

Middlesbrough Council

Wellbeing, Care and Learning

*Preparing for Adulthood [PfA] for children
and young people with Special
Educational Needs and/or Disability
[SEND]*

14-25 years

September 2016

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1. Introduction

This document has been prepared to reflect the changes to the legislation governing Special Educational Needs and/or Disability [SEND]. It has been drafted in light of the new SEND Code of Practice [0-25 years], implemented in September 2014 and updated in January 2015.

In January 2015, the Department for Education published an updated version of the Special Educational Needs and Disability Code of Practice: [0-25 years] [CoP] outlining the government's vision for children and young people with special educational needs and disability [SEND] with a new system for meeting those needs in educational settings:

“Our vision for children or young people with special educational needs and disabilities is the same as for all children and young people – that they will achieve well in their early years, at school and in college, and will lead happy and fulfilled lives.”

[Pg. 11 SEND Code of Practice 0-25 years, 2015]

As of 1 September 2014, reforms were introduced by the Children and Families Act 2014, the new 'Special Educational Needs and Disability Code of Practice: [0-25 years] and associated regulations', which change the way that children and young people with special educational needs have their needs identified, assessed, supported and reviewed. These reforms make provision for:

- Children, young people and their families to be at the heart of the system;
- Close co-operation between all services that support children, young people and their families through joint planning and commissioning of services;
- Early identification of children and young people with SEN;
- A clear and easy way to understand the 'Local Offer' of education, health and social care services;
- For children and young people with more complex needs, a co-ordinated assessment process and a new 0-25 Education, Health and Care [EHC] plan which will replace a 'Statement of Special Educational Needs'
- A single, coherent system which spans across all educational settings;
- New rights and protections for 16-25 year olds in further education or training which is comparable to those in schools;
- A clear focus on outcomes for children and young people with EHC plans, anticipating the education, health and care support they will require, and plan for a clear pathway through education and adulthood, including finding employment, independent living and increased community participation;
- The offer of a personal budget for families and young people with an EHC plan.

The Children and Families Act 2014, The Care Act 2014 and associated regulations were implemented in 2014 in all local areas, taking forward wide-ranging reforms of the system including setting out the duties towards children and young people with a Special Educational Need and/or Disability [SEND]. Part 3 of the Children and Families Act 2014 along with Part 1 of the Care Act 2014 requires education, health and care settings to pay particular attention to:

- An outcome focused approach.
- Preparing for Adulthood [PfA] with outcomes from Year 9 upwards focusing on:
 - Post 16 education, training or employment;
 - health;
 - independent living;
 - friends relationships and community participation.
- A focus on choice and control over support for young people and their families.
- A focus on the importance of the involvement of parents and young people in decision making.
- Must have regard to the wellbeing duty in the Care Act when providing support to parent carers.
- Duty to ensure integration of services across education, health and care, in particular where it promotes the wellbeing or improves the special educational provision that is available.
- Control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided);
- Participation in work, education, training or recreation;
- Social and economic wellbeing;
- Domestic, family and personal relationships;
- Suitability of living accommodation;
- The individual's contribution to society;
- Care and support to actively promote people's wellbeing and independence, rather than waiting for people to reach a crisis point;
- A duty to provide or arrange for the provision of services, facilities or resources that contribute towards preventing or delaying the development of care and support needs;
- When promoting individual wellbeing the local authority must have regard to the importance of achieving a balance between the individual's wellbeing and that of any friends or relatives who are involved in caring for the individual.

[Part 3. The Children and Families Act 2014]

2. Preparing for Adulthood

As part of the reforms; children and young people with a special educational needs and/or disability from year 9 upwards [14-25 years] where needs allow for; will be supported with developing independence, staying healthy, post 16 education/training and employment opportunities which will give positive life changing experiences for children and young people with SEND. Identified early, any support should be central to the child or young person's aspirations, interests and needs. High aspirations about employment, independent living and community participation should be developed through the curriculum and extra-curricular provision.

Educational settings should work in partnership with employment services, businesses, housing agencies, disability organisations and activity groups.

All professionals working with a child or young person should share high aspirations and have a good understanding of what support is effective in enabling children and young people to achieve their ambitions realistically.

Settings should be supportive in preparing children and young people with SEND for adulthood inclusive of:

- Post 16 education, training or employment, including exploring different employment options, such as support for becoming self-employed and help from supported employment agencies;
- Independent living, 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.

[Pg. 122 -124 SEND Code of Practice 0-25 years]

3. Preparing for Adulthood in Middlesbrough

For all children and young people with SEND from year 9 upwards and at each Education, Health and Care plan [EHCP] review thereafter; Middlesbrough Council, educational settings, health and care will include clear pathways focusing on preparing for adulthood and transitional arrangements early.

Preparing for Adulthood should be discussed with the young person prior to the review, during the review and after the review. A preparing for adulthood approach should be used throughout all person centred planning meetings to help form the best outcomes for EHC plans, setting out clear outcomes to prepare young people for adulthood.

