



Preparing for Adulthood

Multi Agency Protocol and Pathway

This protocol is for all agencies and professionals to help them understand each other's roles, duties and the legal responsibilities involved in supporting young carers, young disabled people and young people with special education needs to prepare for adulthood

Developed in partnership:

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1. Introduction

This protocol is for all education staff, social care officers and health professionals working in partner agencies that support and work with young carers, young disabled people and young people with special educational needs, from 14 years of age potentially up to 25 years of age, whose needs are, assessed as requiring continuing additional education support, and or health and or social care support needs to prepare for adulthood.

The protocol sets out an operational joint assessment and planning process to ensure that the transition pathway into adulthood is person centred and enables and supports each person to fulfill their potential.

The protocol is the joint responsibility of all children and adult services within Kirklees Council and key partner health organisations, which includes:

- Disabled Children and Young People Services
- Children and Young People's Learning and Skills Service
- Social Care and Wellbeing Services for Adults
- Commissioning and Health Partnerships
- South West Yorkshire Partnership Foundation Trust
- Locala
- Calderdale and Huddersfield Foundation Trust
- Mid Yorkshire Hospital Foundation Trust

The implementation and effectiveness of the protocol will be monitored by the SEND Disabled Children's Strategy Group.

The protocol and pathway sets out the shared vision for establishing effective partnership working. It identifies the new statutory duties and responsibilities of each agency and department. All agencies involved in developing the protocol and pathway have made a commitment to follow the guidance set out in this document. It is hoped the Multi-agency Protocol and Pathway will make clear the different roles agencies and department have, creating a better understanding of each other's roles and how the new statutory duties will be met. The most vital element will be the commitment of individual workers working together, finding positive pragmatic solutions and focusing on developing family centred approaches.

2. The aims of the protocol and pathway

The overall objective is very simple, to make sure young disabled people and young disabled people with special educational needs receive the right information and advice in a timely manner, a person centred approach is taken and the support that is best for them is provided to enable them to achieve the best possible start in adult life. This will be achieved by;

- Developing a better understanding of key agencies roles and responsibilities within the transition process from 14 years of age up to 25.
- Making clear the statutory duties and how they will be enacted.

- Making clear the preparing for adulthood pathway in Kirklees.
- Ensuring that the aspirations and wishes of young disabled people and young people with special educational needs and their families drive the planning for their future and focus on identified outcomes.
- Help officers and health professionals understand the different roles agencies/individuals have.
- Ensuring that planning for young disabled people and young people with special educational needs is holistic and creative.
- Integrate timely assessment and planning processes with the individual and family at the centre and with all relevant agencies involved.
- Developing effective information sharing systems to support the whole process.
- Set out clearly the decision making process and rights of complaint and appeal.
- Providing young disabled people, young people with special educational needs and their families with advocacy support if required.
- Enabling strategic planning and the co-production of future service development and design.

This multi-agency protocol and pathway provides all the key information and clarification required by all key agencies supporting young disabled people and young disabled people with special educational needs, to prepare for adulthood and makes clear the actions required at key stages from age 14 up to 25 that will help prepare young disabled people and young disabled people with special educational needs prepare for adulthood.

Over time as systems and good practice evolves the multi-agency protocol and pathway will be reviewed and updated on an annual basis. Any comments or suggestions to improve the document should be sent to; gary.wainwright@kirklees.gov.uk

3. Key Legislative Context

The **Children & Families Act** (Part 3) and the **Care Act** represent the biggest legislative changes for over 20 years for children education and children and adult social care. Both acts introduce several new statutory duties as set out in the respective statutory guidance. It is really important everyone involved in supporting young people preparing for adulthood fully understands the statutory duties the local authority and health partners must meet. Please note: When the statutory guidance states **must** there is a legal duty to carry out that duty. When the statutory guidance states **should** there is an expectation the duty is met, there must be a clear justification as to why you are not meeting any “should” duties. Below is a summary of the key elements within both Acts;

3.1 The Children & Families Act (Part 3)

‘Section 19 of the Children & Families Act 2014 makes clear that local authorities, in carrying out their function under the Act in relation to disabled children and young people and those with special educational needs (SEN) **must** have regard to:

- The views, wishes and feelings of the child or young person, and the child’s parents.

- The importance of the child or young person, and the child's parents, participating as fully as possible in decisions, and being provided with the information and support necessary to enable participation in those decisions.
- The need to support the child or young person, and the child's parents, in order to facilitate the development of the child or young person and to help them achieve the best possible educational and other outcomes, preparing them effectively for adulthood.' (Source: C & F Act stat guidance page 19)

Person centred approaches is a central theme throughout the Act; all professionals are expected to work together and make the young person and their families the centre of all activity. To find out more about working in child & family centred approach **see section 10 appendices** for more information on **child & family centred approaches in Kirklees**.

Special Educational Needs (SEN) Statements have been replaced with **Education, Health and Care (EHC) Plans**. From September 2014 children and young people who may require a statutory plan to secure the relevant special educational provision to meet their special educational needs will undergo an EHC needs assessment. A four year timescale has been agreed nationally for the transfer of young people with a Special Educational Needs Statement to the new Education, Health and Care (EHC) Plan; **see section 10 appendices** for more information on **Kirklees SEN Transfer to EHC Plan Timetable**.

