



Argyll and Bute's Children



**Post School Transition:
Children and young people
affected by disability**

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Foreword

Argyll and Bute Council Education Service and Argyll and Bute Health and Social Care Partnership are committed to improving outcomes for young people with disabilities who are experiencing the exciting but also potentially anxious transition from full time enrolment in school and support from Children's Services into the adult world and possible support from Adult Services.

Since 2012 when our previous Transitions Protocol was produced GIRFEC practice has become embedded across Argyll and Bute, integration of Health and Social Care Services has seen significant changes in service structures and at a national level the Scottish Government has sponsored the development of new standards and practices for young people and their families experiencing the transition into the adult world and for those professionals and agencies involved in providing support at this important stage in the lives of young people.

This revised protocol is informed by improvements in GIRFEC practice and by the endorsement given by Argyll & Bute Council and NHS Highland to the Scottish Government sponsored national guidance for policy and practice *Principles of Good Transition 3 (PGT3 2017)*. This national guidance document co-produced by organisation **Association for Real Change** and families with experience of this transition prescribes seven principles of

good policy and practice. These principles are outlined at page 6 of our revised protocol with a web link to the document for easy access to this essential guidance.

This revised protocol will provide clear guidance and support for practitioners across agencies who are helping young people and their families move through the changes of young adulthood.

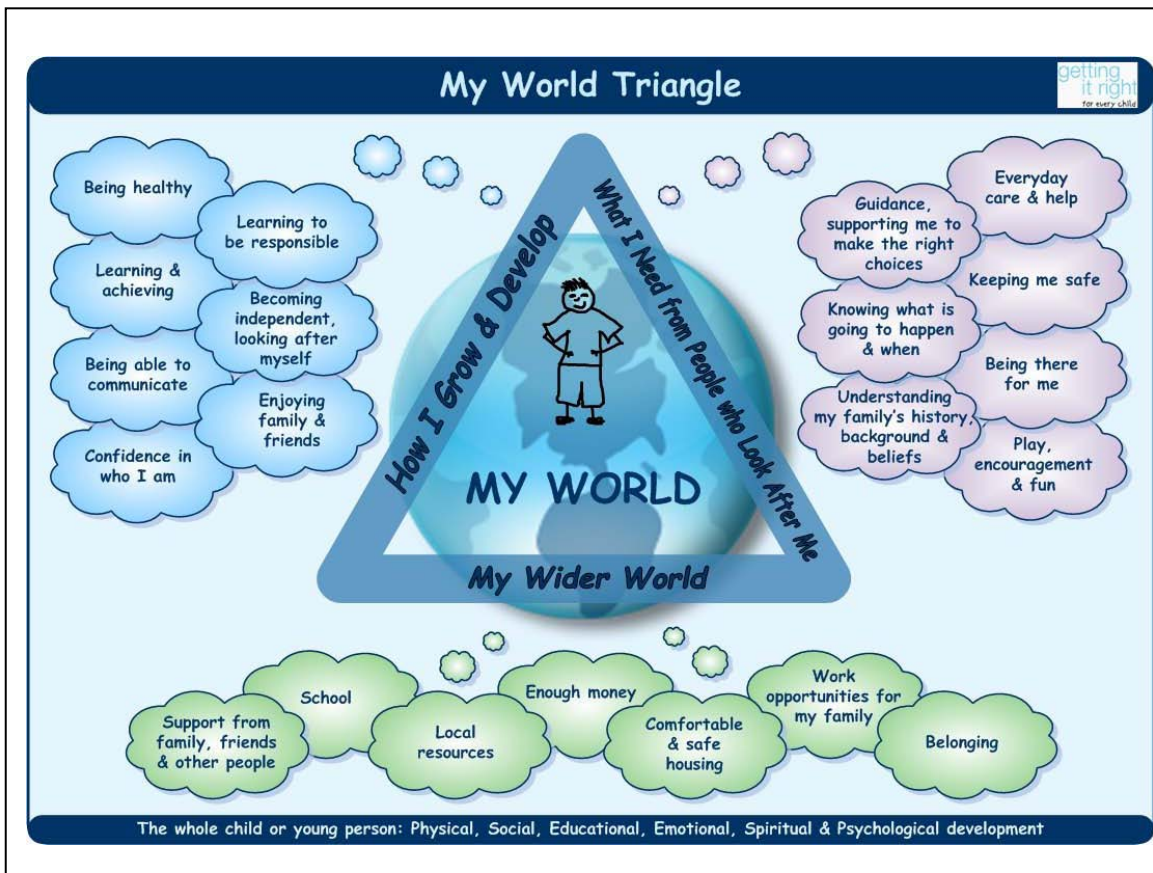
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1. Getting it right at post school transition

