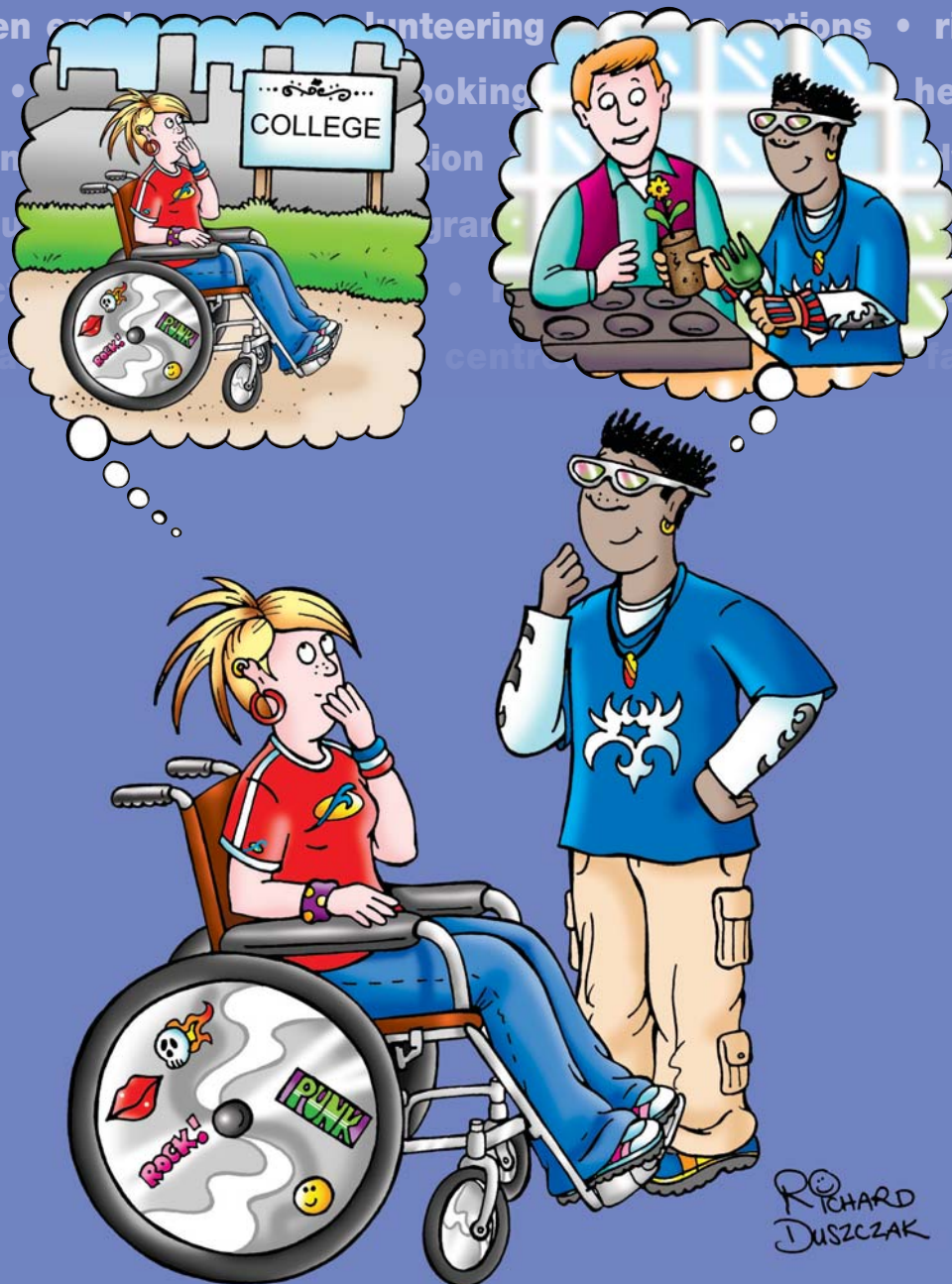


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future **positive**

A resource guide for people
 working with disabled care leavers

EDITION 2

future **positive**

A resource guide
for people working with
disabled care leavers

EDITION 2

written and revised by

Julie Harris

in partnership with the

**South West working group
on disabled care leavers**

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future **positive**

A Resource Guide for People Working with Disabled Care Leavers

Aims

The aim of this guide is to provide local authorities with a tool to assist them in the development of effective and joined up services which support young disabled people as they leave the care of 'looked after' children's services (after the age of 16 and before 19), be this a transition to adult services, home to family, residential college, a supported living situation or into independence.

The young people whose needs the document aims to address are far from a homogeneous group and, as the guide uses a broad definition of disability (see below) young people are likely to be found in a wide variety of service locations. The challenge that this document sets is firstly to identify those locations through the development of good management information processes across services and then to ensure that all young people are receiving their entitlements under the Children (Leaving Care) Act 2000 through the development of local policy, procedures, cross agency agreements and protocols and the allocation of appropriate resources.

The Guide is designed for use as a self-audit tool for service planners, managers, service providers and practitioners across a range of agencies, and for application at both strategic and practice based levels. It is also intended as a useful resource pack providing information about the legislative and public policy framework of services to this group, signposting sources of further information and providing examples of good practice on which service providers can draw.

This document is informed by the Social Model of Disability and firmly grounded in a human rights perspective. This means that the term 'disabled' is used to describe the impact that societal attitudes, unequal access and other environmental barriers can have on young people who have impairments. It is the aim of this guide to promote the development of services that actively work to deconstruct those barriers and that those using it should endeavour to adopt a comprehensively inclusive approach starting with the needs of the young person, irrespective of type and level of impairment.

Structure of document

The document is divided into four main sections:

Section 1: Introduction to the Children (Leaving Care) Act 2000

Section 2: A framework for delivery

Section 3: Pathways in practice

Section 4: Personal support for young disabled people

In each section are a number of headings, which cover the necessary areas for consideration.

Each *heading* includes *background information* providing a description of the legislative requirements of the Children (Leaving Care) Act 2000, any expectations within Guidance and any other associated issues to be taken into consideration.

A *checklist of questions* under each of the headings is provided to enable service providers to determine if the appropriate systems and arrangements are in place to facilitate effective service delivery.

These are repeated at the back of each section for ease of use and photocopying.

Examples of Good Practice are provided with contact details which have been gathered from the South West region and other areas of the country.

Each section is supplemented with *appendices* providing practical help and recommendations to improve the area of practice in question and signposting to useful resources in the form of further reading or useful websites.

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Introduction to the Children (Leaving Care) Act 2000

- **Services to young disabled people are provided within a comprehensive and complex framework of legislation and policy. Section one therefore covers:**
 1. **The key legislation affecting young disabled people leaving care**
 2. **Who is a young, disabled care leaver?**
 3. **Eligibility, rights and entitlements under the Children Leaving Care Act**
 4. **Meeting different needs**

1.1 Legislation, public policy and good practice models

Background information

A **Policy Map** provides an overview of this framework: **Appendix 1**.

The Public Policy Context

- **Every Child Matters: Change for Children Programme**

In 2003 the Government published a new national framework for change in children's services for children and young people up to the age of 19. This sets a shared agenda for the achievement of five key outcomes for children: being healthy, staying safe, enjoying and achieving, making a positive contribution and achieving economic well-being.

The Children Act 2004 (see below) provides the legislative backbone for a comprehensive and cross-cutting programme of reform. In addition to the legislation, detailed guidance and advice has been issued in the following areas:

- Children’s Trust governance, strategic planning and safeguarding
- Supporting service delivery
- Looked after children
- Local engagement
- Background policy and strategy documents

References and links are made to these documents at the relevant points throughout this guide.

An overview of these documents is provided by *Every Child Matters: Change for Children – An Overview of Cross Government Guidance* (see below). Sector specific guides are also available that summarise the key changes for health, education, social care and the criminal justice system.

These changes which bring together Children’s Services and Local Education Authorities whilst moving Adult Social Care into new Departments, will pose particular challenges for Leaving Care teams which may include the maintenance of existing protocols and relationships with ‘adult’ colleagues and keeping up the collective momentum for better outcomes for disabled care leavers.

- **Youth Matters** is a Green Paper consulting on new proposals for providing opportunities, challenge and support to young people. It aims to re-shape and integrate services for young people in order to improve outcomes, particularly for those who are disadvantaged or at risk of social exclusion
- **Transitions: Young Adults with Complex Needs.** This Social Exclusion Unit report, examines the effectiveness of services for young adults with complex needs as they make the transition to adulthood. It is the third in a series of reports named **Improving Services, Improving Lives** which collectively aim to set a programme of action to ensure that public services work effectively for those most in need. The report examines the issues facing vulnerable 16–25 year olds as they make the transition to adulthood. It sets out 27 key action points that have been agreed across government.
- **Improving the Life Chances of Disabled People.** This report was launched in January 2005 by the Prime Minister’s Strategy Unit. It outlines a strategy to achieve social inclusion and equality of opportunity for disabled people by the year 2025. The report has been agreed as Government policy across the DWP, DH, DfES and the ODPM. It makes recommendations in four key areas:

- (1) Helping disabled people to achieve **independent living**
- (2) Improving support for **families with young disabled children**
- (3) Facilitating a smooth **transition into adulthood**
- (4) Improving **support and incentives for getting and staying in employment**

A new Office for Disability Issues has been established to drive forward this strategy.

- **The National Service Framework for Children, Young People and Maternity Services.** The Children's National Service Framework is a 10 year programme launched in 2004. It sets out 11 standards to modernise services and improve partnership working by setting national standards spanning health, social services and education. These services should be designed and delivered around the needs of children and families, in line with the principles of Every Child Matters. There are two standards that are of particular relevance to young disabled people leaving care:

Standard 4: Growing up into adulthood. All young people have access to age-appropriate services which are responsive to their specific needs as they grow into adulthood.

Standard 8: Disabled Children Young People and those with Complex Health Needs. Children and young people who are disabled or who have complex health needs receive co-ordinated, high quality child and family-centred services which are based on assessed needs, which promote social inclusion and, where possible, which enable them and their families to live ordinary lives.

A range of supporting documents have been published under the NSF. These include exemplars addressing specific health issues such as autistic spectrum disorders and acquired brain injury etc. More information about the NSF along with a database of emerging practice is available on the Department of Health website (see below).

- **Independence well-being and choice** is the Government's Green Paper on Adult Social Care which was published in 2005. It describes the Government's vision for adult social care over the next 10 to 15 years.
- **Removing Barriers to Achievement** – This is the Government's strategy for improving education for children with special education needs and disabilities. It reinforces the commitments made in the Green Paper 'Every Child Matters' (2003) to early intervention, inclusion, the raising of expectations and achievement, and the development of partnership networks.

