

Introduction

A young boy with short brown hair, wearing a dark blue polo shirt, is sitting on a wooden windowsill. He is looking directly at the camera with a thoughtful expression, his hands clasped together in front of his chin. The background shows a window with a view of green foliage outside. The lighting is warm and natural, coming from the window.

Principles of Good Transitions 3

Scottish Transitions Forum
Second Edition 2019



Compiled on behalf of Scottish Transitions
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Foreword



In Scotland we are building a fairer society in which raising or caring for a child or young person with a disability is the rewarding experience we all have the right to expect from family life.

I welcome Principles of Good Transitions 3 as a basis to inform, structure and encourage the continual improvement of professional support for disabled young people between the ages of 14 and 25 who are making the transition into young adult life.

To achieve their full potential, young disabled people may need help and support.

This can be in different areas of their lives, which could include the move from school or college, or transfer from child to adult services. In addition, help identifying and achieving employment, education or training, managing welfare and housing changes, reviewing healthcare needs, providing information and advocacy, assessing capacity and managing risk may also be areas where help is needed. The Principles of Good Transitions 3 provides a framework to support this happening.

I am confident that practitioners from across a range of services will find this framework an excellent tool to support disabled young people transitioning from school into adulthood and other lifelong transitions.

I am pleased to say that The Principles of Good Transitions 3 has been endorsed by key organisations who have committed to putting these principles into practice.

Scottish Ministers remain committed to working together to improve transitions for disabled young people across our portfolios. We are keen to make change happen that will ensure transitions are as straightforward as possible with young people at the heart of any change. The Young Disabled People's Forum – Youth Action Success have told us what matters to them and we will continue to work with them to address the difficulties in transition they have faced.



Maree Todd MSP
Minister for Children & Young People

The Seven Principles of Good Transitions

-  1 Planning and decision making should be carried out in a person-centred way
-  2 Support should be co-ordinated across all services
-  3 Planning should start early and continue up to age 25
-  4 All young people should get the support they need
-  5 Young people, parents and carers must have access to the information they need
-  6 Families and carers need support
-  7 A continued focus on transitions across Scotland

Principles of Good Transitions 3 is divided into 8 parts. In addition to this introduction, each part addresses one of the seven principles of good transitions.

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Introduction

Welcome to the third edition of Principles of Good Transitions. This provides a framework to inform, structure and encourage the continual improvement of support for young people with additional needs between the ages of 14 and 25 who are making the transition to young adult life.

The seven principles we set out have been endorsed by many organisations that provide support for young people with additional support needs, the Scottish Government and national bodies. They are already being used to shape improvements within organisations, local authorities and at a national level.

Young people with additional support needs hope for the same things as other young people: to have a voice and a social life, and to be involved as active, valued citizens¹. Unfortunately many young people with additional support needs do not get the support they require to achieve this. It is important that work continues to be done to address this and help ensure that Scotland is the best place in which to grow up for all children, in line with the One Scotland and 2020 Vision.

We recognise that transitions occur throughout a person's life, however there is a large body of evidence to suggest that young adult transitions can be particularly problematic for many people with additional support needs.

Principles of Good Transitions 3

Introduction

- The seven principles of good transitions
- The Scottish Transitions Forum
- What we mean by 'transitions'
- Summary of professional duties

Why we use the term additional support needs

Throughout this document we use the term 'additional support needs'. 'Additional Support Needs' is a legally defined term which is about the support provided to pupils to overcome barriers to their learning in school and which comes from the Education (Additional Support for Learning) (Scotland) Act 2004. This means that the legal requirements are in place until a pupil leaves school, and therefore do not apply up until a young person is 25 years old.

However, in this document this term has been applied in a much broader sense, and has been extended to mean the support that anyone may need to overcome barriers related to learning, life and work. This is beyond the requirement of the Additional Support for Learning legislation.