1.1 *Getting it Right for Every Child (GIRFEC)* is the Scottish Government national framework for practice with the aim of improving outcomes for all children and young people and making sure that all agencies respond appropriately and, when required, work together to address the needs and risks for children and young people. It provides mechanisms for identifying and planning how we help children and young people grow and develop. It seeks to improve services and measures the impact services have on a young person's well-being and development. Assessment of the needs of children and young people is based around the My World Triangle. The My World Triangle illustrates the complex relationship between factors impacting on a child's development and well-being, and provides a mental map that helps those working with children and young people, children and young people themselves and families. Attention is given to strengths as well as any areas of concern and any risk factors highlighted.



The Children and Young People (Scotland) Act 2014 enshrines the GIRFEC practice model in law.

- 1.2 This guidance emphasises the importance of staff from all agencies working closely together to ensure positive and sustained outcomes for young people post school, following the principles of *Getting it Right for Every Child*. Central to transition planning is effective joint working between staff from Children's and Adult services in respect of information sharing, joint assessment of need and in identifying long term care planning goals.

Post school transition represents a major life change for young people. It often raises issues of maintaining and making new friendships, accessing work or further education opportunities, coping with new situations and challenges as well as building resilience and increasing independence. For some young people this will include managing the challenges of travelling by themselves to new destinations. Implementation of the guidance will help to ensure that the issues that are important to young people and their parents / carers are properly identified, acknowledged and addressed, by the right people at the right time, in an empathetic and holistic manner.

- 1.3 The move to adulthood can be an exciting and fulfilling experience for young people, but it can also be a time of anxiety and concern about the future. This guidance is designed to ensure that this critical time of change is managed sensitively and effectively and that agencies work together with young people and their parents / carers to help them make a successful start to their adult lives.

2. Legislation, policy and guidance

- 2.1 An estimated 11% of the adult population in Scotland is aged 16-24. 9% of these young people have a long-standing illness, health problem or disability (Scottish Government 2011).

- 2.2 ***The Education (Additional Support for Learning) (Scotland) Act 2004***, requires education authorities to take specific action to help young people with additional support needs to make the transition from school to post-school life successfully. It places a duty on the education authority to request information from appropriate agencies, if any, which are likely to be involved with the child or young person on leaving school. The appropriate agencies, all in Scotland, which may be involved, are:

- Any other local authority
- Any NHS Board
- Social Work
- Skills Development Scotland
- Any Further Education College
- Any Institution of Higher Education

For young people with additional support needs, the **ASL Act**, gives clear guidance on the minimum requirements for supporting young people to move on to positive destinations (Supporting Children's Learning Code of Practice, revised edition 2010, Chapter 6). Transitional duties in terms of the ASL Act will apply to all young people with additional support needs where one, or more, of the following circumstances apply. They:

- have a co-ordinated support plan
- are in a specialist placement such as a specialist unit or a day or residential special school
- have additional support needs arising from a disability within the meaning of the Disability Discrimination Act 1995 (replaced by Equality Act 2010)
- are otherwise at risk of not making a successful transition.

The Code of Practice highlights that when planning for post-school placements, it will often be better to start the transition planning much earlier than the latest timescale required by the Act, for example, prior to subject choices being made for externally validated course work.

- 2.3 The principles detailed in *Principles of Good Transition 3 (PGT3) (2017)* <https://scottishtransitions.org.uk/summary-download/> should be embedded in practice and should underpin the processes that enable successful transitions to take place. This document addresses transition principles across a range of sectors and environments and a wide range of additional support needs. It also lists actions that will help to put these principles into practice in line with current and developing legislation and policy.