- **14–19 Education and Skills White Paper** – This sets out new gateways for young people to higher education and skilled employment through specialised diplomas in 14 areas. Developed by employers (through sector skills councils) and higher education institutions, these will offer more opportunities for vocational learning.
- **Choice Protects** is a review of fostering and placement services launched in 2002. It aims to improve placement choice and placement stability for looked after children.¹
- **Valuing People White Paper** is a Government strategy aimed at providing new opportunities for children and adults with learning difficulties based on the four key principles of Rights, Independence, Choice and Inclusion.
- **Supporting People** is a funding framework for new and improved services that promote independent living.
- **NHS Plan**, outlining the provision of health services.
- **Connexions** is a service for all 13–19 year olds providing information, advice guidance, personal development opportunities and other support to address the personal issues that individual young people face. For young people with learning difficulty and/or disability the service is available up to the 25th birthday. Within each local authority area Connexions' work is overseen by a multi-agency management group.
- **Quality Protects** was an influential programme of reform that formally ended in March 2004. It set national targets for children's services with the aim of improving life chances and quality of care.

Key legislation affecting this group includes:

- **The Children (Leaving Care) Act 2000** – improving outcomes for young people ceasing to be looked after at age 16 and over.
- **The Children Act 2004** – provides the legal vehicle for implementation of Every Child Matters: Change for Children. It establishes new duties on Local Authorities to promote multi-agency co-operation in the provision of services, the pooling of budgets and resources and the sharing of information in order to safeguard and promote children's well-being. The Act requires every top-tier or unitary local authority in England to appoint a director of children's services (DCS) and to designate a lead member for children's services (LM). It also cements proposals for the integrated inspection of services and joint area reviews.

¹ Choice Protects ends as ring fenced funding 31/3/06.

- **Children Act 1989** – providing social services to children in need, including children looked after.
- **Disability Discrimination 2005** – places a new duty on all public sector authorities to ensure that disability equality is built in to the delivery of services.
- **Disability Discrimination Act 1995, Part 3** – determining that disabled people should have the same access to goods and services as non-disabled people.

New rights and duties came into force in September 2002 under **Part 4 of the DDA**, amended by the Special Educational Needs and Disability Act (SENDA) 2001. Under Part 4, schools, colleges, universities, and providers of adult education and youth services must not discriminate against disabled people. A further duty to provide specialist equipment was introduced in 2003 under ‘reasonable adjustments’. Also since 2005, education providers now have to make adjustments to their premises to ensure equal access.

- **The Special Educational Needs and Disability Act 2001** – aimed to improve the quality of education received by children and young people with special educational needs and disabilities.
- **Education Act 1996** – whereby the LEA is responsible for co-ordinating transition arrangements for young people with a Statement of Special Educational Need.
- **Learning and Skills Act 2000 (Section 140)** – setting out the statutory provision for the assessment of young people with learning difficulty and/or disability to support their progression into post-16 education, training or higher education.
- **Disabled Person’s Act 1986** – under which Social Services assess the young person’s need for support social services after leaving school.
- **Carers and Disabled Children Act 2000** – allowing for direct payments to be made to the carers of disabled children and to young disabled people aged 16 and 17.
- **The Community Care (Direct Payments) Act 1996** – making provision for the local authority to make cash payments in lieu of services, called direct payments.

CHECKLIST OF KEY QUESTIONS:

- 1** How are Leaving Care managers and staff's working relationships with Adult Services being maintained and developed through such fundamental structural and procedural changes?
- 2** Are the arrangements for better transitions robust enough?
- 3** Have the appropriate strategic management arrangements in all the new departments been put in place and have outcomes for disabled care leavers been prioritised?
- 4** Are the information and training needs of Adult Services managers and staff being met regarding the corporate parenting responsibilities of the whole Local Authority to young people looked after and leaving care?

Further reading and useful resources:



Every Child Matters: Change for Children – An Overview of Cross Government Guidance (2004) Department for Education & Skills

Available from: <http://www.everychildmatters.gov.uk/>



Green Paper: Youth Matters (2005) Department for Education & Skills

Available from: <http://www.everychildmatters.gov.uk/publications>

Transitions: Young Adults with Complex Needs (2005) Social Exclusion Unit

Available from: <http://www.socialexclusion.gov.uk/>

Improving the Life Chances of Disabled People (2004) Prime Minister's Strategy Unit.

Available from: http://www.strategy.gov.uk/work_areas/disability/interim.asp

National Service Framework for Children, Young People and Maternity Services: Executive Summary (2004) Department of Health

Available from: <http://www.dh.gov.uk/PolicyAndGuidance/>

Independence well-being and choice (2005) Department of Health

Available from <http://www.dh.gov.uk>

The Children (Leaving Care) Act 2000

Children (Leaving Care) (England) Act 2001 Regulations and Guidance

Available from: <http://www.everychildmatters.gov.uk/socialcare/lookedafterchildren/leavingcare/>

Care Leaving Strategies: a good practice handbook (2002)
Department of Health, Centrepoint.

Copies available from DTLR: E-mail: ltr@twoten.press.net

Setting the Agenda: What's Left to do in Leaving Care (2004)
Action on Aftercare Forum

Copies available from Rainer National Leaving Care Advisory Service
E-mail: nlcas@raineronline.org

Fair Access to Care Services: Guidance on Eligibility Criteria for Adult Social Care.
Department of Health

This guidance can be accessed on the Internet at **www.doh.gov.uk** .
Further copies of the guidance may be obtained from the Department
of Health, PO Box 777, London SE1 6XH, telephone 0870 155 5455 or
fax 01623 724 524.

The National Leaving Care Project Group:

<http://www.everychildmatters.gov.uk/socialcare/lookedafterchildren/leavingcare/>

Children and Young People's Unit:
www.cypu.gov.uk/

Valuing People:
www.valuingpeople.gov.uk/

Connexions:
www.connexions.gov.uk

Supporting People:
www.spkweb.org.uk

Choice Protects:
www.dfes.gov.uk/choiceprotects

Removing Barriers to Achievement:
www.teachernet.gov.uk

Relevant appendices (see Section 5):

- **Appendix 1:** Future Positive: Policy Map – Disabled care leavers

1.2 Who is a young, disabled care leaver?

Background information

This document is informed by the Social Model of Disability and grounded in a human rights perspective. This means that the term ‘disabled’ is used to describe the impact that societal attitudes, unequal access and other environmental barriers can have on young people who have impairments and it is the aim of this guide to promote the development of services that actively work to deconstruct those barriers.

Those people using this guidance should try to adopt a comprehensive inclusive approach starting with the needs of the young person irrespective of types and level of impairment.

For this reason the term ‘disabled’ is understood very broadly to identify those who have physical or sensory impairments, behavioural or learning difficulties or mental health needs who experience barriers in accessing services and are less likely to experience the same life opportunities as their non-disabled peers.

The use of a broad definition may also assist with the identification of the young people in and leaving care who are the focus of this guide so as to ensure the ‘visibility’ of young people in different service streams, some of whom may not have been considered eligible for aftercare support when ceasing to use Children Looked After services, or those that as users of children’s services are not necessarily eligible for adult services as they reach 18.

The Act specifically exempts young people regularly using planned short break services for periods of time ‘none of which individually exceeds four weeks’ and who return to their parents or person with parental responsibility after each placement (Regulation 3). This does however raise some concerns about young people in these circumstances who may, in effect, spend so little time at home that support and preparation for adult life from a parental figure is impractical or unrealistic. For example, those young people receiving 120 days or more of short breaks or a combination of residential school and short breaks during the holidays. Even if not entitled to the full provisions of the Act, these young people may still be defined as ‘looked after’ (Children Act 1989 Section 22, LAC 1995(14)) and in this sense may ‘qualify’ for aftercare support under Section 24 Children (Leaving Care) Act (see above).

Care must be taken to ensure that those young people who have a high number of short breaks are carefully monitored so that their entitlements are not overlooked. Management information systems should indicate when a young person exceeds a continuous four-week period of short break use and meets the other criteria for eligibility under the Children (Leaving Care) Act.

CHECKLIST OF KEY QUESTIONS:

- 1** Are all relevant teams working with disabled children and young disabled adults informed about the Children (Leaving Care) Act 2000?
- 2** Are they actively considering the implications for young people using their services?
- 3** Is action being taken to ensure that:
 - Young disabled people’s entitlements to support, as care leavers, are being met?
 and
 - The needs of young people leaving care arising from any physical impairment, learning difficulty or mental health issue are being appropriately met?
- 4** Is particular attention being given to the needs of young disabled people living out of the authority area (fulfilling the role of ‘responsible local authority’)? (See Section 3)

**GOOD PRACTICE EXAMPLE:****Liverpool**

“A new joint initiative the ‘Action for Transition’ project involving the Local Authority, Health, Connexions and a local community college will ensure that learning disabled young people have appropriate continuity of support from Children’s and Adult’s Services into further learning and employment. Links will be further developed with Liverpool’s Positive Action section to further develop appropriate employment opportunities within the local authority and within local business. Commitment to maximising opportunities and involvement and customising support for learning disabled young people will be endorsed by corporate approval of the recently developed Transition Protocol to which Connexions have already signed up.”

Example taken from *Putting Young People at the Centre: Developing service for care leavers* (2003) Department of Health/First Key. Copies available from Rainer, National Leaving Care Advisory Service, E-mail: nlcas@raineronline.org

Further reading and useful resources:



Department of Health/First Key (2003) *Putting Young People at the Centre: Section 6, Supporting Young Disabled People Leaving Care.*

Copies available from Rainer, National Leaving Care Advisory Service
E-mail: nlcas@raineronline.org



Harris, J., Rabiee, P. & Priestley, M. (2002) *Enabled by the Act? The Reframing of Aftercare services for young disabled people*, in Wheal, A. (ed) *RHP Companion to Leaving Care*. London: Russell House Publishing.

Morris, J. (1999) *Move on up: Supporting young disabled people in their transition to adulthood*. Barnardo's.

Morris, J. (1999) *Hurting into a Void: Transition to adulthood for young disabled people with 'complex health and support needs'*. Brighton: Pavilion Publishing.

Rabiee, P., Priestley, M. & Knowles, J. (2001) *Whatever Next? Young disabled people leaving care*. Leeds: First Key.

Copies available from Rainer, National Leaving Care Advisory Service
E-mail: nlcas@raineronline.org

British Council of Disabled People:
www.bcodp.org.uk

Council for Disabled Children:
www.ncb.org.uk/cdc/

People First:
www.peoplefirst.org.uk

Scope:
www.scope.org.uk

SKILL (National Bureau for Students with Disabilities):
www.skill.org.uk/

Relevant appendices (see Section 5):

- **Appendix 2:** Protocol: Leaving care and children's disability services, Brighton & Hove

1.3 Eligibility, rights and entitlements under the Children Leaving Care Act 2000

Background information

The Children (Leaving Care) Act 2000 builds upon and extends rather than replaces the Children Act 1989, strengthening the role and responsibilities of local authorities in supporting young people who have been looked after through to adulthood. Children's Services take the lead in co-ordination and provision, working within a corporate parenting framework and with partner agencies. The aim of the Act is to improve the life-chances of young people in and leaving care by:

- delaying young people's discharge from care until they are prepared and ready to leave
- improving the assessment, preparation and planning for leaving care
- providing better personal support after leaving care
- improving the financial arrangements for care leavers.