The Children & Families Act (part 3) also establishes a duty to publish a **Local Offer** which sets out in one place information about the available provision of education, health and social care provision for children and young people who have special educational needs or are disabled in Kirklees. The link to the [Kirklees Local Offer site](#);

Personal Budgets – The Act makes clear young people and parents of children who have EHC plans have the right to request a personal budget, which may include funding from education, social care and health. Each local authority has a duty to set out a local policy for personal budgets. Kirklees Personal Budgets memorandum of understanding sets out the agreed partnership for the delivery of personal budgets across Kirklees, with each department making clear its own personal budget policy. **See section 10 appendices** for more information on **Personalisation – Memorandum of Understanding/Direct Payment Policies**.

Preparing for Adulthood - The act expects high aspirations to be set and with the right support, clear outcomes and a joint approach, young disabled people and those with special educational needs can go on to achieve successful outcomes in adult life. Preparing for adulthood means preparing for:

- **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
- **being as healthy as possible in adult life** (Source: C & F Act stat guidance page 122)

The Children & Families Act - statutory guidance sets out clear duties in **chapter 8 – Preparing for Adulthood** that all local authorities **must** do;

- ‘Local authorities **must** ensure that the relevant services they provide co-operate in helping the children and young people to prepare for adulthood.
- Local authorities **must** ensure that the EHC plan review from year 9 and every review thereafter, includes a focus on preparing for adulthood.
- Planning **must** be centred around the individual and explore the child or young person’s aspirations and abilities, what they want to be able to do when they leave post-16 education or training and the support they need to achieve their ambition.
- Transition planning must be built into the revised EHC plan. (*Source: C & F Act stat guidance page 125*).
- **Packages of support across five days a week** the statutory guidance makes clear ‘Where young people have EHC plans, local authorities **should consider** the need to provide a full package of provision and support across education, health and care that covers five days a week, where that is appropriate to meet the young person’s needs (*Source: C & F Act stat guidance page 133*). To receive children’s social care funding the **Disabled Children Eligibility Criteria** must be met. To receive adult social care funding the **Adult Social Care Framework Criteria** must be met. Any NHS health funding is provided via meeting the **Continuing Healthcare Criteria** (Children and Adults have separate national NHS criteria). Even when the criteria is met the duty on local authorities is **should consider** and therefore available resources is a critical factor when considering five day provision. **See section 10 appendices for details about children, adults and health funding criteria.**

3.2 The Care Act

The Care Act replaces most of the previous adult social care law, creating a single framework for the provision of care and support. The Care Act – part one introduces new statutory duties or requirements to:

- embed **individual wellbeing** at the heart of all of care and support arrangements
- enhanced the focus on **prevention**
- a duty to provide an **information and advice service** about care and support
- a requirement to carry out an **assessment of both individuals and carers** wherever they have needs, including people who will be "self-funders", meeting their own care costs
- strengthened rights for carers
- implement a **new national eligibility system** with a minimum threshold
- a duty to facilitate a vibrant, diverse and **sustainable market** of care and support provision and to meet people's needs if a provider of care fails.
- Implement a new adult safeguarding framework
- a new duties to act in partnership with others and with a focus **on integration with health**
- a requirement to offer a **universal "deferred payment" scheme**, where people can defer the costs of care and support set against the value of a home they own
- a duty in some cases to arrange **"independent advocacy"** to facilitate the involvement of an adult or carer in assessing needs and planning for care.

Section 16 of the Care Act statutory guidance focuses on **Transition to adult care and support**. There is a clear assimilation to the duties set out in the Children & Families Act – part 3.

The Care Act sets out a range of specific duties during transition;

- 'The wellbeing of each young person or carer **must** be taken into account so that assessment and planning is based around the individual needs, wishes and outcomes which matter to that person. (Source: Care Act stat guidance page246).
- 'For young people with special educational needs (SEN) who have an Education, Health and Care (EHC) plan under the Children & Families Act, preparation for adulthood **must** begin in year 9.' (Source: Care Act stat guidance page247).
- The Transition assessment **must** be of significant benefit to the young person or carer and **must** minimize disruption to the young person and their family.
- 'A young person or carer, or someone acting on their behalf, has the **right to request** a transition assessment. The local authority must consider such requests and whether the likely need and **significant benefit** apply and if so it **must** undertake a transition assessment. (Source: Care Act stat guidance page248).
- 'Local authorities **must** assess the needs of a child's carer where there is a likely need for support after the child turns 18' (Source: Care Act stat guidance page249).
- 'Local authorities **must** assess the needs of young carers as they approach adulthood. (Source: Care Act stat guidance page250).

- **Co-operation between professionals and organisations** ‘People with complex needs for care and support may have several professionals involved in their lives, and numerous assessments from multiple organisations. For children with special educational needs, the Children and Families Act brings these assessments together into a coordinated **Education, Health and Care (EHC) plan**. Local authorities **must** cooperate with relevant partners and this duty is reciprocal’ (*Source: Care Act statutory guidance page 251 and 252*).

