Disability (SCLD) received funding from the Scottish Government to promote Project SEARCH. As in England, the one-year transition programme provides training and education leading to employment for individuals with learning disabilities. It gives students the opportunity to experience what it's like being at work, teaches them new skills and helps them understand the demands of the working world. Students work five-days a-week at the employer's premises, combining practical learning with classroom sessions.

The first Project SEARCH site in Scotland began in North Lanarkshire as a partnership between Motherwell College, North Lanarkshire Council, including its supported employment programme, NHS Lanarkshire and SERCO, a private sector employer working in NHS Lanarkshire hospitals. By 2013, there were ten Scottish Project SEARCH sites in various stages of development.<sup>130</sup>

### 3.2.2 Transitions to Employment

The Transitions to Employment project has been in operation within five Further Education colleges in West and Central Scotland since 2009. The partners in the project are John Wheatley College, Coatbridge College, Reid Kerr College, James Watt College, Langside College and ENABLE Scotland, the lead partner. The project was designed to ensure that students with learning disabilities are able to translate the skills and qualifications they gain during their time at college into real jobs with employers. In 2012, funding from Skills Development Scotland allowed ENABLE Scotland to deliver Transitions to Employment in Cardonald College and Elmwood College.<sup>131</sup>

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[http://withscotland.org/download/critical\\_review\\_and\\_analysis\\_of\\_research\\_research\\_and\\_policy\\_relating\\_to\\_disabled\\_children1-pdf-pdf](http://withscotland.org/download/critical_review_and_analysis_of_research_research_and_policy_relating_to_disabled_children1-pdf-pdf)

<sup>129</sup> <http://www.sclcd.org.uk/sclcd-projects/project-search>

<sup>130</sup> Scottish Consortium for Learning Disability *A Natural Progression: A Good Practice Handbook for Colleges on Supporting Students with Learning Disabilities and Autism into Work* (2013) p.9

[http://www.sclcd.org.uk/sites/default/files/publications/college\\_handbook\\_web\\_version.pdf](http://www.sclcd.org.uk/sites/default/files/publications/college_handbook_web_version.pdf)

<sup>131</sup> Scottish Consortium for Learning Disability *A Natural Progression: A Good Practice Handbook for Colleges on Supporting Students with Learning Disabilities and Autism into Work* (2013) p.18

[http://www.sclcd.org.uk/sites/default/files/publications/college\\_handbook\\_web\\_version.pdf](http://www.sclcd.org.uk/sites/default/files/publications/college_handbook_web_version.pdf)



At the heart of the project is the partnership between a college and ENABLE Scotland Transitions Coordinators. Students are recruited onto a ten-month programme of skills development and training. They are enrolled in any of the college's employability-based courses and receive additional support from the full-time Transitions Coordinator based in the College.

### 3.2.3 Real Jobs<sup>132</sup>

Real Jobs, part of the Action Group<sup>133</sup>, operates a supported employment service for adults with learning disabilities and other support needs in Edinburgh. Since 2001, it has provided support to young disabled people to make the life transition from school towards employment.

From 2009 the service has operated in Carronrange, a special school in Falkirk; three mainstream Falkirk schools and special schools in Edinburgh. Although the Real Jobs transitions service has historically been based in schools, it actually views transition as an ongoing process.<sup>134</sup> The service primarily is supported and funded by the local authorities: City of Edinburgh Economic Development and Children and Families Departments, and the Fairer Falkirk Fund. Further funding for the Falkirk service has also been provided by the Big Lottery Young Start Fund.

### 3.2.4 PAMIS Transition Pathways<sup>135</sup>

In 2013, PAMIS<sup>136</sup> secured funding to provide a three year transition project to family carers who have a relative between the age of fifteen and eighteen years with a profound and multiple learning disability. The project initially provided direct support to family carers within Glasgow City in year one. In year two the project will be rolled out in all PAMIS geographical areas, covering Greater Glasgow & Clyde, South Lanarkshire, Fife, Tayside and Grampian, the project will continue to provide support in the above areas in year three.