In order to achieve these aims, the Act places duties on the responsible local authority to:

- assess and meet needs
- prepare Pathway Plans
- provide Personal Advisers
- provide assistance to achieve goals agreed in Pathway Plans
- provide support and accommodation
- provide financial support
- keep in touch.

Each of these duties and the accompanying guidance is explained in the relevant section of this guide.

Who is entitled and to what?

Young people entitled to services under the Act fall into four categories as follows:

Eligible children are those aged 16 and 17 who have been looked after by the local authority for a period of 13 weeks since the age of 14 and are still in care. The period of 13 weeks need not have been continuous and could be made up of a series of shorter periods during which the child was looked after. Planned periods of respite care (no one period longer than 4 weeks) do not count towards eligibility.

Relevant children are those aged 16 and 17 who meet the criteria for eligible children, but who left care after reaching their 16th birthday.

Former relevant children are those young people who have reached 18 but not 21 and were eligible and/or relevant prior to becoming 18. However, if someone is being helped with education or training, they remain a former relevant child to the end of their agreed programme, even if it takes them past the age of 21.

Qualifying young people are those who do not meet the qualifying criteria for being eligible but who are still entitled to aftercare support under sections 24, 24A and 24B of the Children Act (*persons qualifying for advice and assistance*).

Entitlements

Eligible children

- All the provisions of the looked-after system
- A Personal Adviser
- A needs assessment
- A Pathway Plan

Relevant children

- A Personal Adviser
- A needs assessment
- A Pathway Plan
- Accommodation and maintenance (Section 23B(8))
- Assistance to achieve the goals agreed and set out in the Pathway Plan
- The responsible local authority must keep in touch

Former relevant children

- The responsible local authority must keep in touch
- A Personal Adviser
- A Pathway Plan
- Assistance with employment
- Assistance with education and training
- Assistance in general
- Vacation accommodation for higher education or residential further education if needed.

Qualifying children

- The same benefits as under Section 24 before amendment.

In addition:

- The responsible authority must keep in touch with care leavers as they think appropriate in order to discharge their functions under sections 24A and 24B
- Local authority care leavers are entitled to vacation accommodation for Higher Education courses or residential Further Education courses if necessary.

Exceptions

There are two specific groups who are treated differently in terms of financial support. These are young disabled people in receipt of Disability Living Allowance and young people who are parents. Both groups will stay on benefit rather than receiving their financial support from Children's Services under the age of 18. This is because provision has already been made for them, which is over and above minimum benefit levels. This is not the case, however, with their Housing Benefit, so there is a duty for the local authority to meet their accommodation expenses, as for non-disabled people, up to the age of 18. For more information on financial support please see Section 4: Pathways in Practice.

CHECKLIST OF KEY QUESTIONS:**Children's Services:**

-
- 1** Do all staff within your agency who work with young disabled people leaving care, know about the Children (Leaving Care) Act 2000?

 - 2** Is there an understanding amongst staff of categories of eligibility and entitlement under the Act?

 - 3** Have you given your partner agencies information about the Children (Leaving Care) Act that is up to date and reflects the local arrangements made to meet its requirements?

 - 4** How have you ensured that young people are informed about the Children (Leaving Care) Act and understand their new rights and entitlements?

 - 5** How have you involved young people as service users in producing that information in an accessible and young person friendly format?

Other agencies:

- 1 Have you received information from Children's Services about the Children (Leaving Care) Act that is current and reflects local arrangements to meet its requirements?
- 2 Do you have an understanding of the different categories of eligibility and what young people are entitled to?
- 3 Is there access to training from Children's Services or the Leaving Care Team on the Children (Leaving Care) Act and the new requirements?



GOOD PRACTICE EXAMPLE:

Plymouth Inclusive Training Event

Plymouth launched the Children (Leaving Care) Act with a multi-agency training event, involving both statutory and voluntary services working with young people, some specialist and others generic. The interactive training offered challenges to adopt a rights-based approach, with assessments and service provision designed to be empowering to care leavers.

The practice model of Person Centred Planning was used to demonstrate this central theme, offering a style of working that would meet the needs of all care leavers and particularly those with a range of impairments, who are often the least well-served by traditional services.

Multi-disciplinary workshops explored a range of disadvantages and difficulties likely to be experienced by care leavers, and how these were compounded by impairments or special needs. The training attracted a high level of attendance with participants giving very positive feedback. In particular, they commented on:

- how beneficial it was to meet staff from other services
- the potential it offered to deliver more inclusive services through closer working
- their increased understanding of the multiple disadvantages faced by care leavers.

All participants were given a resource file containing details of the Children (Leaving Care) Act and its implications for care leavers, and copies of Person Centred Planning materials that could be used in direct work with young people.

For further details contact:

Planning & Development Officer
Plymouth 01752 307519

Further reading and useful resources:



The Children (Leaving Care) Act 2000
Children (Leaving Care) (England) Act 2001 Regulations and Guidance

Available from:

<http://www.everychildmatters.gov.uk/socialcare/lookedafterchildren/leavingcare/>

Relevant appendices (see Section 5):

- **Appendix 3:** Children (Leaving Care) Act 2000 – Fact Sheet
- **Appendix 4:** Future Positive: Glossary of terms

1.4 Meeting different needs

Background information

There will be some young disabled people who face further barriers to accessing services. A co-ordinated multi-agency approach, with clear arrangements for funding, is essential to meeting the needs of the following groups:

- Young disabled people from minority ethnic communities
- Those with particular linguistic, cultural or religious needs
- Young people who have ‘complex health needs’, including mental health and young people who present challenging behaviours
- Young disabled people who are parents
- Young disabled people who have been in custody or who are users of youth offending services
- Unaccompanied asylum seekers

The Children (Leaving Care) Act applies to young people regardless of any other special status they may have as, for example, unaccompanied asylum seekers (see footnote 2 on page 16) or young people who have been remanded into the care of the local authority or entering the criminal justice system, providing they meet the other qualification criteria.

Regulation 4 of the Children (Leaving Care) Act extends entitlement to additional young people who would have been eligible for the provisions of the Act but for the

fact that at 16 they are in hospital, in a remand centre or young offenders' institution or other facility prescribed by the court.

Service policy statements should explicitly refer to young people with different needs and special arrangements developed accordingly. It is essential that guidance and training for Personal Advisers should include how issues relating to race, culture and identity should be addressed when planning for transition.

CHECKLIST OF KEY QUESTIONS:

- 1** Does your service policy statement refer to the needs of young disabled people from black and minority ethnic groups, young disabled people who are parents, in custody or who are unaccompanied asylum seekers, and identify how those needs are to be met?
- 2** Has your service developed the necessary links with local community organisations representing or providing specific services to these groups?
- 3** Do your management information systems identify these young people, enabling you to monitor outcomes and plan your services more effectively?
- 4** Has your staff team received training on meeting the needs of young people with different needs?
- 5** Are the necessary arrangements and protocols in place between service providers to meet different needs, including multi-agency training programmes to assist in identifying issues and ways of joint working?
- 6** Are there early mechanisms for identifying the funding that is required for young people with high support needs? Does this feed into the financial planning and commissioning process? (See Section 3: Protocols)

2 The Hillingdon Judgement held that four adult unaccompanied asylum-seekers, who had been provided with services under s.17 of the Children Act 1989, were entitled to leaving care services as “former relevant children”. The judge ruled that – as unaccompanied asylum seekers over the age of 16 were, by definition, arriving with no parental or family support, the starting point for the local authority, in these circumstances, was such that such young people would usually need to be accommodated under the provisions of s.20 of the Children Act 1989. This ruling supports the Department of Health Circular LAC 2003 (13). The judgement did not change the Children Act 1989 or the Children (Leaving Care) Act 2000 so the requirement to assess individual needs continues to apply equally to young unaccompanied asylum seekers as to other young people. The DfES has produced guidance setting out the arrangements for the payment of the unaccompanied asylum seeking children (UASC) leaving care costs grant for 2005–06. This grant is intended to assist local authorities towards meeting the costs of supporting unaccompanied asylum seeking children leaving care. The guidance includes details about which UASC leaving care will be eligible to receive payments and is available at <http://www.everychildmatters.gov.uk/socialcare/lookedafterchildren/leavingcare/uasc/>

**GOOD PRACTICE EXAMPLE:****NCH Wessex Community Remand Project**

The project has three related but independent schemes. The Wessex Community Remand foster carers provide family placements, up to sentencing date, as an alternative to custody for young people who are involved in the court process and who cannot live at home. Other foster carers offer family based accommodation to young people who have received a detention and training order and who are released on licence and living back in the community. Such placements can last up to 3 months.

The Supported Accommodation Scheme offers supported accommodation to young people aged 16–17 years old where the likelihood of offending may be increased because of homelessness.

The Wessex Community Projects work in partnership with Hampshire, Portsmouth, Southampton and the Isle of Wight Social Services Departments, the National Probation Service and the Youth Justice Board. The partnership between the agencies is maintained by regular meetings at both practice and management levels to ensure that it remains relevant and delivers a high quality service.

Contact:

Foster Care NCH, Wessex Community Projects, South East Region
213 West Street, Fareham PO16 0EN
Tel: 01329 225720 Fax: 01329 225721

Example taken from Department of Health/First Key (2003) *Putting Young People at the Centre: Section 8, Supporting Care Leavers Involved in the Youth Justice System.*

Copies available from Rainer, National Leaving Care Advisory Service
E-mail: nlcas@raineronline.org

Further reading and useful resources:

Valuing People: *Learning Difficulties and Ethnicity*

Available from www.valuingpeople.gov.uk



Bignall, T. and Butt, J. (2000) *Between ambition and achievement: Black young disabled people's views and experiences of independence and independent living.* Bristol: The Policy Press.



Bignall, T., Butt, J and Pagarani, D. (2002) *Something to do: The development of peer support groups for young Black and minority ethnic disabled people.* Bristol: The Policy Press.

Responding to Diversity (November 2001)

This is the report of a study by the Social Services Inspectorate into the state of development of services for black and minority ethnic adults with physical disabilities and/or sensory impairments.

Downloadable from www.dh.gov.uk/assetRoot/04/07/71/80/04077180.pdf

Department of Health/First Key (2003) *Putting Young People at the Centre: Section 8, Supporting Care Leavers Involved in the Youth Justice System.*

Copies available from Rainer, National Leaving Care Advisory Service

E-mail: nlcas@raineronline.org

Hussain, Y., Atkin, K and Ahmad, W. (2002) *South Asian disabled young people and their families.* Bristol: The Policy Press.

1.1 CHECKLIST: Legislation, public policy and good practice models

- 1** How are Leaving Care managers and staff's working relationships with Adult Services being maintained and developed through such fundamental structural and procedural changes?