3.3 The Wider Legislative Context

The Autism Strategy – Think Autism states “Local authorities should ensure people with autism are aware of the right to access a needs assessment (for the adult) and a carer’s assessment (for the carer).” *Source: Autism Strategy Statutory Guidance page 17*)

In addition to the Children & Families Act and the Care Act the multi-agency protocol and pathway also recognises the duties under the legislative acts below:

- The Children Act 1989 & The Children’s Act 2004
- The Autism Strategy – Think Autism 2014
- Care Standards Act 2000
- The Education Act 1996
- SEN Code of Practice 2001
- Learning and Skills Act 2000
- SEN Code of Practice 2014
- Equality Act 2010
- United Nations Convention on the Rights of the Child 1989
- Mental Capacity Act 2005

3.4 Summary

The Children & Families Act and the Care Act transition chapters reinforce the same key themes regarding focusing on supporting young disabled people and young people with special educational needs from year 9 (age of 13/14) to prepare for adulthood with a focus on higher education or employment, independent living, participation in society and being as healthy as possible in adult life. The acts also introduces a statutory duty for all agencies to work in closer partnership, it is hoped this multi-agency protocol and pathway will help make clear the roles each agency has and help support coordinated partnership working focusing on the core themes set out in the statutory guidance. Both acts make clear the young disabled person and those with special educational needs and their family **must** be at the centre of all activity supporting them to prepare for adulthood via the setting of clear short, medium and long term outcomes.

4. Governance Structure

The Children & Families Act Project Board will monitor the effectiveness of the protocol and pathway alongside the overall implementation of part 3 of the Children and Families Act. The Children & Families Act Project Board reports to the SEND Disabled Children’s

Strategy Group, which has overall responsibility for the protocol. Preparing for Adulthood is also monitored by the Care Act Project Board. These two key boards will then feed into the overall council and health partner governance management structures. **See section 10 appendices** for details of the **overall governance structure**.

5. Preparing for Adulthood – Key Information

Some young disabled people will **not have any special educational needs** but may require support from health and social care services. The majority of disabled young people and young people with special educational needs will have their special educational needs met through the provision of additional support within their educational setting together with services available through Education, Health and Social Care. However, a very small number will require the relevant special educational provision to be made through an EHC plan in order to secure the best possible outcomes for them.

5.1 Who does this protocol and pathway apply to?

This Multi-agency Protocol and Pathway applies to, young carers, young disabled people and young people with special educational needs from year 9 (age 13 to 14) potentially up to 25 years of age if they have an or **Education, Health and Care (EHC) plan** in place or are subject to a 'Transfer Review' to move them from a statement of special educational needs to an Education, Health and Care plan.

Under the **Care Act** there is also a duty to identify and offer support to young people when there is **significant benefit** to the **young person or carer**, and **if they are likely to have care or support needs after turning 18**. In addition there is also a duty to **identify and assess young carers**. Adult Services will use the SEN statement and EHC plan data as a baseline for identifying people with potential **significant benefit**. On review of the data some young disabled people will be provided with information and advice only if they do not meet the significant benefit criteria. Young people with more complex needs who do meet the significant benefit criteria or are already known to the Disabled Children's Team will receive attendance at year 9 and year 11 reviews from either Adult Services or care managers from the Specialist Adult Pathway Team, all are entitled to have a transition assessment undertaken as a stand-alone document or as part of an EHC plan. Carers are also entitled to have their needs assessed. Children's Social Care Service will provide the Specialist Adult Pathway Team with details of all young carers at 16 years of age.

5.2 Providing information and advice

Information and advice is readily available to everyone. The main focus for the provision of information will be via the **Local Offer** website. Information provided must cover education, health and social care from 0 to 25 years of age. A wide range of information can be found on the [Local Offer](#) website; **please note:** The Local offer website is regularly updated and will evolve and develop over the coming years.

For young people over 18 years of age with social care needs information on local services can be found on the [Connect to support in Kirklees](#) website;

These services are provided to help support individuals and families to find information for themselves that will help them identify their own personal and community solutions to meeting their needs. Both sites provide a wide range of information about community services and services that will incur a cost.

Some young disabled people and young disabled people with special educational needs and their families will need supporting to explore the various support options available to them. It is therefore important everyone understands where to find information about what support is available to help.

Young disabled people and young people with special educational needs with a Special Educational Needs (SEN) statement or Education, Health and Care (EHC) plan will be provided with specific information and advice at key times to help them prepare for adulthood as part of meeting statutory duties. By April 2018 all young disabled people and young people with special educational needs statements will have transferred onto Education, Health and Care plans.

Advocacy - parents are provided with neutral advice and support from the **KIAS Kirklees Information and Advice Service** (formerly **Parent Partnership Service**). Information about this service is provided in every school. All young people will be informed of their right to access independent advocacy support if they wish. It is the responsibility of the lead practitioner to obtain independent advocacy support for young people if they wish. Advocacy support for young people can be accessed through the children's rights service. **See section 10 appendices** for more information on **KIAS Kirklees Information and Advice Service**.

Local Authorities must provide independent advocacy for young people undergoing transition assessments, provided certain conditions are met (see section 67 of the Care Act 2014). For information on how to access **independent advocacy services** from 16 years of age if you are undergoing transition assessments **see section 10 appendices**.

