

Meeting:	Cabinet
Meeting date:	Thursday 23 July 2020
Title of report:	Herefordshire Multi- Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood
Report by:	Cabinet member children and families

Classification

Open

Decision type

Non-key

Wards affected

(All Wards);

Purpose and summary

- 1) To agree the revised content of the Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood on behalf of Herefordshire Council services
- 2) To delegate responsibility for the reviewing and technical updating of the Protocol to the Head of Additional Needs

Recommendation(s)

That:

- (a) Approve the Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood;**
- (b) Delegate the responsibility for reviewing and technical updating of the Protocol to the Head of Additional Needs.**

Alternative options

1. The current Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood published in 2014 is out of date. This new protocol reflects the ambitions of the Children and Young People's plan 2019/20204 and legislative changes. Herefordshire young people are at risk of having a poor experience of moving into adulthood if we do not produce a new Protocol. Information about preparing for adulthood is held in different places and websites and not easily accessible for young people and their families.

Key considerations

2. The purpose of this protocol is to make clear the transition planning and review processes that prepare and support the move from adolescence to adulthood. The protocol is for Herefordshire young people with special education, disabilities and complex needs who:
 - have an Education, Health and Care (EHC) Plan
 - meet the national eligibility criteria from the Care Act (2014)
 - receive a service from the Children with Disabilities Team
 - have or may have continuing health care needs
 - have complex needs (a combination of multiple and profound impairments, challenging behaviour and learning disabilities and acute and chronic medical conditions)
 - Others who are not covered by the above but still have significant support needs

This period extends from year 9 when a young person is approximately 14 years of age up until their 25th birthday.

3. All partners commit to ensuring that preparation for adulthood for this group of young people is timely and planned. For example, this might include:
 - moving from one education setting to another
 - the transfer from children's social care to adult social care
 - having opportunities for work, housing choices and a social life in the community.
4. Preparing for Adulthood means preparing for:
 - further/higher education and/or employment - including options for supported internships, apprenticeships, self-employment, volunteering, college and university
 - independent living - this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living as far as reasonably possible
 - 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
5. This protocol is relevant to all the professionals and agencies in Herefordshire that have a responsibility for ensuring young people with special education, disabilities and complex needs make a successful transition to adulthood. This includes professionals involved in planning and commissioning services as well as those actually delivering them. This protocol does not replace individual partners and agencies' internal processes. It will

support multi-agency planning. The NHS Herefordshire and Worcestershire Clinical Commissioning Group will take this protocol through their own governance processes for approval. Any technical changes and updates will be included in the protocol.

6. We will produce a user-friendly preparing for adulthood pathway and guide for young people and families, by December 2020. This will include, an easy read version and will be co-produced with young people and parent/carers.
7. The Special Education Needs and Disabilities (SEND) Strategy Group is part of the Herefordshire Children and Young People's Partnership. The strategy group provides leadership, strategic direction and support to make sure young people have an effective transition into adulthood. The SEND strategy group will keep this protocol under review and update any technical changes. Herefordshire Council, on behalf of the SEND strategy group, will make sure that this happens at least annually and will update the protocol as necessary. The final protocol will be agreed and signed off through partners' own governance arrangements.

Community impact

8. Adoption of this protocol benefits communities in Herefordshire. It makes clear the transition planning and review processes that prepare and support the move from adolescence to adulthood for young people with SEND.
9. The protocol contributes to the Herefordshire Health and Wellbeing Strategy vision 'residents are resilient, lead fulfilling lives, are emotionally and physically healthy and feel safe and secure'. It also contributes to the Herefordshire County Plan, in particular the ambition for communities: strengthen communities to ensure everyone lives well and safely together; and the economy ambition to support an economy, which, builds on the county's strengths and resources. Herefordshire Children and Young People's Partnership plan 2019-2024: in particular: helping all children and young people succeed, be better prepared for adulthood, improving children and young people's health and wellbeing and ensuring children and young people are influential in our communities.
10. The protocol includes young people with disabilities and complex needs who are also looked after children and/or care leavers. There is a separate Leaving Care Pathway and where there are overlaps these will be streamlined. The leaving care pathway takes priority.