- 2** Are the arrangements for better transitions robust enough?

- 3** Have the appropriate strategic management arrangements in all the new departments been put in place and have outcomes for disabled care leavers been prioritised?

- 4** Are the information and training needs of Adult Services managers and staff being met regarding the corporate parenting responsibilities of the whole Local Authority to young people looked after and leaving care?

KEY QUESTIONS

1.2 CHECKLIST: Who is a young, disabled care leaver?

1 Are all relevant teams working with disabled children and young disabled adults informed about the Children (Leaving Care) Act 2000?

2 Are they actively considering the implications for young people using their services?

3 Is action being taken to ensure that:

- Young disabled people's entitlements to support, as care leavers, are being met?

and

- The needs of young people leaving care arising from any physical impairment, learning difficulty or mental health issue are being appropriately met?
-

4 Is particular attention being given to the needs of young disabled people living out of the authority area (fulfilling the role of 'responsible local authority')? (See Section 3.3: Young people living out of authority.)

KEY QUESTIONS

1.3 CHECKLIST: Eligibility, rights and entitlements under the Children Leaving Care Act 2000

Children's Services:

- 1** Do all staff within your agency who work with young disabled people leaving care, know about the Children (Leaving Care) Act 2000?

- 2** Is there an understanding amongst staff of categories of eligibility and entitlement under the Act?

- 3** Have you given your partner agencies information about the Children (Leaving Care) Act that is up to date and reflects the local arrangements made to meet its requirements?

- 4** How have you ensured that young people are informed about the Children (Leaving Care) Act and understand their new rights and entitlements?

- 5** How have you involved young people as service users in producing that information in an accessible and young person friendly format?

Other agencies:

- 1** Have you received information from Children's Services about the Children (Leaving Care) Act that is current and reflects local arrangements to meet its requirements?

- 2** Do you have an understanding of the different categories of eligibility and what young people are entitled to?

- 3** Is there access to training from Children's Services or the Leaving Care Team on the Children (Leaving Care) Act and the new requirements?

KEY QUESTIONS

1.4 CHECKLIST: Meeting different needs

- 1** Does your service policy statement refer to the needs of young disabled people from black and minority ethnic groups, young disabled people who are parents, in custody or who are unaccompanied asylum seekers, and identify how those needs are to be met?

- 2** Has your service developed the necessary links with local community organisations representing or providing specific services to these groups?

- 3** Do your management information systems identify these young people, enabling you to monitor outcomes and plan your services more effectively?

- 4** Has your staff team received training on meeting the needs of young people with different needs?

- 5** Are the necessary arrangements and protocols in place between service providers to meet different needs, including multi-agency training programmes to assist in identifying issues and ways of joint working?

- 6** Are there early mechanisms for identifying the funding that is required for young people with high support needs? Does this feed into the financial planning and commissioning process? (See Section 3: Protocols)

KEY QUESTIONS



A framework for delivery

- **This section examines the strategic framework and multi-agency approaches that will need to be developed in order to provide services effectively. It is divided into five sub-sections:**
 1. **Multi-agency strategic planning and commissioning**
 2. **Management information**
 3. **Policy mapping/audit**
 4. **Young people and carers' involvement in planning and developing services**
 5. **Monitoring and evaluation**

Again, each section contains background information, a set of checklist questions, suggestions for further reading and useful resources.

2.1 Multi-agency strategic planning and commissioning

Background information

In order to deliver the five outcomes for children and young people under Every Child Matters services must be jointly planned and commissioned. The Children Act 2004 underpins this process by introducing a duty on a range of local partners to cooperate (Section 10) in improving outcomes for all children and young people.

The vehicle for this process is Children's Trusts which integrate key services for children and young people, to meet their identified needs.

There is a new statutory duty for each local area to produce a single and overarching strategic plan called the Children and Young People's Plan (CYPP) which will identify where outcomes for children and young people need to be improved (following an assessment of need) and set out how this will be achieved. The local

authority takes the lead in identifying targets and priorities and the actions to be undertaken.

Learning Disability Partnership Boards are also in place nationwide as the vehicle for delivering the Valuing People programme. These forums should be used to ensure that the needs of young disabled people leaving care are being explicitly addressed at a senior and strategic level.

CHECKLIST OF KEY QUESTIONS:

- 1 Which multi-agency fora are addressing the issues affecting young disabled people leaving care?
- 2 How well are they integrating national policy development into local strategy?
- 3 Do strategic planning processes support the delivery of a comprehensive, cross-agency service?
- 4 What mechanisms are in place to ensure that the views of young disabled people are appropriately represented in these fora?



GOOD PRACTICE EXAMPLE:

Newcastle High Care Needs List

This is a joint initiative between Newcastle City Council and Newcastle Primary Care Trust. A regular multi-agency meeting and a shared list of young people tracks all young disabled people with complex needs, including looked after children and disabled care leavers. The multi-agency process involves Social Services (children and adults), Education, Primary Care Trust and Health Provider Trusts. The strength of this model is that it ensures that issues of individual funding and commissioning for disabled care leavers with complex needs are identified and resolved at an early stage. As part of the development of a Children's Trust, Newcastle is soon to move to a pooled budget for this group of young people.

Contact:

andy.roberts@newcastle.gov.uk

Further reading and useful resources:



Ruth Townsley, David Abbott and Debby Watson, (2004) *'Making a difference?'*
Norah Fry Research Centre, University of Bristol.

Explores the impact of multi-agency working on disabled children with complex health care needs, their families and those that support them.



The report identifies key success factors and outcomes for professionals as well as the impact on families. It summarises key issues and makes recommendations for policy and practice:

www.bris.ac.uk/Publications/TPP/pages/rp054.htm

The Children Act 2004 can be found at:

<http://www.opsi.gov.uk/acts/acts2004/20040031.htm>

Children's Trusts FAQ's:

www.dfes.gov.uk/childrenstrusts/overview/faqs.shtml

The Children and Young People's Plan (England) Regulations 2005 are available at:

<http://www.opsi.gov.uk/si/si2005/20052149.htm>

A printed version is also available and is published by The Stationery Office Limited ISBN 0110732081 at a cost of £3.

Guidance on the Children and Young People's Plan is available at:

http://www.everychildmatters.gov.uk/_files/58A771D2F683214338B20DA1393F9B29.pdf

The Children's Workforce Development Council (CWDC) has developed a web-based toolkit to help local authorities and their local partners create and implement effective children's services workforce strategies. A consultancy service has also been introduced to support this work. This is available at:

<http://www.everychildmatters.gov.uk>

Relevant appendices (see Section 5):

- **Appendix 5:** Children's Trusts – Extract from 'Every Child Matters'
- **Appendix 6:** Future Positive: Fact Sheet – Special Educational Needs Regional Partnerships

See also

- **Appendix 1:** Future Positive: Policy map – Disabled Care Leavers.
- **Appendix 2:** Protocol – Leaving care and children's disability services, Brighton & Hove

2.2 Management information

Background information

Every Child Matters: Change for Children and the Children Act 2004 set clear requirements for good information sharing and communication between agencies providing services to children and young people. Both are vital to early intervention and the improvement of outcomes. The establishment of Children's Trusts is intended to overcome previous failings in information systems. Information sharing indexes or databases are to be implemented under section 12 of the Children Act 2004.

Good management information systems are essential to:

- Service planning and projecting future levels of service use
- Ensuring that all young people who are eligible for services under the Children (Leaving Care) Act are known
- Monitoring outcomes for young people in the manner of a good parent
- The effective evaluation and review of services.

CHECKLIST OF KEY QUESTIONS:

1 Are there systems in place within integrated children's services including Health, Education and Connexions services, to identify young disabled people living in and leaving care?

2 Which data are used?

Do data systems include:

- Children in Need census data?
- School census data?
- The Looked After Children (LAC) notification register for children living out of the area?
- Data on disabled children?
- Client Caseload Information System (CCIS)?

3 Is management information used effectively to influence service planning and development? Does this include the use of CCIS data with regard to the assessment and recording of young people's aspirations?

4 What information is available about outcomes for this group, in terms of:

- Quality assurance?
- Ongoing progress?
- Meeting service targets for care leavers?
- Performance Assessment Framework?

5 Is explicit reference made to young disabled people in information sharing protocols?

2



GOOD PRACTICE EXAMPLE:

South Gloucestershire

In March 2003, we began the process of transferring all disabled children in care from our Child Health and Disabilities Team over to the Looked After Team (LAT). The LAT and our after care service, known as the Continuing Support Service (CSS) liaise closely as young people get nearer to leaving care. The CSS has established a working relationship with the Learning Difficulties Service which has focused particularly on establishing the accommodation needs of young people. This has enabled us to take a more holistic approach to care management for this group of young people.

A database has been set up to track all young people in scope of the Children (Leaving Care) Act. The database begins at 14 and runs through to 24/5, as required. It is co-ordinated by administrative staff in the LAT team up to the young person's 18th birthday when this role is taken over by the CSS.

The database is essentially a management tool that is updated each month and circulated to team and service managers. It includes details of placements outside the authority including those of disabled children. It also allows us to see if the Pathway Plan is in place and if reviews are taking place as they should.

Contact:

Peter Parry 01454 866228.

E-mail: Peter.Parry@southglos.gov.uk

See also **Appendix 8** for Cornwall Children's Trust Pilot Protocol on information sharing.

Further reading and useful resources:



Examples of tools and processes developed and tested by local areas are available for other local areas to use or adapt on the *Information Sharing and Assessment community website*:

<http://www.dfes.gov.uk/ISA/learnFrmLocalAuth/pmDissGroup.cfm>.



These cover:

- Toolkits and protocols for information sharing between agencies
- Staff training materials
- Consent forms and privacy statements for children, young people and families

Developing Identification, Referral and Tracking Systems: interim report of the evaluation of the trailblazer authorities:

www.dfes.gov.uk/research/data/uploadfiles/RR521.doc

The final report *Changing Working Practice in Children's Services: The experiences of ISA teams* will be available from www.dfes.gov.uk/ (the ISA Discussion Group and Resource Bank).

Relevant appendices (see Section 5):

- **Appendix 7:** Future Positive: Service locations of young disabled people leaving care
- **Appendix 8:** Information sharing protocol: Cornwall County Council
- **Appendix 9:** Future Positive: Useful data fields for recording information about young people leaving care
- **Appendix 10:** 'A Framework for Disabled Care Leavers' (Department of Health)

2.3 Policy mapping/audit

Background information

Children's Trusts will bring key services together to support the work undertaken every day with children and families, underpinned by the duty to cooperate in Section 10 of the Children Act 2004. Specialist services for children and young people will be integrated and accessed through more universal services. Staff will work in multi-disciplinary teams and may often be co-located in children's centres or schools.

Children's Trusts will be supported by integrated processes like the Common Assessment Framework or by locally developed strategies to cover area priority needs, needs assessments and resource identification and allocation.