5.3 Making young people the centre of the preparing for adulthood process

All schools must undertake the following to prepare young disabled people for adulthood:

- PHSE lessons to include information and help with all aspects of becoming an adult including making choices, healthy living, healthy relationships, making a contribution, self-care skills and independence, a place to live and managing money
- All young people with an Education, Health and Care Plan or a statement of Special Educational Needs to receive Information Advice and Guidance as part of careers guidance
- Co-ordinate with other schools to host multi-agency information fairs in the autumn term for young people and their families in transition, ensure good attendance from all key agencies.
- Identifying the lead practitioner for each young person with an Education, Health and Care Plan or a statement of Special Educational Needs from Year 9 onwards

- It is good practice for schools to arrange work experience placements for young people
- Provide independent travel training if identified as part of their transition planning for adulthood and independence.
- Statutory reviews must be person centered and follow the requirements set out in the SEND Codes of Practice 2014.

5.4 Key roles in the preparing for adulthood process

Below is information about the key roles and services that are involved in supporting disabled young people and young people with special educational needs during the transition period from 14 years of age.

Lead practitioners

The lead practitioner can be a number of different people it is suggested in the following circumstance the lead practitioner should be:

- Young people with Special Educational Needs such as a learning difficulty but no additional social care needs. **Learning mentor**
- Young people with Severe Learning Difficulty, complex health needs severe or profound disability. **Social Worker or the Community Children's Nurse or Therapist.**
- Young people who are a Looked after Child or subject to a Child Protection Plan. Social Worker from Children's Looked After Children's Team or social worker from the Disabled Children's Service for children with complex needs.
- Young people post 16, the **Disabled Children's Team or Specialist Adult Pathway Team social worker.** They work closely with the SEN team as well as health practitioners and with education setting providers.
- Young people with the most complex needs who are health funded from 18 years of age. **Adult Nurse Case Manager within the Continuing Healthcare Team**
- Young people who are looked after aged 17 and a half also have an entitlement to a **Personal Advisor** under the Leaving Care Act. **Please Note:** Young People who are a Looked after Child will be allocated a Personal Advisor from aged 16. The Personal Advisor is a role not a person, the Children's Social Worker can be the Personal Advisor. The Leaving Care Team allocate a second worker who is known as the Personal Advisor from about 17 ½ of age. So from 16 years of age until the secondary worker is appointed, legally the Social Worker is their Personal Advisor under the Children (Leaving Care) Act 2000.

Reaching a jointly agreed decision on who is the most appropriate person to act as lead practitioner is a key element in supporting families in a coordinated and family centred way and to achieving positive outcomes. The key criterion in each individual case is who is the most appropriate person to act as lead professional?

Role of the lead practitioner

The role of the lead practitioner at transition from school to post 16 provisions is to:

- Ensure the young person with communication difficulties has a specific inclusion plan which should be developed for the young person in order their wishes, aspirations and views can be included within the transition process.

- Ensure that the information sharing agreement is undertaken with parents and given to practitioners with consent.
- Ensure that the assessments by other agencies are undertaken promptly, without duplicating requests for information and inform the statutory annual review/transfer planning/transfer review process.
- Ensure that a detailed record is kept of all activity and is available and accessible to the young person and their family.
- Act as a contact point and provide additional support as required by the young person and or family.

Special Educational Needs Assessment & Commissioning Team (SENACT) -
SENACT's are responsible for coordinating EHC needs assessments, producing the EHC Plan and for reviewing the EHC Plan on an annual basis. They also play a key role in the transfer review process; transferring the statement to an EHC Plan. They ensure that the EHC needs assessment; planning and review process is followed in a timely manner and in accordance with statutory requirements.

The role of SENACT in relation to the preparing for adulthood process from year 9:-

- Ensure that schools and services have notice that the annual/transfer review is due;
- Ensure that information is available to schools and services about the annual/transfer review and how it works;
- Explain the process to the parents/young person and provide information about KIAS;
- Attend transfer reviews;
- Enable timely local authority decision making and promptly communicate these decisions;
- Agree with the parents/young person what information/advice in addition to that received as part of the review will be gathered, requesting the information/advice and circulating on receipt;
- Where appropriate prepare/amend and circulate the EHC plan;
- Provide information to parents/young person about disagreement resolution, mediation and SEN Tribunal;
- Manage statutory timescales.

Disabled Children Service – Social care services for disabled children and young people should be integrated and work well together so that children and families/carers can access and receive appropriate support when they need it, for as long as they need it, this includes preparing for adulthood from the earliest opportunity to ensure a young person's journey into adult, education, health and social care is a planned and seamless process with the young person and their families aspirations at the center.

Disabled children and young people and their families/carers need to have open to them the whole range of opportunities, services and activities that non-disabled children and

young people take for granted, for example, voluntary leisure and community based activities such as sports facilities and clubs.

There are a number of services that make up the 'local offer' to families who for some reason cannot access services open to all. Some of these services will be able to be accessed without the need to speak to a social worker or other professional first. Parents/carers will be able to go direct to the service.

For some disabled children/children with additional needs, this may trigger the commencement of Early Support if there is not already an identified Early Support Keyworker.

