

Notes of Care & Support Alliance/ Department of Health meeting on Transition 17 July 2014

The following notes of a meeting between members of Care & Support Alliance (CSA) Special Education Consortium (SEC) and the Department of Health should be taken as the CSA response to the consultation on the draft guidance on transition under the Care Act.

Transition assessments

This was felt to be an area where some good practice guidance would be helpful around when the assessment should take place, who should carry it out and how it relates to any assessment for children's social care that might be taking place. The Isobel case study is useful on timing of assessment.

Paragraph 16.6 – There was general agreement that a definition of significant benefit in this paragraph would be useful. Understanding the meaning of significant benefit would also be an area that would benefit from good practice guidance.

Young carers

Paragraph 16.6 could also usefully clarify the meaning of young carer and young person. It isn't 100% clear what parts of the guidance cover young carers. A table at the back might help, but also clearer definition at the front. There should also be at least one young carer case study.

The shift from young carer to adult carer would benefit from best practice guidance covering both Care Act and Children and Families Act. Also including a link to the assessment guidance and the importance of ensuring the carer is willing to provide the care since the type of care considered appropriate may change when the young person becomes an adult.

When a transition assessment must be carried out

Paragraph 16.14 On balance it was felt better to take out the first sentence of this paragraph as it could confuse. 16.11 is already clear.

Paragraph 16.10 should be strengthened by removing the words "intended to reflect" and replace with "means".

Paragraph 16.11 6th bullet point add "returning to" as well as remaining in employment.

The case study on page 248 uses the term "carers" to mean paid carers. Change to "support."

Identifying young people

School is compulsory up to age 16, then some form of education or training to age 18. Linking with apprenticeships also needs including here.

Needs to include children who have been excluded or are otherwise not in education. Autism is a major group likely to be affected and a case study would be useful.

Identification of young carers is important especially those who are caring for adults who are not eligible for support so may not be identified by social services. For example children with Deaf parents who are providing communication support for their parents.

Child's carers/young carers

Paragraph 16.31 appears to conflict with the idea that the assessment must identify all the person's needs. A sentence to clarify this would be useful.

Paragraph 16.33 Fluctuating needs is important so a cross reference to the assessment guidance on this would be helpful here.

Paragraph 16.37 is possibly confusing because it makes reference to the Mental Capacity Act (MCA), which won't apply to some of the people having a transition assessment. It would be better to list the criteria that mean an advocate must be involved. It would be helpful if the local offer included information about where a young person can get an appropriate advocate.

Co-operation

Paragraph 16.45 Should include a mention of competence since the MCA will apply only to consent by those who are aged over 16.

Paragraph 16.40 doesn't make any mention of carers.

On completion of the assessment

Paragraph 16.50 This paragraph needs to cross refer to the chapter on personal budgets, and maybe list the principles of a personal budget. It would also be helpful to re-state the sentence in that chapter (paragraph 11.22) about people for whom a RAS is not an effective way to come up with an indicative budget.

Paragraphs 16.50, 16.51 and 16.54 all refer to young people but should also refer to young carers.

Paragraph 16.57 Needs to make reference to people who may choose not to remain in the local area after turning 18 and how the local authority will support their choices.

It is unclear in this section what is included for young carers. There might need to be good practice guidance around commissioning carers services for young carers, and how and when to do this jointly with adult carers services.

Combining EHC and Care and Support plans

It would be good to have good practice guidance to clarify this, or to include in this guidance some of the paragraphs from the Children and Families Act Code of Practice.

Continuity of care after age 18

It would be good to make it clear that people won't have an EHC Plan if they go into Higher Education.

Ordinary Residence

Annex J to the OR guidance scenario 3. There is an issue for people moving to university that it can be unclear which university they are going to until they receive their results. Something could be added to the case study which shows early contingency planning so that when it is known exactly where the person is going support can be put in place quickly to allow them to start at the start of term. It would be good to also add something to this guidance on this point.

Paragraph 16.74 needs to make clear this does not only apply to those who are in receipt of children's services.

Continuing Health care

There is no reference in this section to personal health budgets.

Links to market shaping

It is important that the market shaping work of a local authority includes services for children around transition. This is important around transition assessments providing information to inform market shaping; advocacy services suitable for young people; carer's services suitable for young carers.

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