As part of the Government's programme aimed at reducing social exclusion many of the statutory agencies are already developing services to improve outcomes for young people in, and leaving, care. Integrated Children's Services should ensure that clear procedures and agreements are in place for meeting the needs of this group including agreements for information sharing that will allow the identification and tracking of all young disabled people. This will allow the development of a comprehensive planning tool to meet the needs of all young disabled people in and leaving care.

CHECKLIST OF KEY QUESTIONS:

1 Do the policy and plans of each service/partner agency make specific reference to the needs of young people leaving care and within that, the needs of young disabled people as a discrete group?

2 Are the financial resources identified to ensure their support?



GOOD PRACTICE EXAMPLE:

South Gloucestershire

South Gloucestershire Council Children's Division handbook has three sections for care leaver procedures – the third section is specific to disabled care leavers. It covers general principles, (based on the social model of disability), highlights the purpose of the database and reminds people of the legislative framework as well as taking people through the stages in the planning process. Currently, we are working with the Education Department and Connexions to agree the transitions procedures for this group. Please see the flow chart (Appendix 12) for the approach being proposed in South Gloucestershire.

Contact:

Mike Connolly Tel. 01454 865970

Mike.Connolly@southglos.gov.uk

Relevant appendices (see Section 5):

See

- **Appendix 5:** Children's Trusts: extract from 'Every Child Matters'
- **Appendix 12:** List of providers/agencies likely to be involved in providing services to young disabled people leaving care

2.4 Young people's and carers' involvement in planning, improving and developing services

Background information

The need for a young people's views to be heard in the development and monitoring of the services they receive is enshrined in the UN Convention on the Rights of the Child and the Children Act 1989. All relevant major policy initiatives stress the importance of young people's views. The involvement of young people in service development and delivery is essential to providing quality services. Local authorities are expected to show a commitment to young people's participation and reports like 'People Like Us'¹ demonstrate the important role of young people's views in safeguarding children looked after. Guidance to the Every Child Matters programme of reform underlines the importance of listening to children and young people both in terms of setting priorities at a strategic level within Children's Trusts and in how service delivery impacts upon individuals.

It is therefore important to develop a strategic approach to young disabled people's involvement in service planning and delivery. It will be essential to provide young people with good information and to develop effective feedback processes; also to dedicate the appropriate resources to ensure that young people's needs are adequately supported.

The development of a culture of listening to young disabled people is a task that requires training across the range of service providers and involves the active engagement of young people in their own individual care and pathway planning, as well as service evaluation. Providers should be trained in the use of such tools as person centred planning to assist with this (see Section 3: Pathway Planning).

1 1997: Sir William Utting

CHECKLIST OF KEY QUESTIONS:

- 1** How does your service ensure the ongoing and sustainable involvement of young disabled people and their carers in planning, improving and developing services?
- 2** What mechanisms are in place for this to continue to happen?
- 3** Do you have arrangements in place for providing the personal support necessary for meaningful involvement?
- 4** Do you provide information to user forums in an accessible form, appropriate to need?
- 5** How do you support diverse communication needs?
- 6** Are you able to reward/formally acknowledge user involvement?
- 7** Do you have the mechanisms in place to ensure that users' views are not only listened to, but also acted upon?
- 8** How do service users' complaints inform service evaluation and the development of new services?

**GOOD PRACTICE EXAMPLE:****Plymouth**

“We are reviewing ways to enable children with disabilities to be included in consultation exercises such as ‘the voice of our young people’ by building on the ‘total communication project’ a nationally acclaimed local research project that introduced new and successful ways of consulting adults with learning disabilities.”

Contact:

Total Communication Project
 Barnstaple Library, Tuly Street, Barnstaple, Devon
 Tel: 01271 850116

Example taken from *Putting Young People at the Centre: Developing service for care leavers* (2003)
 First Key. Copies available from Rainer, National Leaving Care Advisory Service
 E-mail: nlcas@raineronline.org

Further reading and useful resources:



Every Child Matters

<http://www.everychildmatters.gov.uk/participation/>



“Hear by Right is a tried and tested standards framework for organisations across the statutory and voluntary sectors to assess and improve practice and policy on the active involvement of children and young people. The ‘What’s Changed?’ tool provides a template for mapping the impact of participation activity. Examples of completed templates are provided to celebrate the work and share good practice. Contributions are organised under the Every Child Matters Outcomes to which they relate.”

<http://www.nya.org.uk/hearbyright/home.asp?cid=180&cats=215>

Ready Steady Change at <http://www.crae.org.uk/cms/>

DfES (2004) *Working Together: Giving Children and Young People a Say*
www.dfes.co.uk

Dickens, M (2004) *Listening is a Way of Life – Listening to Young Disabled People* (NCB)

Kirkby, P., Lanyon, C., Cronin, K., Sinclair, R (2001) *Building a Culture of Participation Handbook*, National Children’s Bureau.

Morris, J. (1998) *Don’t Leave Us Out: Involving disabled children and young people with communication impairments*. Joseph Rowntree Foundation: York

Morris, J. (2002) *A Lot to Say: A guide for social workers, personal advisors and others working with disabled children and young people with communication impairments*: Scope, London.

Cutler, D. and Taylor, A (2003) *Expanding and Sustaining Involvement – A Snapshot of Participation Infrastructure for Young People Living in England*. Carnegie Young People Initiative.

Hazlehurst, M. and Shalom, O. (2002) *Involving Young People: A help or a hindrance?* In Wheal, A. (ed) *RHP Companion to Leaving Care*. London: Russell House Publishing.

Care Leaving Strategies: *A Good Practice Handbook: p 47–50 Improving the Participation of Care Leavers* (2002). Department of Health and Centrepoint.

Ask Us. CD-ROM.

Copies are available at £5 each from the Children’s Society, Publishing Department, Edward Rudolph House, Margery Street, London WC1X 0JL:
www.childrensociety.org.uk

Two Way Street: Training video and handbook about communicating with disabled children and young people

Copies of the handbook available at £9.50 and the handbook and video at £55 each from NSPCC National Training Centre, 3, Gilmour Close, Beaumont Leys, Leicester LS4 1EZ. Tel: 01162347223. The work was led by Triangle and the NSPCC. Triangle offers training and consultancy on services for children with complex needs:

www.triangle-services.co.uk

2.5 Monitoring and evaluation

Background information

Systems for monitoring and evaluating performance are essential to the provision of quality services. This can be achieved in part through the use of performance indicators, either those internally identified or those determined by Government. These should include as a minimum:

- The level of service provided
- The quality of the service provided
- The level of user satisfaction with the service
- Outcomes for young people

Vital to the delivery of effective service is the involvement of service users (see above). One way of ensuring that service users' views are incorporated is developing a responsive complaints procedure that is easily accessed and young people friendly:

Complaints

The Children (Leaving Care) Act introduces an amendment to the 1991 Representations Procedure (Children) Regulations 1991 whereby complaints from young people in respect of leaving care should reach informal resolution within fourteen days. If this is not possible then the full complaints procedure should be invoked. All young people should have access to advocacy services throughout this process. Young people should also be made aware of the other services' complaints procedures.

CHECKLIST OF KEY QUESTIONS:

- 1 How do you determine if your service is successfully meeting its objectives in relation to young disabled people in and leaving care?
- 2 Do you include young disabled service user views when evaluating your service?
- 3 Do you have a model or set of service standards against which to evaluate your services?
- 4 Is your service subject to external performance monitoring in relation to young disabled people in and leaving care?
- 5 How do you feed back to young disabled people about what is and what is not working well for them as service users?
- 6 How does your service work with other agencies and services to monitor and evaluate the outcomes for young disabled people in and leaving care?
- 7 What evidence is there that your Comments and Complaints service meets the needs of young disabled people?



GOOD PRACTICE EXAMPLE:

The National Leaving Care Benchmarking Forum

The National Leaving Care Benchmarking Forum was established in 2000 as a national network of local authorities. Its aim is to compare services to young people leaving care with a view to promoting the development of good practice in member authorities. The Rainer National Leaving Care Advisory Service provides co-ordination and support.

The Forum has developed its own methodology for the benchmarking of services. This has five stages:

- Development of service standards and performance indicators
- Collection of information
- Comparison between authorities
- Identification of issues for service improvement and action planning
- Action plan review

(continued)

(continued)

Benchmarking takes place against seven sets of service standards and performance indicators, reflecting the different leaving care service areas. The standards are on accommodation, education training and employment, financial support, health, through care, young people's involvement, advocacy and complaints and managing diversity.

Core members meet together four times a year for two days. These meetings are used to compare services, plan and review progress in service development. They are also an opportunity to discuss issues in leaving care and share experiences. Other network members take part in benchmarking but do not attend the residentials.

Contact:

nlcas@raineronline.org

2

Further reading and useful resources:



The National Service Framework for Children includes specific standards with regard to services for disabled children and young people. The framework addresses the themes of promoting inclusion, changing societal attitudes and the removal of disabling barriers, the multi-agency provision of services, high quality and seamless transitions and young people's participation both in individual care planning and in the development and evaluation of services. Standard 4 addresses Growing up into Adulthood and Standard 8 Disabled Children Young People and those with Complex Health Needs.



www.dh.gov.uk/PolicyAndGuidance

Hear by Right is a standards framework for organisations to assess and improve practice and policy on involving young people.

<http://www.nya.org.uk/hearbyright/home.asp?cid=180&cats=215>

The Learning Disability Quality Network:

<http://www.bild.org.uk/quality/QNsiteoldlogo/index.htm>

Relevant appendices (see Section 5):

- **Appendix 10:** 'A Service Framework for Disabled Care Leavers' (Department of Health)

2.1 CHECKLIST: Multi-agency strategic planning and commissioning

1 Which multi-agency fora are addressing the issues affecting young disabled people leaving care?

2 How well are they integrating national policy development into local strategy?

3 Do strategic planning processes support the delivery of a comprehensive, cross-agency service?

4 What mechanisms are in place to ensure that the views of young disabled people are appropriately represented in these fora?

KEY QUESTIONS

2.2 CHECKLIST: Management information

- 1** Are there systems in place within integrated children's services including Health, Education and Connexions services, to identify young disabled people living in and leaving care?

- 2** Which data are used?

Do data systems include:
 - Children in Need census data?
 - School census data?
 - The Looked After Children (LAC) notification register for children living out of the area?
 - Data on disabled children?
 - Client Caseload Information System (CCIS)?

- 3** Is management information used effectively to influence service planning and development? Does this include the use of CCIS data with regard to the assessment and recording of young people's aspirations?

- 4** What information is available about outcomes for this group, in terms of:
 - Quality assurance?
 - Ongoing process?
 - Meeting service targets for care leavers?
 - Performance Assessment Framework?

- 5** Is explicit reference made to young disabled people in information sharing protocols?

KEY QUESTIONS

2.3 CHECKLIST: Policy mapping/audit

- 1** Do the policy and plans of each service/partner make specific reference to the needs of young people leaving care and within that, the needs of young disabled people as a discrete group?