Reasons for additional support needs secondary school (percentage of pupils with specific ASN)²

Deafblind	0.02 %
Substance misuse	0.2 %
Risk of exclusion	0.8 %
Bereavement	1.4 %
Visual impairment	2.23 %
Interrupted learning	2.29 %
Communication support needs	2.4 %
Young Carer	2.45 %
Mental health problem	2.84 %
Physical or motor impairment	3.72 %
Language or speech disorder	4.47 %
Hearing impairment	4.7 %
Looked after	5.18 %
More able pupil	5.4 %
Learning disability	6.168 %
Physical health problem	6.5 %
Family issues	6.59 %
Autistic spectrum disorder	7.16 %
Other	8.53 %
Other specific learning difficulty (e.g. numeric)	12.7 %
English as an additional language	13.36 %
Other moderate learning difficulty	13.7 %
Dyslexia	17.71 %
Social, emotional and behavioural difficulty	22.8 %
Total number of ASN pupils	82,266

Principles of Good Transitions 3 provides seven clear principles that can be used by professionals from all sectors, the Scottish Government and national bodies. This includes those responsible for planning and delivering support for children and young people with additional support needs within:

- Paediatric and adult health
- Child and adult social work and social care
- Education – secondary, further and higher
- Employment and training
- Third sector
- Public sector services (such as housing and welfare)
- Scottish Government and Scottish Parliament.

The contents of Principles of Good Transitions 3 have been informed by:

- Communication with members of the Scottish Transitions Forum across Scotland
- Consultation with young people and families in urban and rural areas³
- Learning from health and social care partnerships who are developing strategic approaches to transitions
- An external evaluation of the Scottish Transitions Forum published in 2015⁴
- Legislative developments and consideration from relevant Scottish Government policy teams
- Legal input to align the duties across the different professional areas involved in transitions.

You will find up-to-date information clarifying the changing policy and legislative framework that impact on transitions, practice examples and proposals for action locally and nationally. We indicate how the seven principles of good transitions align with the rights-based approaches such as the United Nations Conventions on the Rights of the Child (UNCRC), PANEL principles and the Equality Act 2010. A flowchart that highlights key statutory duties is also included in this section.

The intention is to help people to make transitions for young people as effective as they can be, but not to be specific about what is required in individual circumstances. Agencies working with young people must ensure that they comply with legal requirements across several pieces of legislation, and strive towards best practice. This is not a guide to the law, however it includes examples of good practice to illustrate some of the ways in which the law is being applied. As with any area of the law, there are some issues which remain unclear and which may only be resolved by judgments of the courts or tribunals. What follows is not a substitute for taking appropriate advice on the legal implications of specific situations.

Where references to legislation are made, we have done our best to accurately state the legal position as at 31 August 2016. Our thanks go to Cairn Legal Ltd, who have provided advice on the legal aspects of the text.

Scottish Transitions Forum

Our aim is to improve the experiences of young people (14-25) who require additional support who are making the transition to young adult life. We refer to this population throughout this document as 'young people.'

Our three objectives are:

- To support joined-up working across all services
- To continually improve knowledge, motivation and practice
- To inform and empower young people and their carers

Membership of the Scottish Transitions Forum is free and open to anyone who shares our vision. We have over 900 members, including professionals from all relevant sectors, young people and their carers. We consult our members on all aspects of our work.

Our work benefits all young people who require additional support in Scotland, including those with learning disabilities, autism, physical disabilities, sensory impairments, life limiting health conditions, mental health difficulties, young carers and those who have been looked after.

Our website and regular e-bulletins provide additional information concerning legislation, policy, practice examples, research and films of young people telling their transition stories.

To learn more about us and join the Scottish Transitions Forum please visit:

www.scottishtransitions.org.uk

Contact: **scott.read@arcuk.org.uk** or **rebecca.williams@arcuk.org.uk**

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The Scottish Transitions Forum is supported by the Association for Real Change (ARC Scotland). We are a charity that advances knowledge, practice and policy in health and social care for the benefit of people with learning disabilities or other support needs such as autism, mental health problems, sensory and physical disabilities.

What we mean by 'transitions'

Transition is the period when young people develop from children to young adults. This is not a single event, such as leaving school, but a growing-up process that unfolds over several years and involves significant emotional, physical, intellectual and physiological changes. During this period young people progressively assume greater autonomy in many different areas of their lives and are required to adjust to different experiences, expectations, processes, places and routines. Transitions also impact on the family or on those who care for the child or young person.

