I welcome the Principles of Good Transitions 3 and the work of the Scottish Transitions Forum.

This guide has been developed as a result of Scotland-wide consultation in relation to transitions, and has been produced by the Association for Real Change (ARC) Scotland in collaboration with the Scottish Transitions Forum.

Transitioning young people into adulthood cuts across a number of Ministerial Portfolios and national policies for example GIRFEC, Additional Support for Learning and Autism and Learning Disabilities to name but a few, Scottish Ministers remain committed to working together to improve transitions for young people with additional support needs.

We believe that young people with additional support needs have the right to be valued as individuals and lead fulfilling lives. They have the right to contribute to Scotland’s economy, access and participate in their communities and benefit from a fair and inclusive society. For young people to achieve this they need the right support to make the transition into young adulthood. The Principles of Good Transitions 3 provides a framework to make this happen.
I am confident that practitioners from across a range of services will find this framework an excellent tool for supporting young people with additional support needs transitioning from school into adulthood and other lifelong transitions.

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

I believe that by focussing our efforts on getting key transitions right for individuals and working together on improving transition practices that we will deliver better outcomes for young people with additional support needs.

Ms Maureen Watt
Minister for Mental Health
## 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.
Contents

Foreword by Maureen Watt MSP, Minister for Mental Health iii

The seven principles of good transitions v

Introduction 2

The Scottish Transitions Forum 8

What we mean by ‘transitions’ 10

Summary of professional duties 12

References 23
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 citizens. 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

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 support for pupils with Additional Support Needs [numbers per 1000]²

<table>
<thead>
<tr>
<th>Reason</th>
<th>Number per 1000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Deafblind</td>
<td>0.1</td>
</tr>
<tr>
<td>Substance misuse</td>
<td>0.3</td>
</tr>
<tr>
<td>Risk of exclusion</td>
<td>1.4</td>
</tr>
<tr>
<td>Bereavement</td>
<td>1.9</td>
</tr>
<tr>
<td>Young carer</td>
<td>2.4</td>
</tr>
<tr>
<td>Mental health problem</td>
<td>3.4</td>
</tr>
<tr>
<td>Interrupted learning</td>
<td>3.9</td>
</tr>
<tr>
<td>Hearing impairment</td>
<td>4.0</td>
</tr>
<tr>
<td>More able pupil</td>
<td>4.6</td>
</tr>
<tr>
<td>Visual impairment</td>
<td>5.6</td>
</tr>
<tr>
<td>Communication support needs</td>
<td>7.2</td>
</tr>
<tr>
<td>Physical or motor impairment</td>
<td>11.1</td>
</tr>
<tr>
<td>Looked after</td>
<td>11.1</td>
</tr>
<tr>
<td>Physical health problem</td>
<td>13.3</td>
</tr>
<tr>
<td>Family issues</td>
<td>14.3</td>
</tr>
<tr>
<td>Autistic spectrum disorder</td>
<td>17.2</td>
</tr>
<tr>
<td>Other</td>
<td>20.8</td>
</tr>
<tr>
<td>Language or speech disorder</td>
<td>21.6</td>
</tr>
<tr>
<td>Learning disability</td>
<td>22.5</td>
</tr>
<tr>
<td>Dyslexia</td>
<td>25.0</td>
</tr>
<tr>
<td>Other specific learning difficulty (e.g. numeric)</td>
<td>25.8</td>
</tr>
<tr>
<td>English as an additional language</td>
<td>32.3</td>
</tr>
<tr>
<td>Other moderate learning difficulty</td>
<td>34.2</td>
</tr>
<tr>
<td>Social, emotional and behavioural difficulty</td>
<td>46.6</td>
</tr>
</tbody>
</table>
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 areas
- Learning from health and social care partnerships who are developing strategic approaches to transitions
- An external evaluation of the Scottish Transitions Forum published in 2015
- 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 experience of children and young adults (14 to 25 years) as they make the transition to adult life. We refer to this population throughout this document as ‘young people.’