-
- 2** Are the financial resources identified to ensure their support?

KEY QUESTIONS

2.4 CHECKLIST: Young people's and carers' involvement in planning, improving and developing services

- 1** How does your service ensure the ongoing and sustainable involvement of young disabled people and their carers in planning, improving and developing services?

- 2** What mechanisms are in place for this to continue to happen?

- 3** Do you have arrangements in place for providing the personal support necessary for meaningful involvement?

- 4** Do you provide information to user forums in an accessible form, appropriate to need?

- 5** How do you support diverse communication needs?

- 6** Are you able to reward/formally acknowledge user involvement?

- 7** Do you have the mechanisms in place to ensure that users' views are not only listened to, but also acted upon?

- 8** How do service users' complaints inform service evaluation and the development of new services?

KEY QUESTIONS

2.5 CHECKLIST: Monitoring and evaluation

- 1** How do you determine if your service is successfully meeting its objectives in relation to young disabled people in and leaving care?

- 2** Do you include young disabled service user views when evaluating your service?

- 3** Do you have a model or set of service standards against which to evaluate your services?

- 4** Is your service subject to external performance monitoring in relation to young disabled people in and leaving care?

- 5** How do you feed back to young disabled people about what is and what is not working well for them as service users?

- 6** How does your service work with other agencies and services to monitor and evaluate the outcomes for young disabled people in and leaving care?

- 7** What evidence is there that your Comments and Complaints service meets the needs of young disabled people?

KEY QUESTIONS



Pathways in practice

- **This section addresses the complex process of transition including a mapping of the services likely to be involved, their roles and responsibilities and how these may be effectively dovetailed into the pathway planning process. It contains a number of sub-sections each with their own checklist of questions and useful resources:**
 1. **Transition processes**
 2. **Protocols and working arrangements**
 3. **Young people living out of authority**
 4. **Leaving care Personal Advisers**
 5. **Needs assessments**
 6. **Person centred approaches to pathway planning**

3.1 Transition processes

Background information

The Government report 'Improving the Life Chances of Disabled People' focuses on improving services to young disabled people in transition by concentrating on individual need. It aims for a smoother transfer from children's to adult services and more effective planning mechanisms in providing real and appropriate opportunities and choices in adulthood. The introduction of individualised budgets will be central to these developments (see Section 4.4: Financial Support and the Use of Direct Payments).

A Social Exclusion Unit report addressing Transitions: Young Adults with Complex Needs looks at the effectiveness of services for young adults with complex needs as they make the transition to adulthood and sets out 27 agreed, cross-government action points.

One of the intentions of the Children (Leaving Care) Act is to improve and lengthen the transition of leaving care. For young disabled people, 'transition', as a planning process delineating the move from children's to adult services, can often overwhelm and obscure the developmental process that is occurring as the young person moves towards adulthood and developing autonomy.

Good transition processes should commence at the appropriate time to meet the young person's needs. They should place the young people at the centre in order to ensure that any plans made genuinely reflect the individuals' wishes. Throughout the process, it is vital to provide the young people and their parents and carers with good information, both about the stages in the process and the range of options for the future.

As a planning process, transition is complex and involves numerous service providers. It is important that the pathway planning incorporates, rather than duplicates, the Year 9 review process, making use of existing assessment information and building upon existing support networks, without duplication of the Connexions role and Personal Adviser role under the Children (Leaving Care) Act.



GOOD PRACTICE EXAMPLE:

The TransPlan CD-Rom

The TransPlan CD-Rom, produced in the North East Region, is a comprehensive guide to the process of transition planning as it impacts on young people with special educational needs. It contains information for young people, parents/carers and services and agencies involved in the process of transition planning. A multi-agency group contributed to the production, which was nationally funded. The CD-Rom was distributed widely in the North East Region and on request outside the region. The Department of Education and Skills and Department of Health have funded an evaluation of TransPlan – copies of both the full and summary reports are available to download as Word documents from the Connexions website as below:

There may still be a few copies of the CD-Rom available from Prolog (Tel 0845 6022260 E-mail dfes@prolog.uk.com), quoting TRANSPLAN 1.

N.B This information was downloaded from www.connexions.gov.uk

CHECKLIST OF KEY QUESTIONS:

- 1 Do you have a comprehensive pathway planning system, which is multi-agency, includes the Year 9 review process, and carries through to adulthood?
- 2 Is it promoted and applied to all young people including those with mild to moderate learning difficulties and those who are in placements out of the local authority area?
- 3 Is everyone in your agency clear of your role and responsibilities within the transitional review and pathway planning process?
- 4 How do you formally incorporate the views of young people and their carers as service users in ensuring that transition processes are working for them?

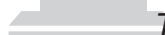
Further reading and useful resources:



Every Child Matters: Change for Children – Common Core of Skills and Knowledge for the Children’s Workforce. Chapter 4 Supporting Transitions
<http://www.everychildmatters.gov.uk/deliveringservices/commoncore/transitions/>



Improving the Life Chances of Disabled People (2004) Prime Minister’s Strategy Unit
 Available from http://www.strategy.gov.uk/work_areas/disability/



Transitions: Young Adults with Complex Health Needs (2005) Social Exclusion Unit
 Available from <http://www.socialexclusion.gov.uk/>

The Transition Information Network is managed by the Council for Disabled Children. It produces a magazine entitled *My Future Choices* and signposts other sources of support and information.

<http://www.myfuturechoices.org.uk/index.php>

DfES Report – *Seven Principles for Inclusive Transition Planning. The Final Report of an East of England Project on Assessment and Transition Planning*

Available from:

www.connexions.gov.uk/partnerships/publications/connexpubs/index.cfm?Fuseaction=DocumentDetails&DocumentID=321

Department for Education and Skills (2002) *Information To Support Connexions Partnerships In Their Work With Young People With Learning Difficulties and Disabilities.*

All Change: transition and young people with learning disabilities. An information guide.

Information pack for parents, professionals and young people available from Pavilion Publishing, Brighton 2003, Tel: 01273 623222 or www.pavpub.com

Hendey, N. and Pascall, G. (2002) *Disability and transition to adulthood: Achieving independent living*. Brighton: Pavilion Publishing.

Heslop, P., Mallet, R., Simons, K. and Ward, L. (2001) *Bridging the Divide: The experiences of young people with learning difficulties and their families at transition*. Bristol: Norah Fry Research Centre, University of Bristol.

Morris, J. (1999) *Move on up: Supporting young disabled people in their transition to adulthood*. Barnardo's.

Morris, J. (1999) *Hurling into a Void: Transition to adulthood for young disabled people with 'complex health and support needs'*. Brighton: Pavilion Publishing.

Morris, J. (2002) *Moving into Adulthood: young disabled people*. York: Joseph Rowntree Foundation.

National Foster Care Association (2002) *Rights of Passage: young disabled people: the transition from foster care to adult life, a study of people with learning difficulties*.

Rabiee, P., Priestley, M. & Knowles, J. (2001) *Whatever Next? Young disabled people leaving care*. Leeds: First Key.

Relevant appendices (see Section 5):

- **Appendix 11:** Integrated Transition Planning: Transition pathway for disabled young people

Also, see

- **Appendix 2:** Protocol – Leaving care & children's disability services, Brighton & Hove

3.2 Protocols and working arrangements between service providers

Background information

The development of strategic planning processes through senior multi-agency fora (see Section 2: Multi-agency Strategic Planning and Commissioning) will need to be reflected at an operational level between providers. The dovetailing of Year 9+ review processes with pathway planning will require collaboration between all the relevant children's services.

Working arrangements will also need to be developed with those providing services to young people who are relevant/becoming former relevant (see Section 1: Eligibility, Rights and Entitlements). This includes the Learning and Skills Council (LSC), further education providers, the council's housing department and local

housing associations (known as registered social landlords), as well as agencies providing support for independent living.

Agreements will need to be made around person-centred pathway planning (see below: this section), the use of direct payments, information sharing, information-giving to service users and funding/resource arrangements. Resources may be pooled within Children's Trusts (also referred to as Children's Strategic Partnerships) to ensure that the needs of all children and young people are met effectively.

CHECKLIST OF KEY QUESTIONS:

- 1 Do you have effective tracking systems within integrated children's services, including Health, Education and any Looked After Children education scheme and Connexions, capable of identifying all looked after children at age 14, including those placed out of authority?
- 2 Do these extend to other potential service providers that may be involved in supporting young disabled people after the age of 16? (e.g. Youth Offending Teams, the housing department and other accommodation providers, the Supporting People team, benefits agencies, etc.)
- 3 Do you have protocols and working agreements about funding responsibilities and roles?
- 4 How do you ensure good communication between agencies? (Examples may include having identified contacts, regular service/development updates re: changes or outcomes of service reviews, etc.)
- 5 What information do you give young disabled people in and leaving care, their parents and carers, about the role and responsibilities of the various agencies involved in providing them with support?



GOOD PRACTICE EXAMPLE:

South Gloucestershire Post 16 Planning Forum

Agreements have been reached between Social Services, Connexions, LSC, and the Education Department to set up a panel, which will ensure that there is a process to resource requirements arising from Needs Assessments. Its remit is the education, training and employment of all vulnerable young people. Examples of the kind of thing that might be discussed are the need for extra support in college and how this can best be achieved or where young people had no plans for further education, etc.

Contact:

Mike Connolly, E-mail: Mike.Connolly@southglos.gov.uk

Further reading and useful resources:



Examples of tools and processes developed and tested by local areas on information sharing are available for other local areas to use or adapt on the Information Sharing and Assessment community website:

<http://www.dfes.gov.uk/ISA/learnFrmLocalAuth/pmDissGroup.cfm>.



Developing IRT systems – interim report of the evaluation of the trailblazers:

www.dfes.gov.uk/research/data/uploadfiles/RR521.doc

East Midlands Special Educational Needs Regional Partnership

East Midlands Regional Protocol: approaches to improve arrangements between local authorities for the education of children and young people in public care:

www.emleas.org.uk/publications.htm

Every Child Matters (2003) p.51–57

www.dfes.gov.uk/everychildmatters/

Relevant appendices (see Section 5):

- **Appendix 12:** Future Positive: List of providers/agencies likely to be involved in providing services to young disabled people leaving care.

See also

- **Appendix 8** for Information Sharing Protocol – Cornwall County Council

3.3 Young people living out of authority

Background information

The Children (Leaving Care) Act introduces the role of the ‘responsible local authority’. This is the council that last looked after an ‘eligible’ or ‘relevant’ young person (see Section 1: Eligibility, Rights and Entitlements). This will be of particular significance where young disabled people have been placed out of authority, possibly in residential educational placements where there are joint or tripartite funding arrangements.

The new role means that the responsible authority keeps responsibility for a young person wherever they may be living or may move to within the country. Wherever reasonably possible it should continue to provide direct support services to care leavers who are living in a different local authority area. The responsible authority should notify a receiving local authority when a care leaver moves into its area.