PGT3 highlights the following:

1. Planning and decision making should be carried out in a person-centred way
2. Support should be coordinated across all services
3. Planning should start early and continue up to age 25
4. 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

Direct reference should be made to this document to consider in more detail how these principles can be translated in an effective way to ensure practice improves outcomes for young people as they move on from school.

- 2.4 ***Opportunities for All*** brings together a range of existing national and local policies and strategies as a single focus to improve young people's participation in post 16 learning or training, and ultimately employment, through appropriate interventions and support until at least their twentieth birthday. This Scottish Government initiative builds on and adds impetus to existing entitlements and commitments to support youth employment through the senior phase of Curriculum for Excellence, including 'the development of skills for learning life and work, robust transitions through 16+ Learning Choices and the targeted support offered through More Choices, More Chances (MCMC)'.

Opportunities for All is an explicit commitment to offer a place in learning or training to every 16-19 year old who is not currently in employment, education or training. It requires the post-16 learning system to re-engage young people who are not currently in education, employment or training appropriately with learning or training between their sixteenth and twentieth birthdays and to enable support to be offered to young people more effectively beyond that age. *Opportunities for All* ensures access for all Scotland's young people to a range of opportunities, including staying on at school, national training programmes, university and college courses, Activity Agreements and additional opportunities offered through Inspiring Scotland, Community Jobs Scotland and Department for Work and Pensions (DWP) Jobcentre Plus.

The foundations for successful transition should be laid throughout a young person's education. Specific transition support should be put in place from S3 for those who have been identified as having specific barriers to learning: this should involve schools, Skills Development Scotland and relevant partners.'

- 2.5 If concerns arise around the transition process it is helpful to discuss these concerns with the Head Teacher of the relevant school in the first instance. Education Officers (EOs) can also be involved in helping to resolve disagreements and contact details for the link EO can be obtained from the school. If it has not been possible to resolve concerns at a school level the Education Manager, Inclusion and Integration can be contacted through the Education Service, Argyll House, Dunoon. It is hoped that most disagreements can be successfully resolved at a local level.

The Additional Support Needs Tribunal for Scotland (ASNTS) can hear references relating to transitions in circumstances where the Education Authority has failed to meet its duties regarding post school transition. Parents, and young people where they have legal capacity, can make references to the ASNTS (www.asntscotland.gov.uk).

3. Supporting effective transitions

- 3.1 **Identification of need:** A key feature of ensuring effective transitions post school, particularly for young people with significant disability, is to ensure that the appropriate agencies are involved at the correct time. Early involvement of the appropriate agencies will contribute to clear, co-ordinated planning throughout the transition period. This could include staff within Education, Skills Development Scotland, Social Work Children's Services, Social Work Adult Services and colleagues in Health Services. Strong working relationships are developed through a clear understanding of the roles and responsibilities across agencies.
- 3.2 A smaller group of young people will require Adult Services post school, to allow them to access and sustain placement in positive destinations. Many children with additional support needs may not have needed intervention from Social Work Children's Services to this point, nonetheless, assessment by Children's Services will be required if it is anticipated that support packages may be needed post school.

The following questions should be used to help identify those young people who are likely to need support from adult services, and therefore for whom a specific transition assessment may be required. At the end of S2, and at all subsequent reviews the following statements should be considered for children with additional support needs:

Is this young person likely to:

1. have difficulty taking care of themselves and meeting their needs independently
2. be unsafe in the community on their own
3. have significant difficulty socialising appropriately
4. show behaviours that may be a risk to themselves or others
5. have difficulties travelling independently or coping with transition to a new education or work environments post school

If the answer to one or more of these questions is 'yes', then the Named Person or their representative should, following consultation with parents/carers and the young person and through the Child's Planning process, follow the procedures detailed in section 5 below. Careful consideration should also be given to curricular implications to ensure successful future transition, for example, developing skills for independent travelling well before the young person leaves school.

Following discussion with the Area Principal Teacher, schools should submit the list of all young people who are likely to require formal transition arrangements to the Education Manager Inclusion and Integration in September of each year to support transition planning across the authority.

- 3.3 Argyll and Bute Council has a detailed policy on school leaving dates (Appendix ii). Young people will leave school at the end of their sixth year of secondary education at the latest. To ensure effective multiagency planning it will be important for young people, parents / carers and professionals to have a clear, shared understanding of when the young person will leave school.