To achieve their full potential, young people often require support in different areas of their lives. There are professional considerations associated with the move from school or college or the transfer from child to adult services. These may include identifying and achieving positive destinations in employment, education or training, managing welfare and housing changes, reviewing healthcare needs, providing information and advocacy, assessing capacity and managing risk. These processes should have the young person's personal outcomes, aspirations and wellbeing at the centre. When their wellbeing is fully supported, they will be better able to achieve their full potential.

We know that many young people with additional support needs and their parents and carers find the transition to young adult life particularly challenging. These challenges are exacerbated by⁶:

- Organisational processes taking priority over individual needs
- Lack of support for carers and families
- Insufficient planning
- Unclear transitions pathways
- Limited options
- Lack of clarity about accountability⁷

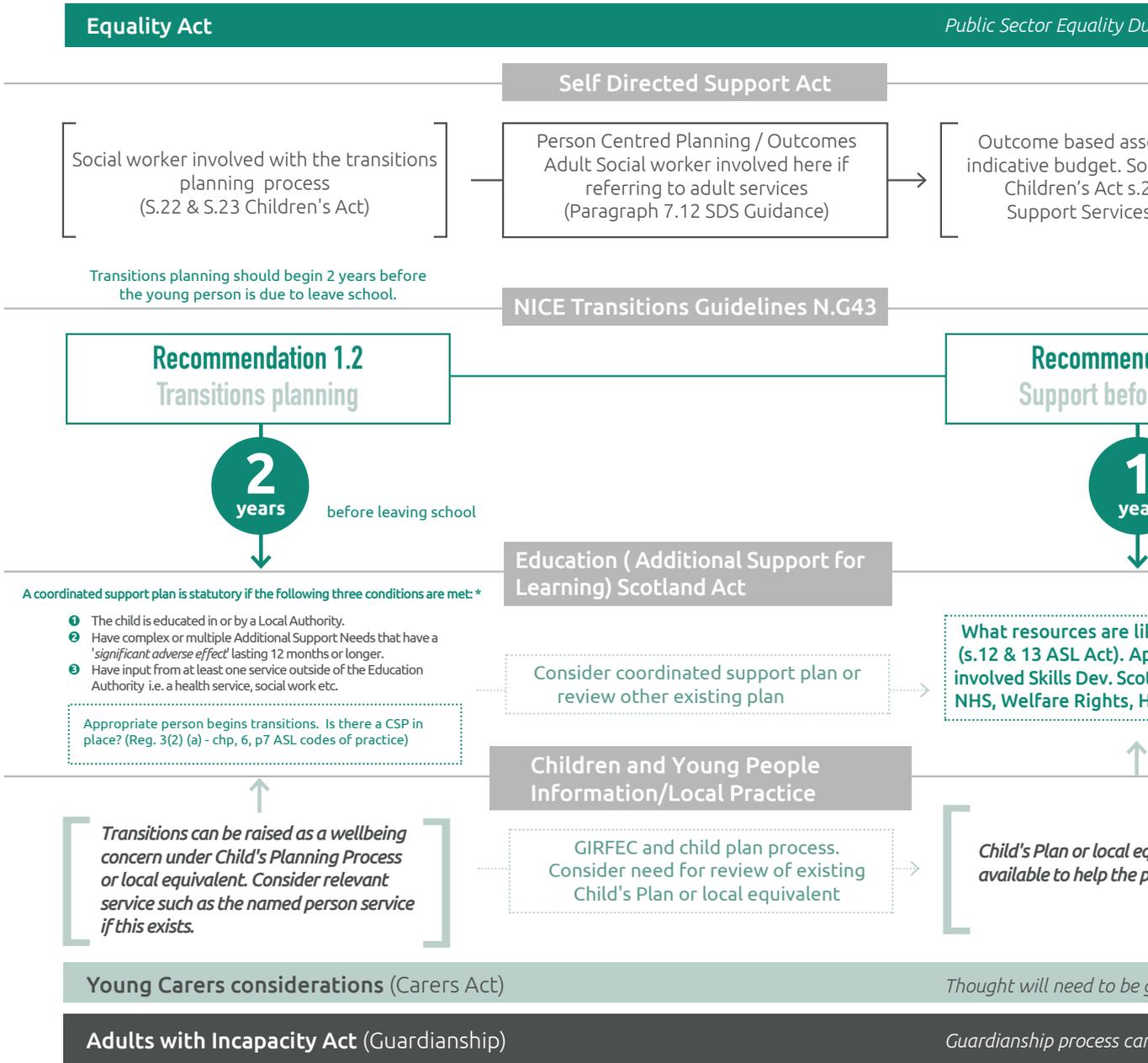
There is a considerable amount of evidence that has explored these challenges in detail^{8 9 10 11 12 13 14}, and the benefits of addressing them, for example the Doran Review¹⁵. The literature shows that well supported transitions can lead to positive outcomes, inclusion and a potential reduction in the long-term use of health and social care services¹⁶.