The 'Future Choices Project', which will provide training and support for family carers of young people with profound and multiple learning disabilities commenced in April 2013. Each participant will be provided with a *PAMIS* Personal Communication Passport and a *PAMIS* Transition Planner. These will be individualised to the young person with profound and multiple learning disabilities and project staff will work closely with family carers, education, social services and social care providers who are currently involved with the young person. The documents will provide detailed information on all aspects

<sup>132</sup> <http://www.actiongroup.org.uk/services/real-jobs/>

<sup>133</sup> <http://www.actiongroup.org.uk/>

<sup>134</sup> Action Group *Real Jobs Transition Service: Edinburgh and Falkirk: Evaluation Report* (2013)  
<http://www.actiongroup.org.uk/images/RJ%20TRANS%20report%202013.pdf>

<sup>135</sup> <http://www.pamis.org.uk/page.php?id=8>

<sup>136</sup> <http://www.pamis.org.uk/page.php?id=5>

of the young person's support needs and will assist in the planning and facilitation of their transition from education to adult services.<sup>137</sup>

### 3.2.5 Moving On Transition Service<sup>138</sup>

The Moving On Transition Service, based in West Dunbartonshire, is a collaboration between SHARE Scotland<sup>139</sup> and Cornerstone<sup>140</sup>. The project has been fully funded by the Big Lottery and will run between Summer 2013 and Summer 2016. The service provides a range of support for young people, aged fifteen to twenty-five, with additional support needs. It is open to young people who are at school in West Dunbartonshire and those who attend West College, Scotland, Clydebank Campus. It aims to help young people with additional support needs have a positive, empowering and motivating experience when moving on from school to college or beyond. Young people are linked with facilitators who will work in both the school and college, thereby providing a link between the two environments.

## 4 Wales

### 4.1 Overview of Legislative and Policy Context

Support for disabled young people preparing for or making transitions is governed primarily by the *National Service Framework for Children, Young People and Maternity Services in Wales*<sup>141</sup> and the *SEN Code of Practice for Wales*<sup>142</sup>. These documents outline the support that young people who are disabled or who need continuing care, and/or who have a Statement of Special Educational Needs, can expect to receive in planning for transition to adulthood.

The National Service Framework outlines a Transition Standard which requires the appointment of:<sup>143</sup>

*A transition key worker when a young person reaches 14 years of age... The key transition worker co-ordinates the planning and delivery of services before, during and after the process of transition and will continue to monitor and have contact with the young person until the age of 25 years.*

<sup>137</sup> [http://www.pamis.org.uk/15\\_future+choices+project.html](http://www.pamis.org.uk/15_future+choices+project.html)

<sup>138</sup> <http://www.sharescotland.org.uk/Projects/m-o-transition-service.html>

<sup>139</sup> <http://www.sharescotland.org.uk/>

<sup>140</sup> <http://www.cornerstone.org.uk/>

<sup>141</sup> Welsh Assembly Government *National Service Framework for Children, Young People and Maternity Services in Wales* (2006) [http://www.wales.nhs.uk/sites3/Documents/441/EnglishNSF\\_amended\\_final.pdf](http://www.wales.nhs.uk/sites3/Documents/441/EnglishNSF_amended_final.pdf)

<sup>142</sup> Welsh Assembly Government *Special Educational Needs Code of Practice for Wales* (2004) <http://learning.wales.gov.uk/docs/learningwales/publications/131016-sen-code-of-practice-for-wales-en.pdf>

<sup>143</sup> Welsh Assembly Government *National Service Framework for Children, Young People and Maternity Services in Wales* (2006) p.54 [http://www.wales.nhs.uk/sites3/Documents/441/EnglishNSF\\_amended\\_final.pdf](http://www.wales.nhs.uk/sites3/Documents/441/EnglishNSF_amended_final.pdf)



This Standard gives the local authorities, the local health boards and the NHS trusts responsibility for the provision of information about services and facilities available to disabled young people, including:<sup>144</sup>

- Employment;
- Educational and training opportunities;
- Access to independent living; and
- The process of transition to adult services within the local authority and health service.

The SEN Code of Practice for Wales outlines how from Year 9 (fourteen years old) onwards, a transition plan should be drawn up (as part of the annual review of their SEN Statement), and then reviewed on an annual basis.<sup>145</sup> The Code of Practice assigns responsibility for overseeing and co-ordinating the delivery of the transition plan to the Head Teacher. Careers Wales have the lead role in relation to those elements of the plan that relate to the young person's transition into further learning or employment. The Code of Practice also outlines the separate duty the National Assembly for Wales has, under section 140 of the Learning and Skills Act 2000<sup>146</sup>, to ensure that in a young person's final year of school:<sup>147</sup>

*...an assessment of their needs on leaving school is undertaken and the provision identified.*