4. The transition phase of Child's Planning

- 4.1 Once young people for whom formal transition procedures require to be put in place have been identified, a clear transition protocol should be followed. This process will normally begin towards the end of S2 as the young person enters the transition phase of planning. The Child's Plan meeting will normally be convened by the Named Person for the young person, unless a Lead Professional is in place. For young people with a disability who are looked after, the Social Work service will be the Lead Professional. A Looked After Child's review can act as a transition / through care and after care planning meeting. For those young people in specialist education placements outwith Argyll and Bute who are not looked after, this planning will be progressed by the Named Person in conjunction with the appropriate educational psychologist.
- 4.2 For those young people who already have a Child's Plan or Coordinated Support Plan (CSP), meetings to review the Child's plan or CSP should specifically consider transition arrangements. There should not be multiple meetings with different purposes but the transition planning element should be clearly identified. In all cases, a clear, written transition plan should be developed. This should be in place whether or not the young person also has a Child's Plan or Coordinated Support Plan.
- 4.3 A number of key issues require to be discussed during the transitions phase of planning.

a. First and foremost, consider and detail the possible support that needs to be in place from services prior to leaving school, at the point of leaving school and beyond, to ensure a seamless positive transition. This may include elements of provision from Children's / Adult Services Social Work, Education Post 16 arrangements in accordance with *Opportunities for All* processes and / or provision from Health. It will also be helpful to identify what outcomes these supports are aimed at securing for the young person in

the short, medium and longer term.

b. Clearly identify both the earliest date that a young person can leave school and the planned leaving date.

c. Ensure that the young person's view about their hopes for the future and their preferred destination post school is actively sought, understood, agreed and recorded in the plan.

d. Identify and record the parent's view about what they hope their child will be doing after they leave school.

e. Identify any skills that should be supported now, that will help the young person make a successful transition, for example, independent travel.

f. Consider whether the right people are involved to support the transition. The named person or lead professional, as appropriate, require to make contact with the agency whose support is needed.

g. Record in writing the transition element of the plan identifying who will do what and when.

- 4.4 Existing practice guidance around leading effective meetings should be followed to ensure discussions are collaborative and action focused with clear decisions taken. *Planning for Children and Young People: A practitioners' guide to chairing Child's Plan meetings* can be found on the GIRFEC website and as with all meetings should be used to guide the transitions phase of the Child's Plan process. <https://www.argyll-bute.gov.uk/social-care-and-health/chairing-childs-plan-meetings> .

5. Request for assessment from Social Work Children's and Adult Services

- 5.1 At the end of S2 of secondary schooling, consideration should be given to whether intervention may be required from Children's and / or Adult Services to support the transition process. Along with all available assessment information, the views of parents / carers and the views of the young person themselves, consideration should be given to the five key questions detailed in section 3 above.
- 5.2 Where it is anticipated that intervention may be required to support the young person's transition, the Request for Assessment form (appendix i) should be

completed by the Named Person, or their representative, in consultation with the young person and parent / carer.