Some disabled children/ young people with additional needs may simply require adjustments to universal services or access to a specialist service e.g. speech and language therapy and/or additional support services, in order for a child to achieve their potential and expected outcomes. Not all families consider they need someone in a keyworker role to assist them to access the services they need, but this can be made available to them as part of the Early Support way of working.

Some young people with more complex needs where targeted support/specialist services and Early Support will assist families to be able to live 'ordinary lives' and access support to meet their child's potential. A range of support and advice is available for young people and their families, so that families can receive Early Support and signposting to sources of help, from a range of professionals. They may be already in contact with SENCO, teacher, school nurse and have an Early Support Keyworker may come from social care, health or education, via the single assessment process. This role is usually provided by the person who is 'best placed' in terms of the needs of the family and the individual's skills, capacity and relationship.

Children and young people with more complex needs may need an assessment from a social worker in The Disabled Children's Service. This team has an eligibility criteria and services or additional support is only provided following an assessment of unmet need. The basis for supporting children and families and any services provided to them should be as follows:

- Information, eligibility criteria and services should be provided in a clear, fair and timely way
- Assessments of children with disabilities and/or complex health needs will also include an assessment of the family's needs (parents/carers/siblings)
- Thresholds provide guidance for consistency, but must ensure that the child's needs remain at the forefront of deciding the appropriate service to respond to need.
- The appropriateness of a multi-agency 'team around the family' should be considered in every family situation at levels 1 & 2
- An up-to-date assessment of need is the basis on which services are provided; needs can change over time and should be reviewed regularly
- Services must be compliant with current legislation and guidance

In a few family situations, the need to assess may also include assessment of safeguarding concerns that have come to light. This will include whether a child is experiencing neglect of his or her needs or even abuse. There is an information leaflet that covers safeguarding matters if this arises. Workers in any service will adhere to Kirklees child protection procedures in such circumstances.

The Specialist Adult Pathway Team (formally known as the **Transition Team**) work very closely with the **Disabled Children Service**, with disabled children from 14 years of age. Their role is to assess needs, support with completing adult services Person Led Assessments, completing transitional assessments and establishing if the individual is eligible for adult social care funded support. Other duties include attending annual EHC/transfer review meetings, start planning with disabled young people and their families who receive funded support from the Disabled Children Team from the year 9 reviews onward if appropriate. The Specialist Adult Pathway Team will start planning with the young disabled person and their families the adult social care support options available to them when adult social care become responsibility for funding social care needs on their 18th birthday.

Young disabled people and young people with special educational needs, who need more that information and advice and meet the Significant Benefit criteria, will be supported by an appropriate **Adult Social Care representative**. The adult social care representative will work with the individual and families for a limited period of time to identify how their care needs can be met. The co-ordination of whom from Adult Services should attend annual reviews and offer support will be led by the Specialist Adult Pathway Team. Social care transitions will stand alone and continue if no EHC Plan is in place or stops.

Health transitions are the most complex and often involve lots people; an individual person centred approach is taken based on the specific circumstances of the young person. A health lead professional will be identified as a single point of contact for the most complex cases, who will liaise with other health professional. The identification of the health lead professional in the most complex will be decided on a case by case basis.

The health lead professional will;

- Provide lead practitioner duties for young disabled people where their complex health care needs are a major priority.
- Liaise with the adult Continuing Health Care Assessment Team regarding completing the CHC screening tool for potential health funded young people 16 years of age and if applicable the full CHC assessment which must be completed by 17 years of age, if there is not an existing Continuing Care Package in place.
- Attend statutory annual EHC/transfer reviews where appropriate.
- Ensure that ongoing health services to meet health care needs are transferred from children's services to alternative adult health services, including medicine, supplies management and training needs (e.g. for personal assistants)
- Liaise with other health professionals regarding the health transition plan and to integrate health care planning with other planning processes.
- Contribute and lead where necessary on the health transition plan, health transitions will stand alone and continue if no EHC is in place or stops.)

C&K Careers Service

C&K Careers Service is a commissioned service with specific duties;

- To attend year 9 and year 11 reviews and subsequent "leaver" review meetings.
- To produce robust career summaries for each education "leaver", that includes evidence of the voice of the young person, their aspirations, short/medium and long term SMART outcomes, and where possible, evidence of guidance.

C&K Careers Service is responsible for ensuring that all school leavers have a suitable EET outcome, and where this is problematic, to raise concerns with SENACT.

Leaving Care Services (Looked After Children).

Looked after young disabled people and young people with special educational needs with a Special Educational Needs (SEN) statement or Education, Health and Care (EHC) plan will have a **Personal Advisor** (as required by the Leaving Care Act). The personal advisor will link with the Specialist Adult Pathway Team allocated social worker to agree who will be the **lead professional**. The Disabled Children's social worker will also work closely with the Personal Advisor and the Specialist Adult Pathway social worker up to 18 years. Looked after children's transition plan will stand alone and continue if the EHC plan stops.

For **young people who do not have** a Special Educational Needs (SEN) statement or Education, Health and Care (EHC) plan **who are looked after by the Local Authority** the transition plan will be replaced by the pathway plan. The pathway plan will set out arrangements to support the young person into adulthood including plans for future accommodation, education, training or employment, health care, access to leisure and community activities and contact with family and friends. The Pathway Plan will include the Health Action Plan and the Section 139 plan. This will be led by the personal advisor.