Section 140 of the Act also gives powers to the National Assembly for Wales to conduct an assessment of any young person who is under the age of twenty-five where it appears that they may have learning difficulties and where they are undertaking, or likely to undertake, post-16 education or training or to enter higher education.<sup>148</sup> This is to enable assessments to be made where young people continuing in post-16 education or training develop learning difficulties shortly before or after leaving school and thus do not have a Statement of SEN.<sup>149</sup> The Code of Practice also offers guidance for those who have special educational needs which do not call for a Statement, but who are likely to require some support if they go on to further education or training.<sup>150</sup>

*...it would be good practice for the head teacher, in consultation with the representative from Careers Wales, to provide health and social service*

<sup>144</sup> Welsh Assembly Government *National Service Framework for Children, Young People and Maternity Services in Wales* (2006) p.54 [http://www.wales.nhs.uk/sites3/Documents/441/EnglishNSF\\_amended\\_final.pdf](http://www.wales.nhs.uk/sites3/Documents/441/EnglishNSF_amended_final.pdf)

<sup>145</sup> Welsh Assembly Government *Special Educational Needs Code of Practice for Wales* (2004) p.130 <http://learning.wales.gov.uk/docs/learningwales/publications/131016-sen-code-of-practice-for-wales-en.pdf>

<sup>146</sup> *Learning and Skills Act 2000* <http://www.legislation.gov.uk/ukpga/2000/21/section/140>

<sup>147</sup> Welsh Assembly Government *Special Educational Needs Code of Practice for Wales* (2004) p.132

<http://learning.wales.gov.uk/docs/learningwales/publications/131016-sen-code-of-practice-for-wales-en.pdf>

<sup>148</sup> *Learning and Skills Act 2000* <http://www.legislation.gov.uk/ukpga/2000/21/section/140>

<sup>149</sup> National Assembly for Wales, Education, Lifelong Learning and Skills Committee *Policy Review of Additional Educational Needs: Part 3: Transition*(2013) p.7 <http://www.assemblywales.org/a418a2221ff4ec27fb94740522d38822.pdf>

<sup>150</sup> Welsh Assembly Government *Special Educational Needs Code of Practice for Wales* (2004) p.133 <http://learning.wales.gov.uk/docs/learningwales/publications/131016-sen-code-of-practice-for-wales-en.pdf>

*professionals with a list of pupils at year 9 with SEN who do not have statements but for whom the school considers it appropriate for a transition plan to be prepared.*

While there is a considerable range of statutory provision and guidance aimed at encouraging and supporting good practice in planning for transitions, a 2006 review by the National Assembly for Wales Education, Lifelong Learning and Skills (ELLS) Committee found that:<sup>151</sup>

*...young people and their families often feel unsupported in planning for their future.*

The Committee also expressed a concern that:<sup>152</sup>

*... the extensive guidance, together with the wide range of organisations that may need to be involved in transition planning, has led to a system which, despite good intentions, may be overly complicated and bureaucratic.*

In a 2007 review of specialist learning disability services in Wales, the Healthcare Inspectorate Wales noted that:<sup>153</sup>

*... partnership working between Local Education Authorities, Local Authority and Local Health Boards in relation to the development of transition protocols/policies and the sharing of information is inconsistent and variable.*

While parents might assume that because their children receive services from the NHS, social services or education, such services will continue as their right into adulthood, the reality is that adult services have to be requested and the need for the service assessed. The review found that:<sup>154</sup>

*This change is often a problem for the families in term of expectations being met and it is a concern that was consistently raised with us at public meetings and through the questionnaires.*

However, the report commended authorities in North East Wales (Wrexham) and the Torfaen local health board for the development of specific transition teams and/or

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In 2003, the Education, Lifelong Learning and Skills (ELLS) Committee established a policy review of special educational needs. The review was conducted in three stages and the final part of the review focused on transition. National Assembly for Wales, Education, Lifelong Learning and Skills Committee Policy Review of Additional Educational Needs: Part 3: Transition(2013) p.17 <http://www.assemblywales.org/a418a2221ff4ec27fb94740522d38822.pdf>

<sup>152</sup> National Assembly for Wales, Education, Lifelong Learning and Skills Committee *Policy Review of Additional Educational Needs: Part 3: Transition*(2013) p.17 <http://www.assemblywales.org/a418a2221ff4ec27fb94740522d38822.pdf>

<sup>153</sup> Healthcare Inspectorate Wales *How well does the NHS in Wales Commission and Provide Specialist Learning Disability Services for Young People and Adults? Findings and Themes from the All Wales Review* (2007) <http://www.hiw.org.uk/Documents/477/LD%20All%20Wales%20Report-eng.pdf>

<sup>154</sup> *Ibid.*

transition co-ordinators, which have enabled better planning during the transition period.<sup>155</sup>