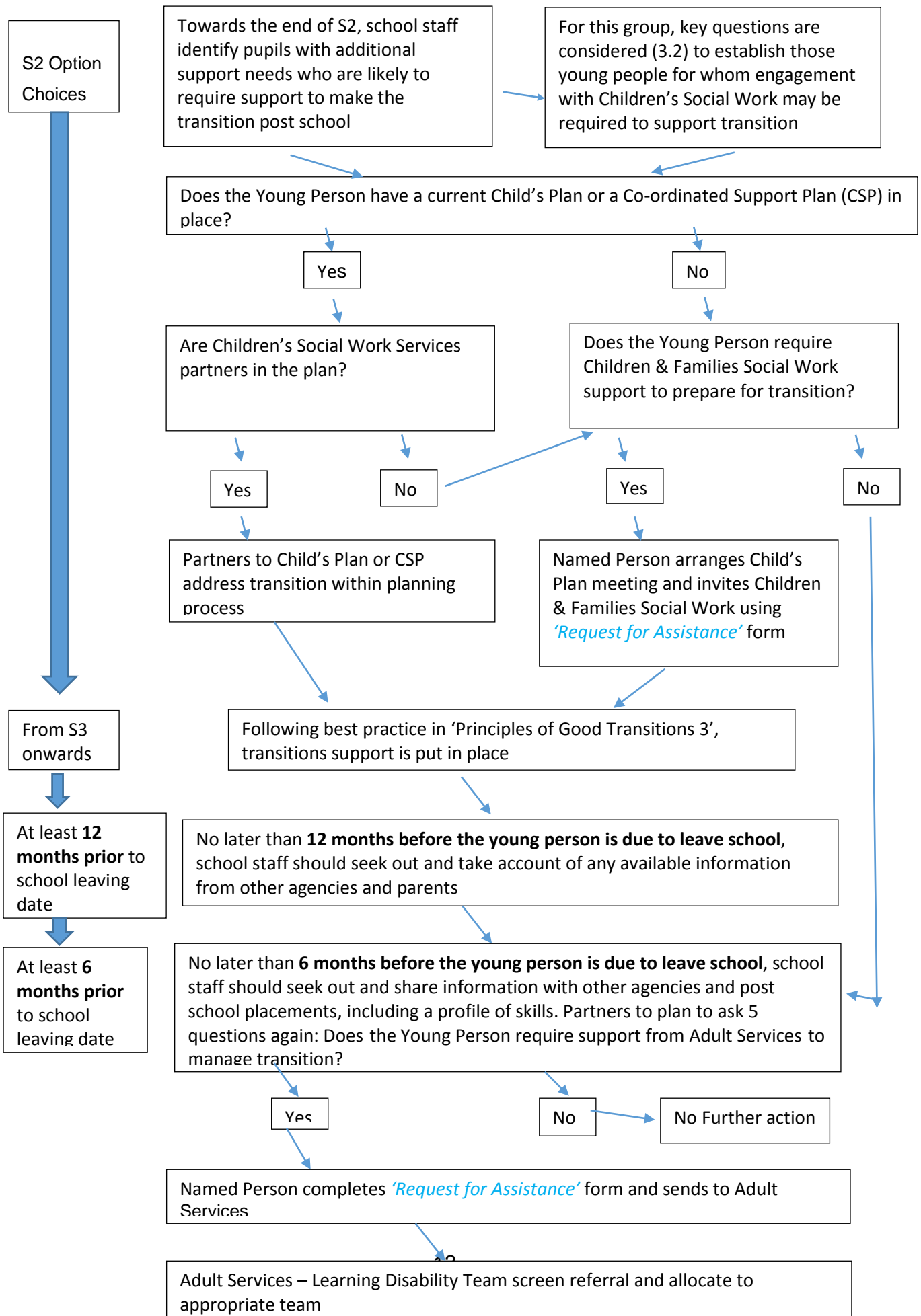
- 5.3 Transition between Children and Families and Adult Social Work services should support young people to make a planned move on from school and ensure that young people, and their families and carers have clear support arrangements identified prior to leaving school. Where there are concerns about the young person's capacity beyond the age of 16 to act, make, communicate, understand or retain information about decisions it may be that an application by any person for Power of Attorney or Guardianship under the powers outlined within the **Adults with Incapacity (Scotland) Act 2000 Act** would be appropriate to meet the young person's continuing care needs. Where such concerns exist as the young person approaches age 16 the social workers from either or both services involved should discuss with parents and provide advice about the options available under this legislation.
- 5.4 If the young person is already known to Children's Services the transition assessment is completed by Children's Services in collaboration with Adult Services. Full responsibility for the transition assessment and planning of post transition support passes to Adult Services 6 months prior to the young person leaving school.
- 5.5 If the young person is not known to Children's Services, and there is no identified need for support from Children's Services, the request for assessment is passed directly to Adult Services. All referrals will be considered by the Learning Disability team in the first instance, who will identify which Adult Services team would be most appropriate to consider the assessment request.
- 5.6 Wherever possible, the relevant person from Children's or Adult Services will liaise with the school to attend a Child's Planning meeting where transition is being discussed. This will allow careful consideration of the young person's needs, skills that it will be important for the young person to develop prior to leaving school and which team from Adult Services' will be most likely to provide support.
- 5.7 Once a referral has been received, there are three possible outcomes:
- Additional information will be sought from the Named Person
 - A transition assessment will be completed
 - The young person does not meet the eligibility criteria for a transition assessment

The response to the referral will be communicated in writing to the Named Person and the parent / carer.