The Education, Health and Care (EHC) Plan is the process which brings together agencies from across children and adult, education, health and social care departments to work together. It is important to note that when the Education, Health and Care Plan are formally ended, health and social care plans and statutory duties towards Looked after Children will continue as stand-alone duties, person centred approaches and partnership working are still important to achieving positive outcomes.

5.5 Funded support for personal care and social needs

The majority of young disabled people and young people with Special Educational Needs will have their personal care and social care needs met via family support networks and community solutions.

A range of **targeted support services** within Children Service and **early intervention and prevention services**, part of the **universal offer** within Adult Services are provided. The provision of preventative, early intervention services that will stop, delay or reduce the need or dependency on formal funded social care services is a core theme of **new council**. These services are aimed at disabled young people and disabled young people with special educational needs who meet and do not meet the various criteria for individual funded social care support. **See section 10 appendices** for more information on **targeted support** and **early intervention and preventions services**.

Some young disabled people with more complex, high levels of care and support needs may be eligible for children or adult social care funding. Below lists the various potential funding streams that is available to those with the most complex needs.

Young disabled people with complex needs may be eligible for funded social care support from Children's Services – Disabled Children's Service. The Disabled Children's Service has eligibility criteria that must be met to receive children's social care funding. **See section 10 appendices** for details on the **disabled children's eligibility criteria**.

For young disabled people aged 18 and above Adult Services has a separate eligibility criteria for assessing eligibility for adult social care funding **see section 10 appendices** for information on the **national adult social care eligibility framework**.

Some very disabled young people may be eligible for health funding via NHS Continuing Healthcare, there are separate children's continuing healthcare criteria and adult's continuing healthcare criteria. **See section 10 appendices** for more information on **NHS continuing healthcare criteria for children and adults**.

Personal budgets – across education, health and social care individuals and families who are eligible for funded support have a statutory right to request a personal budget. Some may wish to take a managed budget (where the funding body manages the budget on the person's behalf), some may wish to take a direct payment (where an amount of funding is giving to the individual or responsible person to purchase care and support to meet the assessed outcomes in the care plan), and some may wish to take a mixture of both a

managed budget and a direct payment. Children and adults, education, health and social care have their own systems of allocating funding **See section 10 appendices** for more information on **personal budgets**.

5.6 Sharing information

Everyone needs to understand the correct way to share information between agencies. To share any personal information you must have that persons consent, there are strict data protection rules everyone has to follow. **See section 10 appendices for more information on the data protection policy**. The emphasis is on individuals and departments developing effective communication and information sharing systems within the above policy. If we are to work in a person centred way we need to avoid asking individuals and families for the same basic information over and over again.

The council and its key partners have developed an information sharing protocol. **See section 10 appendices for more information on Kirklees information sharing protocol**. When an information issue arises it is best to address them at the time and seek clarification from within your service. If the issue cannot be resolved and clarification is required then it should be passed up to the Children and Families Act Project Board.

6. Preparing for Adulthood Pathway – Key Stages

Preparing for adulthood multi-agency protocol and pathway begins at year 9 (age 13/14) and potentially can continue up to 25 years of age as long as there is a EHC plan in place.

6.1 Preparing for adulthood – from year 9 (age 13/14 onwards)

Education - the Local Authority is responsible for ensuring that the year 9 review specifically discusses preparing for adulthood, at this stage it may be met by simply providing information and advice, for some families they may wish to start more detailed planning. An individual family centred approach must be taken. Year 9 reviews will be set at the start of the academic year, enabling all parties plenty of time to plan and prepare for the review meeting.

Social Care – The Disabled Children’s Service will take the lead role in attending year 9 reviews for all young people known to them and will also represent Adult Services, providing a range of adult services information to individuals and parents if they wish to receive the information at this point. For the most complex cases or where families are anxious about what will happen in adulthood The Disabled Children’s Service may ask a member of staff from the Specialist Adult Pathway Team to attend the year 9 review in line with our statutory duty. It is envisaged the majority of young people and families will be satisfied with the provision of adult information and advice at this stage.

Health – It is important the key health professionals involved in the young person’s life attend the year 9 reviews and start discussing with the young person and their family regarding when the key health service provision changes from children to adult health services will occur.

6.2 Preparing for adulthood – from year 11 (age 15/16 onwards)

Education - For children and young people in their final year of schooling Year 11 to Year 14, the Local Authority is responsible for ensuring that a transfer review is undertaken as part of a needs assessment under the new SEN Code of Practice 2014. The Local Authority must give parents at least 2 weeks' notice that a transfer review and needs assessment will begin and to enable them to prepare for a transfer review meeting. Good practice would be to give young people and families as much notice as possible.

The transfer review meeting replaces the usual statutory annual review of the Statement of SEN and the transfer plan/ Learning Disability Assessment. Where appropriate and within 18 weeks of the start of the transfer review process, the Local Authority will transfer the Statement of SEN to an Education, Health and Care Plan which sets out provision in support of continuing education and or training and any health and care needs and provision. It should be clear in the review and planning what interventions, strategies; support and actions are required for the remainder of the young person's school life and moving forward into a new setting and preparing for adulthood. Should an Education, Health and Care Plan not be considered necessary, the Local Authority must notify parents within 14 weeks of the start of the transfer review. The majority of young people under this Protocol who had a Statement of Special Educational Need are expected to transfer to an Education, Health and Care Plan into post 16.