Summary of professional duties

This section summarises how the main legislative drivers relating to transitions fit together. More detailed information is provided in the subsequent sections.



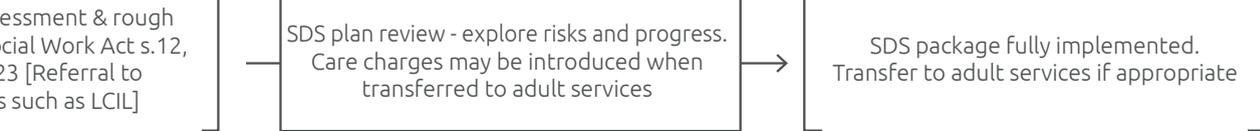
Key duties and recommendations for young people



* More information can be found in the Education (additional support for learning) Codes of Practice.

People with additional support needs in transition

... duties - Duty for all public services to make reasonable adjustments etc.



... to a young carer transitioning into an adult carer and adult carer support plan carried out.

... start at age 15&1/2 → Guardianship in place once 16

The PANEL Principles below have been taken from the Social Care (Self-directed Support) (Scotland) Act 2013 guidance. They focus on fundamental issues in applying human rights based approaches in practice. The rights they enshrine should underpin all policies and interventions relating to transitions.

PANEL Principles¹⁷

Participation

Everyone has the right to participate in decisions, which affect their human rights. Participation must be active, free, and meaningful and give attention to issues of accessibility, including access to information in a form and a language that can be understood.

Accountability

Accountability requires effective monitoring of human rights standards. For accountability to be effective there must be appropriate laws, policies, administrative procedures and mechanisms of redress to secure human rights.

Non-discrimination

Human rights based approaches means that all forms of discrimination must be prohibited, prevented and eliminated. It also requires the prioritisation of those in the most vulnerable situations who face the biggest barriers to realising their rights.

Empowerment

People should understand their rights, and be fully supported to participate in the development of policy and practices, which affect their lives. People should be able to claim their rights where necessary.

Legality

Human rights based approaches require the recognition of rights as legally enforceable entitlements, and is linked to national and international human rights law.

Children's rights and transitions

Support for transitions should be firmly rooted in children's rights. This is achieved by placing the child at the centre, recognising them as rights-holders, and acting in their best interests while taking their views into account.

'Evolving capacities' are referred to in the UNCRC (articles 5 and 14). Parents' rights have to be used in a way that takes account of the young person's maturity and understanding, especially as their capacity evolves. The Staying Put Scotland Guidance¹⁸ mentions a similar approach. These approaches should be embedded within transitions; meaning with increasing age, maturity, understanding and experience, a young person can progressively assume greater autonomy.

In Scotland, there is growing awareness of children's rights across public policy, public services and society. This is indicated by the recent inclusion in the Children and Young People (Scotland) Act 2014 of a range of duties on Scottish Ministers and public authorities relating to the United Nations

Convention on the Rights of the Child (UNCRC). The principles of transition closely align with the articles contained in the UNCRC, particularly:

- 2 (non-discrimination)
- 3 (best interests of the child)
- 4 (protection of rights)
- 12 (views of the child)
- 23 (children with disabilities)
- 24 (right to health)
- 25 (review of treatment in care)
- 27 (adequate standard of living)
- 28 (right to education)
- 31 (right to play)

Additionally, the United Nations Convention on the Rights of Persons with Disabilities (UNRPD) reaffirms that all persons with all types of disabilities must enjoy all fundamental human rights, and includes specific protections for the rights of disabled people.