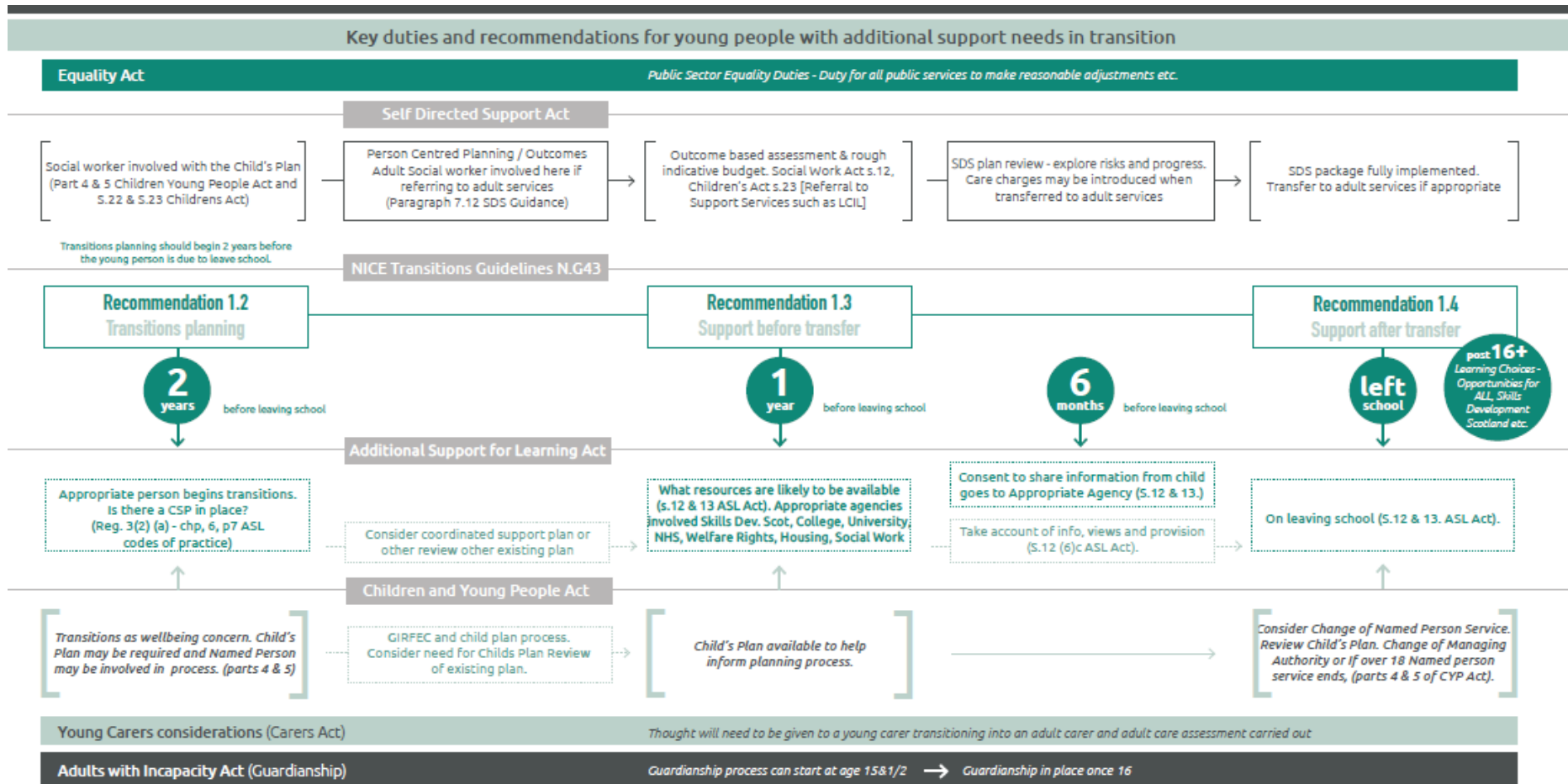
6. Transitions timelines

The timeline below summarises the minimum actions that require to be taken for young people who have been identified to be in need of transition planning, in terms of the ASL Act. This is followed by the legislative framework around transitions detailed in POGT 3. Ensuring that all agencies work together so that young people and parents / carers receive the right support at the right time will contribute to the success of the transition process.