Local Authority guidance to schools, there is an expectation that a) there is a lead practitioner coordinating and communicating all necessary assessments and contacts with the young person and family; b) person centred approaches are used in planning for, and conduct of, the review process and c) planning is undertaken as early as possible to prepare the young person to participate as fully as possible for adulthood.

Previously post 16 settings would give a view on meeting needs following their own assessments. Under the Education Health and Care processes it is not a requirement that setting assessments are undertaken but rather a statutory consultation will take place using the review documentation.

Some young people in post 16 further education provisions no longer have a Statement of Special Educational Needs but rather their needs and provision are specified in a Learning Difficulties and Disabilities Assessment (S139a). This provision can remain without the need for an Education Health Care Plan but should include a more transparent, co-produced and robust planning and review cycle.

Young people and/or their families can request a statutory education needs assessment and this would follow the same process and 20 week time frame as with a new entrant. Social care or health colleagues will advise SEN colleagues whether or not a young person is capable of making their own decisions and informed choices under the **Mental Capacity Act**. From September 2016, any young person remaining in further education or training

must have their needs reviewed and where appropriate an Education Health Care Plan issued.

Post 16 Education Offer – Schools, FE colleges and sixth form colleges are required to secure access to independent careers guidance for all pupils/students up to and including age 18 and for 19- to 25-year-olds with EHC plans. This is summarised in the extract from ‘Careers Guidance and Inspiration for Young People in Schools’ Department of Education 2015 included below:

‘The overwhelming majority of young people with special educational needs (SEN) and disabilities are capable of sustainable paid employment, with the right preparation and support. All professionals working with them should share that presumption, and should help young people to develop the skills and experience, and achieve the qualifications they need, to succeed in their careers. Independent and impartial advice for young people with SEN and disabilities should include all of the education, training and employment opportunities on offer, and signpost them onto study programmes that will support their transition into paid employment. This includes supported internships for young people with Education, Health and Care (EHC) plans, traineeships and apprenticeships; and qualifications that will enable young people to study in higher education, where appropriate.

When a child is very young, or SEN is first identified, families need to know that the great majority of children and young people with SEN or disabilities, with the right support, can find paid work, be supported to live independently, and participate in the community. Schools should seek to understand the interests, strengths and motivations of children and young people and use this as a basis for planning support around them from an early age.

Schools should seek partnerships with employment services, businesses, housing agencies, disability organisations and arts and sports groups, to help children understand what is available to them as they get older, and what it is possible for them to achieve. For children with Education, Health and Care plans, Personal Budgets can be used to help children and young people with SEN to access activities that promote greater independence and learn important life skills.

For teenagers, preparation for adult life needs to be a more explicit element of their planning and support. Where a student has an EHC plan or a ‘Statement’, all reviews of that Plan or Statement from year 9 at the latest, and onwards, must include a focus on preparing for adulthood, including employment, independent living and participation in society. All schools should consider how to link employers with young people from year 9 onwards, as a critical part of helping young people with SEN raise their aspirations and develop their own career plans.

Schools should make use of the local offer published by the local authority which must set out details of SEN provisions in their area - including the full range of post-16 options. Schools must co-operate with local authorities, who have an important role to play, in particular through the provision of SEN support services and EHC plans. ’

As outline above additional support for this process is secured through a commissioned service from C&K Careers.

Raising of the Participation Age (RPA) means that young people are expected to participate in education or training until their 18th birthday. RPA does not necessarily mean staying in school; young people have a choice about how they continue in education or training post-16. This could be through:

- Full-time study in a school, college or with a training provider;
- Full-time work or volunteering (20 hours or more) combined with part-time education or training; or
- An [apprenticeship or traineeship](#)

Social Care – Attendance at the year 11 review meeting will be from both the Disabled Children’s Service if known to them and the Specialist Adult Pathway Team or adult social care representative. A social care transitional assessment will be undertaken by the Disabled Children’s Service, this will be passed onto the Specialist Adult Pathway Team as the young person approaches 18. The Specialist Adult Pathway Team will start undertaking the Person Led Assessment process, including carrying out a carers assessment. At this stage the specific planning for post 18 adult social care begins. Details of **Young Carers** will be provided to the Specialist Adult Pathway Team to ensure the transition assessment will be carried out for all young carers.

Health Care - It is important the key health professionals involved in the young person’s life attend the year 11 reviews and specific detailed planning with the individual and families begins. For young people with complex health needs it is crucial planning starts now. Health Professionals and Specialist Adult Pathway Team staff must work in partnership, from a funding perspective a clear indication regarding who has adult funding responsibility should be established by the young person’s 17th Birthday.

6.3 Preparing for adulthood – from 18 up to 25

Education – An EHC plan can remain in place for as long as it is necessary to make provision through it (between the ages of 0-25). Education may decide that an EHC plan is no longer needed if:

- The child or young person no longer needs the special educational provision specified in the EHC plan.

For young people aged 19-25 the council may decide that an EHC plan is no longer needed when:

- The education and training outcomes in the plan have been achieved.