Where it is not possible for the responsible local authority to provide direct services to a care leaver living in a different local authority, it may request the assistance of the receiving local authority which should offer the maximum level of co-operation that it is able, in compliance with the minimum requirements set by the National Protocol: Inter-authority arrangements for care leavers (See appendix 12). Where negotiations are taking place between responsible and receiving authorities (which may take up to four working weeks) the minimum standard should be maintained and, although this must be ensured by the responsible authority, the receiving authority must do all it can to help.

CHECKLIST OF KEY QUESTIONS:

Responsible local authority

- 1** Do you have formal arrangements in place for the support of young disabled people who are living in out of authority placements but remain your responsibility as the responsible authority whilst looked after and leaving care?
- 2** Do your arrangements for the support of care leavers as a responsible local authority meet the minimum requirements as described in the National Protocol: Inter-authority arrangements for care leavers? (See appendix 12)
- 3** Do you have an up to date register for Looked After Children notification that identifies young disabled people including those in residential school?
- 4** Do you have a lead officer responsible for ensuring that the lead officer in the receiving authority has been informed about a care leaver moving into their area?
- 5** In each case is it made clear whether your responsibilities under the Children (Leaving care) Act are to be discharged directly by yourselves or by the receiving authority on your behalf?

Receiving local authority

- 1** Do you have an up to date register for Looked After Children notification that identifies young disabled people including those in residential school who have moved into your local authority area?
- 2** Do you have a lead officer responsible for ensuring that the systems are in place to receive notifications of a care leaver moving into the area?
- 3** Do your arrangements for the support of care leavers as a receiving local authority meet the minimum requirements as described in the National Protocol: Inter-authority arrangements for care leavers? (See appendix 12)

Partner agencies

1 Are there formal reciprocal arrangements between responsible and host authority Adult, Health, Housing, Education and Connexions services?

All

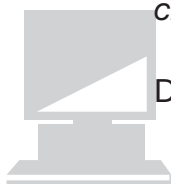
1 How have you involved young disabled people as service users in developing your support services to young people living out of the local authority area?

Further reading and useful resources:



Abbott, D., Morris, J., Ward, L. (2000) *Disabled children and residential schools: A survey of local authority policy and practice*. Norah Fry Research Centre.

Morris, J. (1995) *Gone Missing: A research and policy review of disabled children living away from their families*. Who Cares? Trust.



DfES Report: *Disabled Children in Residential Placements Report*.

This report draws together available information about the numbers, circumstances and outcomes of disabled children in residential placements provided by Social Services, Education and Health. Available from:
http://www.everychildmatters.gov.uk/_files/6F9C7442801E182A5CFC628B7C2D2C58.doc

A second report of the same title by Anne Pinney has been published in 2005. This report is available on the Every Child Matters website at
http://www.everychildmatters.gov.uk/_files/D652D7176658D23D115B9AD445D6B673.pdf

East Midlands Special Educational Needs Regional Partnership

East Midlands Regional Protocol: approaches to improve arrangements between Local Authorities for the Education of Children and Young People in Public Care:
www.emleas.org.uk/publications.htm

Relevant appendices (see Section 5):

- **Appendix 13:** The National Protocol: Inter-authority arrangements for care leavers.

3.4 Leaving care Personal Advisers

Background information

The Act introduces the new statutory role of Personal Adviser¹ for eligible, relevant and former relevant young people (with the exception of 12 (2) (b)). The functions of the role are described in Regulation 12:

- 12 (2)(a) To provide advice (including practical advice) and support**
- 12 (2)(b) To participate in the assessment and preparation of the Pathway Plan**
- 12 (2)(c) To participate in reviews of the Pathway Plan**
- 12 (2)(d) To liaise with the responsible authority in the implementation of the Pathway Plan**
- 12 (2)(e) To co-ordinate the provision of services and to take reasonable steps to ensure that the young person makes use of such services**
- 12 (2)(f) To keep informed about the child's progress and well being**
- 12 (2)(g) To keep written records of contact with the child**

Chapter 6 of the Guidance provides more detail about the role, some key features of which are summarised as follows:

- 1** The Personal Adviser does not necessarily have to be the young person's primary support but is responsible for building a network of support.
- 2** S/he should represent the main contact with regard to the Pathway Plan.
- 3** The management of the pathway planning process may initially rest with the social worker (if a different person), with involvement from the Personal Adviser. The responsibility of Personal Advisers is likely to increase, however, as the young person moves to relevant status. By the time a young person becomes former relevant the Personal Adviser will have full accountability in the implementation of the plan and be responsible for convening reviews, recording and communicating outcomes to those involved.
- 4** The Personal Adviser ensures that the young person accesses the services that have been identified in the Pathway Plan by engaging the young person fully in the process. S/he should also co-ordinate agencies and individuals involved to ensure services are delivered appropriately and at the right time.
- 5** The most fundamental role of the Personal Adviser is to keep in touch, monitor progress, and record information appropriately.

¹ In this context the term Personal Adviser is not synonymous with that of a Connexions Personal Adviser.

Who are Personal Advisers?

This role requires a high level of skill and experience in engaging with and building relationships with young people. Given that there is no prescribed qualification Personal Advisers may come from a variety of sources and arrangements are likely to vary from one local authority to another. In some, staff skilled in working with young disabled people may work as part of the leaving care service. In others, Personal Advisers may be located in children with disabilities teams, transition or adult teams. It is important that as much flexibility be built into arrangements as possible so as to be responsive to the needs and wishes of individual young people.

Every Child Matters: Change for Children – The Lead Professional

The Change for Children programme introduces the new role of Lead Professional in order to support children and young people and families who have additional needs and require support from more than one service or practitioner. The lead professional will help to co-ordinate and oversee the support in order to ensure that they receive a more effective and coherent service with the young person's needs placed at the centre.

The role will be undertaken by a practitioner drawn from a range of services, statutory or voluntary, dependent on the needs of the child or family. There are many similarities between the lead professional role and the leaving care personal adviser and it may well be the case that for those young people leaving care, the personal adviser will be the most appropriate person to fulfil it.

More guidance is expected on the role of lead professional for children and young people with more complex needs by Spring 2006.

CHECKLIST OF KEY QUESTIONS:

-
- 1** Is it clear who has the lead responsibility for providing personal advisers under the Children (Leaving Care) Act and how that responsibility is discharged?

 - 2** Have all young people been given information about the personal adviser role?

 - 3** Do *all* young disabled people have an allocated Personal Adviser under the Children (Leaving Care) Act?

4 Do you ensure that Personal Advisers are appropriately skilled by providing training in:

- Responsibilities under the Children (Leaving Care) Act?
- The Lead Professional role?²
- Person centred pathway planning?
- Anti-discrimination awareness?
- Working with teenagers?
- Understanding transition?
- Effective communication?
- Working with parents and carers?
- Health needs and disability?

5 How do you involve young disabled people as service users in recruiting and training Personal Advisers?

6 Have links been developed between the local Connexions Service and the Leaving Care Service to ensure that roles are not duplicated, that there is appropriate support and training for the Personal Adviser role and that information systems are compatible?



GOOD PRACTICE EXAMPLE:

Barnsley

“South Yorkshire Connexions are actively recruiting to posts which will enable them to respond appropriately to varying needs disabled young people may have, in particular those who may be disadvantaged by the barriers faced by people who are learning disabled. In Barnsley, a Connexions Personal Advisor will be recruited with the appropriate skills and experience to be a Designated Advisor for the Special School. This will be one of two Personal Advisors Posts based within our Leaving Care Service (Backup). This link will be exploited for the benefit of children we are either corporate responsible for or provide services to during transition. The Connexions Partnership has established a Disability Strategy which will underpin the work of Personal Advisors in mainstream settings.”

Contact:

South Yorkshire Connexions

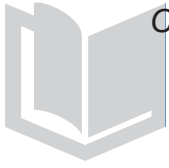
Units 1 and 2, Meadow Court, Amos Road, Sheffield, S9 1BX

Tel: 0800 169 9338/0800 652 9900

Example taken from *Putting Young People at the Centre: Developing service for care leavers* (2003) Department of Health/First Key. Copies available from Rainer, National Leaving Care Advisory Service
E-mail: nlcas@raineronline.org

² Subject to local definitions and agreements

Further reading and useful resources:



Children (Leaving Care) (England) Act 2001 Regulations and Guidance

Available from: <http://www.everychildmatters.gov.uk/socialcare/lookedafterchildren/leavingcare/>



Supporting Care Leavers: A Training and Resource Pack for people working with Young People Leaving Care: Department of Health, First Key and University of York (2001)

For further information on the lead professional role there are a range of materials available on the Every Child Matters website including:

- Multi-agency working: Toolkit for practitioners
- Lead Professional Good Practice Guidance
- Lead Professional Fact Sheet

3.5 Needs assessment

Background information

All young people should have a comprehensive needs assessment within three months of becoming eligible under the Children (Leaving Care) Act. Any young people who are relevant and haven't had a needs assessment should have one within three months of becoming relevant (Section 23B(3)). The assessment should look forward towards a minimum age of 21 years.

The local authority should prepare a written policy statement describing how it is going to assess the needs of eligible and relevant young people. This should identify responsibility for the assessment, the timing of it, those to be consulted as part of the process, arrangements for recording the outcomes and a procedure for representations. Regulation 7(5) says that this statement should be made available to young people and others involved in the assessment.

The assessment covers:

- a) Health and development³
- b) Education, training and employment
- c) Support from family and others
- d) Financial needs
- e) Skills for independent living
- f) Care, support and accommodation (*Regulation 7 (4)*)

³ The DH Guidance (2002) '*Promoting the health of looked after children*' (App 4) addresses the specifics of a health assessment for young people leaving care. See below section on Health.

The assessment follows the Framework for the Assessment of Children in Need and their Families and is seen as integral to the care planning process as part of the Integrated Children's System. It will use the existing care plan and any other relevant assessments as its basis with an emphasis on the likely needs of the young person through to the age of 21. The assessment then provides the foundation of the first Pathway Plan.

NB. From April 2004 Connexions is required to apply the Assessment, Planning, Implementation and Review (APIR) Framework in all one to one interventions with young people. By 2008 it is expected that the APIR framework will be superseded by the Common Assessment Framework. It is important to ensure these processes are dovetailed (see Section 3 above: Protocols and Working Arrangements Between Service Providers).

The views of the young person must be central to the needs assessment. Also involved will be social workers, a Personal Adviser, anyone with parental responsibility, carers, someone from school or college, a health professional and anyone else that the local authority or the young person feels appropriate. This may include at least one person who is able to meet a young person's communication needs and have a clear understanding of their needs and wishes.