Joint professional duties:

Transitions may present a wellbeing concern for some young people. If a wellbeing concern is identified through consideration of the Section 96, Children and Young People (Scotland) Act 2014 wellbeing indicators¹⁹, a targeted intervention may be necessary under the Getting It Right for Every Child (GIRFEC) framework, found in the Children and Young People (Scotland) Act 2014 and may require a Child's Plan. Each professional has a role to play in this process to ensure young people with additional support needs are enabled to achieve their ambitions, personal outcomes and potential, with no one professional having sole responsibility.

Some children and young people with complex additional support needs may also have a Coordinated Support Plan (CSP) in place if they meet the criteria for one: Education (Additional Support for Learning) (Scotland) Act 2004, Chapter 5 p67. This enables professionals from multiple agencies to plan together to meet a pupil's needs and to co-ordinate their support towards agreed learning targets. Many Scottish Transitions Forum members believe the CSP and the Child's Plan should be streamlined into a single plan to cut down on administration and reduce the number of processes families must understand.

Other professional duties include but are not limited to:

Education:

- The Named Person Service, if it is operating in your Local Authority Area might be best placed to begin the transition planning process and to ensure that appropriate agencies are involved. Part 4 of the Children and Young People (Scotland) Act 2014 sets out a duty to provide a Named Person Service. At time of writing this is not yet in force, and may well be subject to further revisions.
- Part 5 of the Children and Young People (Scotland) Act 2014 sets out duties in relation to a child's plan. Again, at time of writing this is not yet in force.
- The Additional Support for Learning (Changes in School Education) Scotland Regulations 2005 govern transitions within a child or young person's school career.
- Chapter 6 , p95, of the "Supporting Children's Learning" Codes of Practice and sections 12 and 13 of the 2004 Act set out the authority's post-school transition duties.
- These duties ensure the relevant information is available at least one year before the young person is due to leave school. This will mean working with partner agencies before this time to gather the appropriate information: Education (Additional Support for Learning) (Scotland) Act 2004 (Section 12, and Code of Practice, chapter 6, paragraph 15 - 17 and 20).

Social Work:

- Explore personal outcome planning with young people who meet the eligibility criteria: Social Care (Self-directed Support) (Scotland) Act 2013 (GIRFEC guidance).
- Provide an indicative budget for services to enable planning (Self-Directed Support guidance, paragraph 7.12).
- Comply with requests for assistance to adult services (potentially one year prior to young person leaving school) .
- Attend Transitions meetings section 12(6) Education (additional support for learning) Scotland Act 2004 and Chapter 6 paragraph 37 in the associated codes of practice.

Health:

- Work alongside social work and social care staff to ensure that information is shared to support planning of the young person's transition post-school: Section 13 of the Education (Additional Support for Learning) Scotland Act 2004 and the National Institute for Care Excellence Guidelines.
- Health representatives should attend the transitions planning process meetings as an 'appropriate agency' following a request for help from education: Education (Additional Support for Learning) (Scotland) Act 2004, sections 12 and 13 and chapter 6 paragraph 37 of the associated codes of practice.
- Respond to the request for help if asked through the Child's Plan process to involve adult health services (one year prior to young person leaving school).

Third sector:

- To proactively engage and work in partnership with the health and social care Joint Improvement Boards via the Third Sector Interface: (Public Bodies (Joint Working) (Scotland) Act (section 31 (1)).
- To attend transitions meetings if asked (Chapter 6 paragraph 37 and 38 of the Supporting Children's Learning Guidance (2017).
- Ensure they are included in planning processes where appropriate: National Institute of Care Excellence transition guidelines; Social Care (Self-directed Support) Act guidelines).