In these circumstances the council may cease to maintain the EHC plan and will notify the parent or young person of their intention to do so.

Education is no longer responsible for a child or young person where any of the following conditions apply:

- A young person aged 16 or over leaves education to take up paid employment (including employment with training but excluding apprenticeships)

- The young person enters higher education
- A young person aged 18 or over leaves education and no longer wishes to engage in further learning
- The child or young person has moved to another local authority area.

It is important to note, when an EHC Plan ends, if there are ongoing health and or social care needs these may continue as separate stand-alone needs under the respective health and social care assessment and support systems.

Social Care – From a legal perspective adult social care legislation begins when someone turns 18 years of age, this is when adult social care funded support will replace children’s funding. The Specialist Adult Pathway Team and adult social care representative will have been planning with the young person and family for this day. Young people accessing children’s social care services will transfer to adult service funded services. Young people who meet the significant benefit criteria and also the adult social care funding criteria will be able to start receiving support from their 18th birthday. Good person centred planning will ensure the transition from children to adult service will take place over a period of time and good support will have been put in place to ensure the transition has been well planned and has taken place over a suitable period of time.

Health Care – the transfer from pediatric children’s service to specialist adult health services will take place over a period of time, it is important the more complex the individual’s health needs are the more planning is required. If the young person meets the NHS continuing healthcare criteria the provision of care and support services will be led by the lead health practitioner. Good person centred planning focusing on the young person and family will help make this difficult time less stressful.

7. Preparing for Adulthood – Assessment Process

Below identifies the various statutory assessment processes where there is a duty to carry them out during the transition period. It is important to ensure data protection policies are followed and if we are to work in a family centred way information should be shared with other professional which reduces the need to request basic information over and over again from families.

7.1 Assessments

Currently, a range of assessment & planning processes may be undertaken by different agencies during a child’s transition to adulthood. For example children and young people with special educational needs and disability may experience separate assessment and planning:

- from school to continued and further education, training & employment
- from Children’s to Adults Social Care Services, including a person led assessment and transitional assessment

- through statutory reviews and Pathway Plans completed by social workers if they are Looked After Children
- from Paediatric to Adult Health Care Services
- from Children's & Adolescent Mental Health Services to Adult Mental Health Services

All agencies should co-operate and co-ordinate, from the point of the school based statutory annual review and transition planning process, as appropriate to the young person's needs.

The protocol sets out the requirement for the school based annual review and transition planning to:

- reflect on the young person's strengths, abilities, views, wishes, feelings and any goals they may have for the future
- be aspirational, holistic and specific
- detail which agencies and professionals will provide new or updated assessments, reports, support and services
- identify the lead practitioner who will guide the child/ young person through their transition phase and ensure that services are, and remain, coordinated
- meet respective statutory duties and ensure co-operation with the LA
- If a young person has an Education Health and Care Plan, this must have clearly specified sections on: the views and aspirations of the child or young person and parents
- Strengths and SEN needs
- Social care and health needs relating to a young person's SEN
- outcomes across education, health and social care, including specific outcomes relating to preparing for adulthood
 - the special education provision needed and how it will be provided
 - Health and/or social care needs and provision which are related to the child or young person's SEN
- the name and type of education setting
- personal budget information

The request for statutory advice as part of the Education Health and Care assessment process requires social care to provide summary advice in these areas and supplementary reports/plans required under other legislation.

The review of an Education, Health and Care Plan should consider existing information, provide updated information, review progress made against holistic outcomes, set outcomes/shorter term targets for the coming year and plan ahead for steps needed in preparing for adulthood (e.g. agreeing necessary assessments, work experiences, visits etc.). An Education, Health and Care Plan will not cease without a statutory annual review meeting. This process should involve a clear exit plan for the young person. Some assessment elements within the EHC plan, i.e. health transition plan or social care transition plan will continue as stand-alone documents.

When a young person reaches 18 years of age, the planning and review process may continue. For example if they receive support from adult social care their support plan will be reviewed annually. In addition many college and work places hold regular reviews for young adults who require a coordinated package of support and service. Often these processes are combined depending on the level of a person's need. The key to success is ensuring a joined up coordinated approach is taken.

8. Appendices

The following documents and web links are all useful sources of information that have been mentioned above;

- A child & family centred approach paper – being revised
- Personalisation – Memorandum of Understanding/direct payment policies – waiting to be added
- [Eligibility for Disabled Children Service funding](#)
- [Eligibility for Adult Social Care Funding](#)
- [Children's CHC funding criteria:](#)
- [Adults CHC funding criteria:](#)
- Governance Structure – being revised
- [KIAS Kirklees Information and Advice Service](#)
- [Independent Advocacy Services](#)
- [Early Intervention and Prevention Services, Universal Service](#)
- Personal budgets –
[Adults](#)
Childrens – being revised
- [Data Protection Policy](#)
- [Information Sharing Protocol](#)
- Key Worker Paper – being revised
- [Guidance for SENCO](#)

- Transfer Review Process – being revised
- Health Pathway Diagram – being revised
- Link to [Local Offer](#)
- Link to [Connect to Support in Kirklees/Adult Social Care web pages](#)
- Young Carers Memorandum of Understanding – to be developed