6.1 Preparing for Adulthood – Transitions Timeline



6.2 Key duties and recommendation for young people with additional support needs in transition (PGT3 2017)



Appendix 1

Transitions for Young People Affected by Disability

Request for assessment

To be completed by the Named Person or their representative

Name of young person	
Date of birth	
Home address	
Anticipated school leaving date	
Last possible school leaving date	

Please outline briefly the needs of the young person, including any specific diagnosis, and how these needs are currently supported in school

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What is the young person's preferred destination when they leave school and what are their hopes for the future?

In terms of support required post school, which of the following statements are relevant for this young person?

The young person...	Yes / No	Comments
1 is likely to have difficulty taking care of themselves and meeting their needs independently		
2 is likely to be unsafe in the community on their own		
3 will have significant difficulty socialising appropriately		
4 has behaviours that are likely to be a risk to themselves or others		
5 is likely to have difficulties travelling independently or coping with transition to a new education or work environments post school		

Is support required from Children's Services now?	Yes / No
If yes, what is the nature of the support that may be required?	
Is support through Children's Services already being provided?	Yes / No

Is it anticipated that support will be required when the young person leaves school?	Yes / No
<p>If yes, what is the nature of the support that may be required?</p>	

Name of referrer:	
Designation:	
Date:	
Date referral discussed with parent (and young person where appropriate):	

<p>If Children and Families is already involved, or there is a current need for intervention from Children and Families this form should be emailed to the contact below</p>
<p>spoccentral@argyll-bute.gov.uk</p>

<p>If there is no current need for involvement from Children and Families, and support will only be required post school, a telephone referral should be made to the Adult Services Duty Worker, followed up by the Assessment Request form</p>	
<p>Adult Services Duty Worker</p>	<p>01546 605517</p>

Please note that this is a request for assessment and does not mean that assessment or intervention will be provided.

For completion by Children's / Adult Services

Form considered by	
Date	
Response to the request and action taken	
Date referrer was notified of the outcome of the request	

Appendix 2

Argyll and Bute Council Policy and Procedure: School Leaving Dates

1. Introduction

This policy states Argyll and Bute Council's position of educating young people beyond the age of 16.

2. Setting the context

There is a strong tradition in Argyll and Bute Council of promoting inclusion. This is clear through the Corporate Plan and the Single Outcome Agreement. The council's values are: we involve and listen to our customers and communities; we take pride in delivery best value services; we are open, honest, fair and inclusive; we respect and value everyone.

The council's key principles are that

- no one is disadvantaged because of their race or ethnic origin, disability, gender, age, sexual orientation, or religion or belief
- the differences between people are valued and good relations between groups are promoted
- people are treated fairly and with equal respect
- informed assessments are made on the impact of policies and services
- people are involved in the decisions that affect them and encouraged to participate in public life.

3. Background

A range of local and national guidance along with key legislation was considered before agreeing a policy on a school leaving age for all pupils.

3.1 The Education (Scotland) Act 1980 provides

- the definition of a 'young person'. In terms of Section 135 this means a person over school age (16 years of age) who is not yet 18 years of age
- the two leaving dates for young persons leaving school in terms of section 33. For the summer term it is 31st May, for pupils reaching the age of 16 before 1st October of the same year; for the winter term it is the first day of the Christmas holidays for pupils reaching 16 before 1st March of the following year
- the right of a parent or young person to make a Placing Request and to appeal the decision to the relevant appeals committee
- the power of a school to exclude a child or young person; and the right of a parent or young person to appeal the decision to the relevant appeals committee.