Equality duty

11. The protocol pays due regard to the public sector equality duty. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to -

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

12. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
13. The aim of this protocol is to improve the preparing for adulthood (PFA) transition process and outcomes for Herefordshire young people with special education, disabilities and complex needs.
14. Working in partnership with young people and parent/carers, health, care, education settings and other services and organisations will ensure timely and planned access to high quality provision and services.
15. We will use this protocol to make sure that young people are at the centre of the planning process, giving them choice and control over their own futures. This will ensure that the focus is on their needs, hopes and aspirations. Person-centred planning and reviews will support young people, where possible, to express their views and make decisions.
16. For young people with SEND their future outcomes remain a challenge for many reasons. Life chances can be poor compared to the general population, and they may find it harder to make the transition from childhood to adult life, form successful friendships and relationships, maintain their independence and are more likely to have poor health and wellbeing outcomes. Children and young people with a special educational need and/or complex needs are more likely to have poor mental health and wellbeing. Young people with SEND are also less likely to be in education, training and employment, which further affects their adult life.
17. Nationally people with disabilities have an employment rate that is 31.1% lower than people without disabilities. The numbers of adults with a learning disability moving into paid work remains low at just 6%. Adults with learning disabilities can become isolated and lonely if they are not well connected into their communities during childhood and have a significant disadvantage in health outcomes alongside a much lower life expectancy.
18. Improving opportunities and outcomes will enable young people with special education, disabilities and complex needs to have equal life chances as they move into adulthood. This will include employment opportunities, accommodation and living arrangements, choice and control, participating in, and contributing to society and the local community, having friends and supportive relationships.
19. We will work with young people and parent/carers to produce a preparing for adulthood pathway and guide that is accessible and user-friendly, we will also produce an easy read version.

Resource implications.

20. The protocol itself has no financial, ICT, human resources or property implications.

Legal implications

21. This function is an executive function and the decision-maker has the authority to take the decision (as per function scheme of the constitution 3.3.2(g)).

22. In respect of both:-

(a) The amendment of the Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood; and

(b) Delegation of the responsibility for reviewing and technical updating of the Protocol to the Head of Additional Needs.

23. There is a legal duty to update the protocol and this is pursuant to Paragraph 8.9 of the SEND Code of Practice which states: 'Local authorities **must** ensure that the EHC Plan Review at Year 9, and every review thereafter includes a focus on preparing for adulthood. Planning **must** be centred around the individual and explore the young person's aspirations and abilities, what they want to be able to do when they leave post-16 education or training and the support they need to achieve this ambition'.

24. The SEND Code of Practice is statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014 and associated regulations and applies to England.

25. There are no legal implications of doing what is proposed, and the alternative option of not producing the protocol would be the risk of young people having a poor experience of transition into adulthood and not complying with statutory duties set out in SEND Code of Practice.

26. There are no further legal considerations.

Risk management

Risk / opportunity	Mitigation
Young people do not have a positive experience of the transition process	Partners and agencies sign up to the protocol and through the SEND Strategy group the protocol will be kept under review

27. Working on the assumption that the recommendations will be approved the risks will be managed at a service level and be entered on the risk register for children's and families

Consultees

28. A wide variety of stakeholders were involved and consulted in developing this protocol, including, adult and communities directorate, Herefordshire and Worcestershire Clinical Commissioning Group, Herefordshire Parent/Carer Voice, Herefordshire and Worcestershire SEND Information, Advice and Support Service West Mercia Youth Offending Service and Child and Mental Health Services and their views and contributions have been included.

Appendices

Appendix A - Herefordshire Multi - Agency Protocol for Children and Young People with Disabilities and Complex Needs - Preparing for Adulthood

Background papers

None identified