Other Local Authority duties:

- Using the Joint Commissioning²⁰ approach and the Community Empowerment (Scotland) Act 2015 (section 6 (1)-(4)); Public Sector Equality Duties under the Equality Act, 2010, section 149, Children and Young People (Scotland) Act 2014 (Part 3), Public Bodies (Joint Working) (Scotland) Act 2014 (section 58 and 4(1)- (2)), services should focus on the wellbeing of service users. This means commissioned services must anticipate and prevent needs from arising where possible.
- Ensure that people who use services are central to the commissioning process: Public Bodies (Joint working) (Scotland) Act 2014 (section 4. (1) (b) (i – xii)); NICE Transitions Guidelines; Social Care (Self-directed Support) (Scotland) Act 2013, section 9. (Equality Act, 2010, (section 149, (4) and associated public sector duties).
- Provide information to support the transitions process. Examples that provide approaches include the Equality Act (section 149, (4)) and associated regulations Social Care (Self-directed Support) (Scotland) Act 2013 section 9.

References

- ¹ NOP (2003) A survey of the views and experiences of young disabled people in Great Britain, conducted by NOP on behalf of the Disability Rights Commission, DRC: London; Morris (1999) Hurling into a Void JRF: York; and Heslop, P et al. (2002) Bridging the Divide at Transition: What happens for young people with learning difficulties and their families? BILD: Glasgow
- ² Data taken from the Report to Parliament around the Education (additional Support for Learning) (Scotland) Act statistics. [2017 figures accessed 2019]
- ³ ANS and STF (2015) Digging Deeper: exploration into transitions in rural areas Autism Network Scotland. Strathclyde University
- ⁴ ARC Scotland (2015) Evaluation of the Scottish Transitions Forum. Simon Jaquet Consulting
- ⁵ ARC Scotland (2015) Evaluation of the Scottish Transitions Forum. Simon Jaquet Consulting
- ⁶ LEAD (2015) Supporting disabled learners to realise their potential. Improving disabled learners' progression through learning in colleges. Scottish Government
- ⁷ STF and ANS (2015) Digging Deeper exploration of rural transitions experiences. Strathclyde University
- ⁸ SCCYP (2013) It always comes down to Money: Recent changes in service provision to disabled children, young people and their families in Scotland. Strathclyde University
- ⁹ NDCS and CRIED (2013) Close the Gap: Post-school Transitions of People who are Deaf or Hard of Hearing. Edinburgh University
- ¹⁰ CEN (2015) Transitions from Children to Adult Health Services for Children with Exceptional Health Care needs. CEN. NHS Scotland
- ¹¹ Sense Scotland and SDS consortium (2015) SDS Consortium: Working Together To Make It Happen: helping young people move on successfully. Sense Scotland

- ¹² Autism Network Scotland and Scottish Transitions Forum (2015) Digging Deeper: Exploring Transitions Digging Deeper Road Show Report. Strathclyde University
- ¹³ CYCJ (2016) A guide to Youth Justice in Scotland: Policy Practice and Legislation. Strathclyde University
- ¹⁴ Francis, T. (2016) Life on the Edge of the Cliff: Post school experiences of young people with Asperger's Syndrome, ADHD and Tourette's Syndrome: Study Visit 1. Italy. Francis, T. (2016) Life on the Edge of the Cliff: Post school experiences of young people with Asperger's Syndrome, ADHD and Tourette's Syndrome: Study Visit 2. Norway. Francis, T. (2016) Life on the Edge of the Cliff: Post school experiences of young people with Asperger's Syndrome, ADHD and Tourette's Syndrome: Study Visit 3. The Czech Republic
- ¹⁵ Scottish Government (2012) The Doran Review. HMSO. Edinburgh
- ¹⁶ Baxter, K., Glendinning, C. and Clarke, S. (2008) Making informed choices in social care: the importance of accessible information, Health and Social Care in the Community,16,2,197_207
- ¹⁷ Scottish Executive (2013) the Social Care (self-directed support) guidance 2013 HMSO. Edinburgh
- ¹⁸ Scottish Government (2013) Staying Put Scotland Guidance. HMSO
- ¹⁹ Scottish Government (2012) GIRFEC Outcomes Framework Report
- ²⁰ Social Work Inspection Agency: Guide to Strategic Commissioning : Taking a Closer Look at Commissioning in Social Work Services. <http://www.gov.scot/Publications/2009/09/17112552/2>



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