Preparation for Adulthood pathways need to be raised with a child or young person from year 9 upwards by educational settings or professionals from health and care, including during timely periods such as;

- During EHC assessment, annual reviews and transfer reviews;
- During all planning for transition into post 16 education and training, and via place planning;
- Where information, advice and guidance on clear pathways is being provided from year 9 and upwards;
- Where support is already in place, to prepare for post 16 education, training and/or employment;
- Where support is already in place to prepare for independent living, including where appropriate, ascertaining where a child or young person would like to live;
- Where support is embedded in maintaining good health; inclusive of planning for transition of health services;
- Participating in society, including mobility and transport;
- Through ongoing discussion to develop and maintain relationships and friendships.

- Supporting young people aged 16-17 years to make their own decisions;
- Supporting young people aged 19-25 with their transition to adults services;

Assessments and Reviews will identify the support a child or young person needs to achieve the outcomes and aspirations specified in their Education, Health and Care plan [EHCP] preparing them for adult life.

4. Support for young people with SEND and decision making

When a young person with SEND has reached the end of compulsory/raising participation age], young people years with capacity have their own rights on decisions.

They can:

- Request an Education, Health and Care [EHC] assessment;
- The right to make representations about the content of an EHC plan;
- Request a post 16 education setting to be named in their EHC plan;
- Increase choice, opportunity and control including a wider range of post 16 education settings and training providers they can request;
- Clearly focus on outcomes for an EHC plan; anticipating the education, health and care support they will require and plan a clear pathway through education and adulthood, including finding employment, independent living and increased community participation;
- Request a Personal Budget and/or direct payment for elements of an EHC plan;
- Appeal to the First-tier Tribunal [SEND] about decisions concerning an EHC plan.

Middlesbrough Council and educational, health and care settings will continue to involve parents and carers in discussions as long as the young person is happy for them to do so. The rights aforementioned are subject to the young person having capacity to make the decision applying the principles as set out under the Mental Capacity Act 2005.

[Section 1. The Mental Capacity Act 2005]

5. Transition to post 16 education, training and post 19 provision

Consideration must be given to post -16 education, training or employment at the earliest opportunity, starting in year 9 or earlier where possible. For children and young people with EHC plans; following a review these plans will be more detailed with a clear focus on transition planning, careers and preparing for adulthood. Support during this time should include:

- Impartial information, advice and guidance on careers and jobs;
- High Quality Study programmes;
- Pathways to employment including apprenticeships, traineeships and supported internships.

Consideration should be given to Children and young people with EHC plans for a full provision across a five day week. This may include a package of support across education, health and care and may involve activities such as volunteering or work experience and life skills.

The very idea of supporting a young person in preparing for adulthood and making this transition is to make sure a provision is individualised to fit in with a young person's aspirations and needs and may include:

- Achieve qualifications;
- Use of Maths and English in everyday situations, i.e. paying for items or reading bus timetables;
- Training and/or employability;
- Achieving greater independence;
- Independent living;
- Stay safe and healthy.

6. Personal Budgets and EHCP's

A personal budget is a sum of funding which can be requested by the parent or by the young person themselves, where it is clear there is a need for additional provision, compared to that available to most young people through local services, with regard to any support delivered in an educational setting, subject to approval.

A person centred planning approach should be used where a personal budget has been requested and agreed. There are a number of ways in which a parent and/or a young person can be involved in securing provision through a personal budget:

- As a direct payment; funding may be provided to the family to manage, to deliver the support and outcomes as set out in the EHC plan;
- An arrangement where the local authority, school or college holds and manages the budget to secure the support specified in an EHC plan for the family (also known as an individual fund or 'notional budget');
- A third party arrangement where funds are held and managed by an individual or organisation on behalf of the child's parent and/or young person or as a mix of the three options above.

The aim of a personal budget is for families and young people to have a greater choice and control over the life and type of support they want.

7. Improving outcomes for all children and young people with SEND

The majority of children and young people who are identified as having SEND will have their needs met within their local mainstream provision. The Equality Act 2010 sets out legal obligations that early year providers, schools, post 16 institutions, local authorities and others have towards disabled children and young people:

- *They must not directly or indirectly discriminate against, harass or victimise disabled children and young people;*
- *They must not discriminate for a reason arising in consequence of a child or young person's disability;*
- *They must make reasonable adjustments, including the provision or auxiliary aids and services, to ensure that disabled children and young people are not at a substantial disadvantage to their peers.*

[Pg.17 SEND Code of Practice 0-25 years, 2015]

References and resources:

Source: Department of Education and the Department of Health / Special Educational Needs and/or disability Code of Practice [0-25 years] January 2015

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Source: Preparing for Adulthood/ Factsheet /The Children and Families Act 2014 and The Care Act 2014 with changes

http://preparingforadulthood.org.uk/media/412594/care_act_mar15.pdf

<http://preparingforadulthood.org.uk/resources/all-resources/factsheet-the-children-and-families-act-and-the-care-act>

Source: The Children and Families Act 2014

<http://www.legislation.gov.uk/ukpga/2014/6/part/3/enacted>

http://www.legislation.gov.uk/ukpga/2014/6/pdfs/ukpga_20140006_en.pdf

Source: Department of Health/The Mental Capacity Act 2005

<http://www.legislation.gov.uk/ukpga/2005/9/section/1>

Source: The Care Act 2014 and changes effective from April 2015

<https://www.gov.uk/government/publications/care-and-support-whats-changing/care-and-support-whats-changing>