3.2 The Education (Additional Support for Learning) (Scotland) Acts of 2004 & 2009 provide the following, (It should be noted that this is not an exhaustive list)

- a new framework based on the idea of additional support needs (ASN) for supporting children and young people in their school education, and their families;
- a duty on Councils to make adequate and efficient provision for each child or young person with additional support needs, for such additional support as is required
- a statutory planning document called a Coordinated Support Plan (CSP);
- a responsibility to request information and take advice from agencies involved with supporting a young person on leaving school to ensure there is adequate support in the period up to leaving school;
- a responsibility to ensure that transition planning is embedded within the education authority's policies and practice;
- a new mechanism for resolving disputes for children and young persons including the introduction of Additional Support Needs Tribunal (ASNT).

Please note; the ASNT does not hear cases where the young person is beyond the age of 18 unless the reference was raised at an earlier stage.

3.3 The Standards in Scotland's Schools etc Act 2000, states in section 1:

- that it shall be the right of any child of school age, (deemed to be between the ages of five and sixteen years of age in terms of section 31 of the 1980 Act) to be provided with school education.

3.4 The Disability Act 1995 and the Equality Act 2010, stipulate:

- "that a person has a disability for the purposes of this Act if he has a physical or mental impairment which has substantial and long term effect on his ability to carry out normal day-to-day activities."

3.5 Argyll and Bute Information for Parents considering a deferred entry pre-school place for their child outlines the following:

- Children whose fifth birthday falls in January or February have the right to start school at 4½. They also have the right to defer entry and to have a free preschool education place for an extra year. Children whose fifth birthday falls between the beginning of September and the end of December also have the right to start school. They also have the right to defer entry to school but a free preschool place is not automatic for these children, it is at the discretion of the local authority based on the best interests of the child.

3.6 Delayed entry to primary school / delay within school stage

- In exceptional circumstances, a child may be granted an additional year at the pre-school stage as a result of identified additional support needs which have a bearing on their ability to benefit from school education;
- A decision on delayed school entry will be made by the appropriate Quality Improvement Manager and the early years team in consultation with the Area Principal Teacher and Psychological Service;
- All pupils will normally progress through school spending an academic year at each stage of schooling;
- In exceptional circumstances, where pupils have missed a significant portion of an academic year due to medical or other factors, and would benefit from remaining at the same stage in schooling for another year, consideration may be given to such a request;
- The decision on the retention of a pupil at the same stage for an additional year will be made by the appropriate Quality Improvement Manager in consultation with early years or school staff, the Area Principal Teacher and Psychological Service.

3.7 Further Education

A young person nearing school leaving age may transfer to an appropriate full time further education course in advance of his/her normal leaving date. In all cases this will require the prior approval of the Quality Improvement Manager (Pupil Support) having considered all aspects of the case (e.g. transport, free meals, etc.) and provided that:-

- (i) the young person has completed four years of secondary education;
- (ii) the course is a full-time one providing subjects approved by Education Services; and
- (iii) in the view of the authority, the young person, because of his/her circumstances, could benefit from such a placement.

4. Conclusions

From the review of the main legislation and the acknowledgement of existing practice operating in Scotland, the following points can be concluded:

- there is a statutory duty to educate all children between the ages of five and sixteen; thereafter, the national policy is to educate for a further two years, thereby providing up to thirteen years of education, of which six are spent in the secondary sector;
- there is no legal duty on education authorities to provide school education beyond the age of 18. The expectation is therefore that no young person will remain in school beyond the end of their sixth year of secondary school;
- there is no requirement, in the case of pupils with additional support needs, to continue a coordinated support plan beyond the point at which the young person reaches the age of 18;
- there is a duty to ensure all pupils identified as requiring support and who are making the transition from school to the world of young adulthood have in place effective transition arrangements and planning, in line with Argyll and Bute GIRFEC Post School Transition guidance;
- all young people should have support to consider their next steps through the 16+ Learning Choices process.

5. Summary

Within Argyll and Bute schools it will be assumed that pupils will remain in schooling at a minimum until their statutory leaving age of 16 years, and not beyond the age of 18 years. This means that pupils will either:

- (i) leave school at the statutory leaving age (normally sixteen); or
- (ii) stay on for a fifth year or
- (iii) stay until the end of their sixth year of secondary school.

Discretion with regard to the final leaving date may be shown in the small number of cases where there has been a delayed start at primary school or a prolonged interruption to a pupil's academic year such as in the case of a serious illness. Such exceptional circumstances should be discussed with the Principal Educational Psychologist.