Our three objectives are:

• To guide and inform improved approaches to transitions across Scotland
• To support people to work collaboratively, share learning, identify gaps in provision and generate solutions
• To involve young people with additional support needs, their parents and carers in our work

An external evaluation of the Scottish Transitions Forum\(^5\) carried out in 2015 found that it has a key role in supporting and promoting good practice, communicating information about policy and legislation and highlighting the importance of transitions.

There are over 750 members of the Scottish Transitions Forum representing a wide range of professionals, young people, parents and carers. Membership is free and is open to anyone who is committed to improving transitions for young people with additional support needs.

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

Telephone: 0131 663 4444
The Scottish Transitions Forum is supported by the Association for Real Change (ARC Scotland). We are a charity that promotes the development of high-quality, person-centred support for people with a learning disability or other support need. We pride ourselves on our effective and extensive partnerships with provider organisations, local authorities, the Scottish Government, people who use services and their parents and carers across the whole of Scotland.
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 by:

- 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 accountability

There is a considerable amount of evidence that has explored these challenges in detail, and the benefits of addressing them, for example the Doran Review. 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 services.
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 with additional support needs in transition:

- **Equality Act**
  - Public Sector Equality Duties - Duty for all public services to make reasonable adjustments etc.
  - Thought will need to be given to a young carer transitioning into an adult carer and adult care assessment carried out.

- **Thoughts on young people transitioning**
  - 2 years before leaving school:
    - Consider Change of Named Person Service.
    - Review Child’s Plan. Change of Managing Authority or If over 18 Named Person service ends, (parts 4 & 5 of CYP Act).
    - Transitions Planning should begin 2 years before the young person is due to leave school.

- **Recommendations**
  - Recommendation 1.1: Transitions Planning
  - Recommendation 1.2: Transitions Planning
  - Recommendation 1.3: Support before transfer
  - Recommendation 1.4: Support after transfer

- **Considerations**
  - Girfec and Child’s Plan process.
  - Consider need for Child’s Plan Review of existing plan.
  - Social worker involved with the Child’s Plan (Part 4 & 5 Children and Young People Act and S.22 & S.23 Children’s Act).

- **Other resources**
  - Learning Choices - Opportunities for ALL, Skills Development Scotland etc.

- **Legal considerations**
  - Guardianship process can start at age 15 & 1/2
  - Guardianship in place once 16

- **Legislation**
  - Adults with Incapacity Act (Guardianship)
  - Children and Young People Act
  - Additional Support for Learning Act
  - NICE Transitions Guidelines N.G43
  - Consider coordinated support plan or other review of existing plan.
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 Principles**

<table>
<thead>
<tr>
<th>Principle</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Participation</td>
<td>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.</td>
</tr>
<tr>
<td>Accountability</td>
<td>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.</td>
</tr>
<tr>
<td>Non-discrimination</td>
<td>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.</td>
</tr>
<tr>
<td>Empowerment</td>
<td>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.</td>
</tr>
<tr>
<td>Legality</td>
<td>Human rights based approaches require the recognition of rights as legally enforceable entitlements, and is linked to national and international human rights law.</td>
</tr>
</tbody>
</table>
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 Guidance 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 indicators', 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 (Part 5 - Children and Young People (Scotland) Act 2014). Each professional has a role to play in this process to ensure that 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, section 2. 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 that 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. Alignment is already being undertaken and provided for, enabling statutory plans to be incorporated within the Child’s Plan.
Other professional duties include but are not limited to:

Education:

- The Named Person Service could 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 and associated (draft) guidance 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 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 that 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 31).
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) if laid out in the Child’s Plan: Children and Young People (Scotland) Act 2014, Part 5.

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; Children and Young People (Scotland) Act 2014.
- 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.
- 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): Part 5, Children and Young People (Scotland) Act 2014.
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))).
- 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 Commissioning\(^2\) 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; Children and Young People (Scotland) Act 2014; Social Care (Self-directed Support) (Scotland) Act 2013 section 9.
References


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


10. CEN (2015) Transitions from Children to Adult Health Services for Children with Exceptional Health Care needs. CEN. NHS Scotland

17 Scottish Executive (2013) the Social Care (self-directed support) guidance 2013 HMSO. Edinburgh