A study of the transition protocols in place for young people leaving school in the twenty-two local authorities in Wales concluded that:<sup>156</sup>

*Local authorities in Wales have undertaken enormous efforts to improve the experience of transition for young people with intellectual disabilities and to provide valuable post-school and post-FE options with the Welsh government providing extra funding for...transition key workers across 22 local authorities.*

However, the study noted that the route to college and further education is the primary progression pathway for young people with learning disabilities. In their analysis of transition protocols, it was observed that local authorities adhered firmly to the statutory framework which accords clear roles to agencies such as CareersWales. Only about half of the protocols examined explicitly outlined an active role for external non-statutory agencies, such as supported employment organisations, social firms or voluntary agencies, in transition planning. The author suggested that, though there may be a collaborative spirit on the ground, this may have resulted in the narrowing of post-school options for young people to further education placements and offering few other options.<sup>157</sup> He concluded, that within the current framework:<sup>158</sup>

*...statutory services will struggle to develop alternative options and may not ultimately offer genuine choices to young people with intellectual abilities leaving school.*

In a 2012 consultation on the *Social Services (Wales) Bill*, it was proposed that, given the perceived dip in service provision for disabled young people when they transfer to adult services and begin their preparations for independent living, the legislation would:<sup>159</sup>

*Specify the transitional services and assistance which local authorities must provide to those in the higher categories of need, up to the age of 21 years.*

This would extend the entitlements for disabled children up to twenty-one years, allowing them to defer the actual transfer to adult services, thus allowing more time for plans to be put in place and enabling a smoother transition. It would also give Welsh Ministers powers to specify what transitional services and assistance local authorities would be required to provide. However, no reference to the transition planning process

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<sup>155</sup> *Ibid.*

<sup>156</sup> Kaehne, Axel 'Multiagency protocols in intellectual disabilities transition partnerships: a survey of local authorities in Wales' in *Journal of Policy and Practice in Intellectual Disabilities* Volume 7 Number 3 (September 2010) pp.182-183

<sup>157</sup> Kaehne, Axel 'Multiagency protocols in intellectual disabilities transition partnerships: a survey of local authorities in Wales' in *Journal of Policy and Practice in Intellectual Disabilities* Volume 7 Number 3 (September 2010) p.186

<sup>158</sup> *Ibid.*

<sup>159</sup> Welsh Government *Social Services (Wales) Bill: consultation document* (2012) p.87  
<http://wales.gov.uk/docs/dhss/consultation/120312consultationen.pdf>

was included in the *Social Services and Well-being (Wales) Bill* when it was introduced to the National Assembly of Wales on 28 January 2013.<sup>160</sup>

## 4.2 Examples of Transition Planning Projects in Wales

### 4.2.1 'Regional SEN Transition to Employment Initiative' (2010-2013)

A recent example of a local authority led scheme was the 'Regional SEN Transition to Employment Initiative' which ran from the September 2010 to September 2013.<sup>161</sup> The project was led by Caerphilly County Borough Council and was conducted in nine local authorities in Wales.<sup>162</sup>

It was aimed primarily at young people aged fourteen to nineteen years who had severe and complex needs, a learning disability or autistic spectrum disorder. However, acknowledging that the individual needs of these young people mean that the transition period may often take longer than for other groups, allowances were made for around fifteen per cent of participants to continue after their twentieth birthday (but not after they reach twenty-five years).

The project aimed to deliver a comprehensive model of support, tailored to individual need, to increase their skill base and employment prospects after leaving school.

### 4.2.2 Your Life, Your Choices (2009-2012)

This project was established to improve transition planning in Torfaen, Monmouthshire and Blaenau Gwent. It was initially led by Monmouthshire Council, but was subsequently hosted by Torfaen Council until December 2012, and also supported by Blaenau Gwent, Caerphilly, Monmouthshire and Newport Councils, the Aneurin Bevan Health Board and Careers Wales. It was funded by the European Social Fund as part of the Welsh Assembly Government-led 'Reach the Heights' project.<sup>163</sup>

The project assisted young people aged fourteen to twenty-five who had a physical disability, learning difficulty or a mental health issue. It improved the transition process by developing person-centred transition planning tools that staff and families could use, developing multi-agency transition groups in each local authority area, training staff to take on the role of 'transition coordinators', and developed an information pack for young people and their families.

<sup>160</sup> *Social Services and Well-being (Wales) Bill* (as introduced) <http://www.assemblywales.org/bus-home/bus-business-fourth-assembly-laid-docs/pri-ld9181-e.pdf?langoption=3&ttl=PRI-LD9181%20-%20Social%20Services%20and%20Well-being%20%28Wales%29%20Bill%20>

<sup>161</sup> *Regional SEN Transition to Employment Initiative: Sept.2010-Sept. 2013 (Promoting Independence (2003-Aug2010))* [http://funding.bridgend.gov.uk/index.php/content/download/2628/31289/file/SEN%20Transition%20into%20Employment%20\(Real%20Opportunities\)%201.pdf](http://funding.bridgend.gov.uk/index.php/content/download/2628/31289/file/SEN%20Transition%20into%20Employment%20(Real%20Opportunities)%201.pdf)

<sup>162</sup> Bridgend, Caerphilly, Carmarthenshire, Merthyr, Neath Port Talbot, Pembrokeshire, Rhondda Cynon Taff, Swansea, and Torfaen.

<sup>163</sup> nef *Doing Services Differently: local innovations for disabled people and their families* (2012) p.25 <https://www.scope.org.uk/Scope/media/Documents/Publication%20Directory/Doing-services-differently.pdf?ext=.pdf>

### 4.2.3 Transition Key Working (2007-2010)

In 2007, as part of the Welsh Assembly Government response to the recommendations made by the Education, Lifelong Learning and Skills Committee<sup>164</sup>, a grant funding stream of £1.5 million (£500,000 per year for three years) was announced to develop transition key working in Wales.

The 'key worker' model may be described as:<sup>165</sup>

*...a method of service delivery involving a person who works in a guide role with families. This person acts as a single point of contact for a family, helping the family to coordinate their care, not only within the healthcare system, but also across systems (education, social services, financial resources, recreation, transportation, etc).*

In June 2008, local authorities were invited to apply to become pilot sites to develop the role of transition key workers in Wales for young people with a disability. In September 2008, five pilots were set up in Gwynedd, Anglesey, Ceredigion, Pembrokeshire and Monmouthshire and ran until March 2011. The pilot scheme was supported by the Care Co-ordination Network UK (CCNUK).<sup>166</sup>

### 4.2.4 Merthyr Tydfil Youth Supported Employment Project (2008)<sup>167</sup>

The purpose of the Youth Supported Employment Project was to provide teenagers (from ages fifteen to nineteen) with learning disabilities with access to paid employment, alongside non-disabled teenagers who acted as peer mentors to provide support in places where typical teens would want to work, and are expected to work.

The Merthyr Tydfil Youth Supported Employment Programme is based on the model developed in Canada by Julie Allan and was adapted for the UK by Dr Mark Kilsby in the Welsh Centre for Learning Disabilities, Cardiff University and is now viewed internationally as a model of good practice.

### 4.2.5 Flintshire Transition Project (2004-2007)<sup>168</sup>

Between October 2004 and May 2007, Flintshire Social Services for Adults managed this European Social Fund (ESF)/Flintshire County Council transition project. The Flintshire Transition Project was launched to implement a co-ordinated, high quality transition process to ensure that young disabled and vulnerable people received appropriate support and services as they moved into adulthood. The project provided a partnership between individual departments and organisations including Adult Social

<sup>164</sup> National Assembly for Wales, Education, Lifelong Learning and Skills Committee *Policy Review of Additional Educational Needs: Part 3: Transition*(2013) p.19 <http://www.assemblywales.org/a418a2221ff4ec27fb94740522d38822.pdf>

<sup>165</sup> CanChild Centre for Childhood Disability Research, McMaster University  
<http://www.canchild.ca/en/canchildresources/keyworker.asp>

<sup>166</sup> Welsh Government *The Costs and Benefits of Transition Key Working: an analysis of five pilot projects: final report* (2013)

<sup>167</sup> [http://www.ssiacymru.org.uk/home.php?page\\_id=4371](http://www.ssiacymru.org.uk/home.php?page_id=4371)

<sup>168</sup> [http://www.ssiacymru.org.uk/home.php?page\\_id=3911](http://www.ssiacymru.org.uk/home.php?page_id=3911)

Services, Children's Services, Careers Wales, local colleges, the Local Health Board, Youth Services and mainstream and special schools.<sup>169</sup>

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<sup>169</sup> Social Services Improvement Agency *Flintshire Transition Project* (2008)  
[http://www.ssiacymru.org.uk/resource/7\\_s\\_report\\_21.08.08.pdf](http://www.ssiacymru.org.uk/resource/7_s_report_21.08.08.pdf)