CHECKLIST OF KEY QUESTIONS:

- 1** What arrangements do you have in place to ensure that the needs assessment process is streamlined, incorporating relevant existing assessments and avoiding unnecessary duplication?
- 2**
 - a) How are you ensuring that the views of young people themselves and also those of their parents and carers are central to the needs assessment?
 - b) How are you meeting the communication needs of the young disabled person to ensure that their views and wishes are central within their pathway planning process?
- 3** How can young disabled people exercise their right to appeal against the needs assessment if they wish to do so, and in particular those with high communication support needs or those living out of the authority area?
- 4** How have you involved young disabled people in developing the needs assessment tool to make it more user friendly?

Further reading and useful resources:



Department of Health/First Key (2003). Putting Young People at the Centre 'Needs Assessment and Pathway Planning'.



GOOD PRACTICE EXAMPLE:

Trans-active project

Trans-active is a project in which teenagers with and without learning disabilities work together. They use multi-media to explore and communicate their thoughts and choices about the future. The project is about using and giving support, making plans, making friends and having fun.

Trans-active is a tool for inclusion, outlines the process of transition and is a good model for peer support. It links directly to Citizenship, PSE, IT and individual communication targets. It covers equality, rights, choices and advocacy. The process gives young people the opportunity to explore who they are, what is important to them now and what they might like for the future. It covers these topics ... about me, advocacy, living, learning, work, leisure and having a say.

More information about the project can be obtained by going to **www.trans-active.org.uk**

Or contact:

trans-active@mencap.org.uk

3.6 Person centred Pathway Plans

Background information

Regulation 8 of the Children (Leaving Care) Act describes the pathway planning process which begins with the first Pathway Plan being completed as soon as possible after the assessment of need. The plan must include any details of action to be taken by the responsible authority and the timescales and it must be written down.

It addresses the advice, assistance and support that the young person is to receive whilst still looked after and plans for the time when they cease to be (Para 19B Schedule 2). A Pathway Plan for a relevant young person (Section 23B) looks forward through to the minimum age of 21 or longer if a young person is participating in an agreed programme of further education or training.

Schedule 1 describes the detail of a Pathway Plan as follows:

- The nature and level of personal support to be provided to the child or young person

- Details of the accommodation the child or young person is to occupy
- A detailed plan for his education or training
- Where relevant, how the responsible authority will assist the child or young person in employment or seeking employment
- The support to be provided to enable the child or young person to develop and sustain appropriate family and social relationships
- A programme to develop the practical and other skills necessary for him to live independently
- The financial support to be provided to the child or young person, in particular where it is to be provided to meet his accommodation and maintenance needs
- The health needs, including any mental health needs, of the child or young person, and how they are to be met
- Contingency plans for action to be taken by the responsible authority should the Pathway Plan for any reason cease to be effective.

The Guidance (Chapter 5:16–57) provides comprehensive detail in each of the above areas.

Reviewing the Pathway Plan

The plan must be reviewed at minimum intervals of 6 months, although a review can be called at any time by a Personal Adviser or the young person should circumstances warrant it (Regulation 9).

The review ensures that the plan is being met, that the levels of support are appropriate, and that goals continue to be realistic. The plan should be flexible and responsive to changing or unforeseen circumstances and should include realistic contingency planning.

Person centred approaches

Pathway planning is essentially a process for young people to enable them to map out their goals, aspirations, and expectations, to take risks, make mistakes and achieve their own successes. It enables them to identify the support they will need to reach their personal goals. For this reason young people's involvement in and ownership of the Pathway Plan is paramount (Regulation 6).

To ensure that this is the case the principles of person centred planning should be employed. The five key features of person centred planning are⁴:

⁴ Taken from: *Valuing People: Towards Person Centred Approaches. Planning with People – Guidance for Implementation Groups.*

- 1 The person is at the centre
- 2 Family members and friends are full partners
- 3 Person centred planning reflects the person's capacities, what is important to the person (now and for their future) and specifies the support needed to enable the individual to make a valued contribution to the community.
- 4 Person centred planning builds a shared commitment to action that will uphold the person's rights
- 5 Person centred planning leads to continual listening, learning and action, and helps the person to get what they want out of life.

CHECKLIST OF KEY QUESTIONS:

- 1 How are you meeting the communication needs of the young disabled person to ensure that their views and wishes are central within their pathway planning process?
- 2 Do pathway planning processes take account of young disabled people living out of authority (see previous section)?
- 3 How do you provide information to *all* young disabled people, parents and carers, about their options in order for them to exercise informed choice within their pathway planning process?
- 4 What action are you taking to widen opportunities for young disabled people in your area?
- 5 How does your pathway planning process reflect the need for young disabled people to take risks, change their minds and sometimes make mistakes when planning for their futures?
- 6 What methods are you using to record the outcomes of meetings where Pathway Plans are discussed, for young people so that they are accessible and meaningful to them?
- 7 How do you ensure that all those involved in the pathway planning process have a record of the decisions made and actions to be taken?
- 8 What arrangements do you have in place for the young disabled person to call a review of their Pathway Plan at short notice should their plans or the situation change suddenly?

9 What arrangements do you have in place to enable young disabled people to appeal against decisions made in the pathway planning process? What evidence do you have that they work?

10 How have you involved young disabled people as service users in developing pathway-planning materials that are young people friendly?



GOOD PRACTICE EXAMPLE:

Somerset Total Communication Project

The aim of STC is to ensure:

- that all people with total communication needs in Somerset have a consistent and coherent approach to meeting those needs.
- this approach occurs throughout people's life transitions in all living, learning, working and recreational environments in Somerset

In April 2002 a joint STC strategy was agreed between Somerset Partnership NHS & Social Care Trust, Somerset County Council together with partner agencies. This is to enable children, young people and adults an equal opportunity to: make friends, be included, make choices, achieve independence, understand others, express needs, to learn, express feelings and feel less frustrated.

STC has recently produced a CD for anyone wishing to extend their signing skills. The CD includes over 1000 signs. It is suitable for people with communication and/or learning difficulties, their family carers & relatives and care staff.

You will need Windows 98 or above installed on your computer to see and hear the 3 second video clips. The CD is available for £8 for people within Somerset and £25 plus p&p for those outside Somerset.

To order please contact:

Somerset Total Communication Project

Tel: 01278 444949 Fax: 01278 447114 E-mail: stc@somerset.gov.uk

Website: <http://www.somerset.gov.uk/somerset/socialservices/pi/>



GOOD PRACTICE EXAMPLE:

Video about person centred planning

Dorset Self Advocacy have made a Person Centred Planning awareness training video. It is called 'My Plan'.

Anyone who wants a copy needs to send a cheque for £30 (including p&p) made payable to: Dorset Self Advocacy, 3, Princes Street, Dorchester, Dorset DT1 1TP

This information was taken from the Valuing People Website: www.valuingpeople.gov.uk/pcp.htm

Further reading and useful resources:



There are a host of useful papers and documents relating to person centred planning on the Valuing People Website. These include the guidance '*Towards Person Centred Approaches: Planning with People.*'

www.valuingpeople.gov.uk/pcp.htm

3.1 CHECKLIST: Transition processes

- 1** Do you have a comprehensive pathway planning system, which is multi-agency, includes the Year 9 review process, and carries through to adulthood?

- 2** Is it promoted and applied to all young people including those with mild to moderate learning difficulties and those who are in placements out of the local authority area?

- 3** Is everyone in your agency clear of your role and responsibilities within the transitional review and pathway planning process?

- 4** How do you formally incorporate the views of young people and their carers as service users in ensuring that transition processes are working for them?

KEY QUESTIONS

3.2 CHECKLIST: Protocols and working arrangements between service providers

- 1** Do you have effective tracking systems within integrated children's services, including Health, Education and any Looked After Children education scheme and Connexions, capable of identifying all looked after children at age 14, including those placed out of authority?

- 2** Do these extend to other potential service providers that may be involved in supporting young disabled people after the age of 16? (e.g. Youth Offending Teams, the housing department and other accommodation providers, the Supporting People team, benefits agencies, etc.)

- 3** Do you have protocols and working agreements about funding responsibilities and roles?

- 4** How do you ensure good communication between agencies? (Examples may include having identified contacts, regular service/development updates re: changes or outcomes of service reviews, etc.)

- 5** What information do you give young disabled people in and leaving care, their parents and carers, about the role and responsibilities of the various agencies involved in providing them with support?

KEY QUESTIONS

3.3 CHECKLIST: Young people living out of authority

Responsible local authority

- 1 Do you have formal arrangements in place for the support of young disabled people who are living in out of authority placements but remain your responsibility as the responsible authority whilst looked after and leaving care?
- 2 Do your arrangements for the support of care leavers as a responsible local authority meet the minimum requirements as described in the National Protocol: Inter-authority arrangements for care leavers? (See appendix 12)
- 3 Do you have an up to date register for Looked After Children notification that identifies young disabled people including those in residential school?
- 4 Do you have a lead officer responsible for ensuring that the lead officer in the receiving authority has been informed about a care leaver moving into their area?
- 5 In each case is it made clear whether your responsibilities under the Children (Leaving care) Act are to be discharged directly by yourselves or by the host authority on your behalf?

Receiving local authority

- 1 Do you have an up to date register for Looked After Children notification that identifies young disabled people including those in residential school who have moved into your local authority area?
- 2 Do you have a lead officer responsible for ensuring that the systems are in place to receive notifications of a care leaver moving into the area?
- 3 Do your arrangements for the support of care leavers as a receiving local authority meet the minimum requirements as described in the National Protocol: Inter-authority arrangements for care leavers? (See appendix 12)

Partner agencies

- 1 Are there formal reciprocal arrangements between responsible and host authority Adult, Health, Housing, Education and Connexions services?

All

- 1 How have you involved young disabled people as service users in developing your support services to young people living out of the local authority area?

KEY QUESTIONS

3.4 CHECKLIST: Leaving care Personal Advisers

- 1** Is it clear who has the lead responsibility for providing Personal Advisers under the Children (Leaving Care) Act and how that responsibility is discharged?

- 2** Have all young people been given information about the Personal Adviser role?

- 3** Do **all** young disabled people have an allocated Personal Adviser under the Children (Leaving Care) Act?

- 4** Do you ensure that Personal Advisers are appropriately skilled by providing training in:
 - Responsibilities under the Children (Leaving Care) Act?
 - The Lead Professional role?*
 - Person centred pathway planning?
 - Anti-discrimination awareness?
 - Working with teenagers?
 - Understanding transition?
 - Effective communication?
 - Working with parents and carers?
 - Health needs and disability?

- 5** How do you involve young disabled people as service users in recruiting and training Personal Advisers?

- 6** Have links been developed between the local Connexions Service and the Leaving Care Service to ensure that roles are not duplicated, that there is appropriate support and training for the Personal Adviser role and that information systems are compatible?

* Subject to local definitions and agreements

KEY QUESTIONS

3.5 CHECKLIST: Needs assessment

- 1** What arrangements do you have in place to ensure that the needs assessment process is streamlined, incorporating relevant existing assessments and avoiding unnecessary duplication?

- 2**
 - a) How are you ensuring that the views of young people themselves and also those of their parents and carers are central to the needs assessment?

 - b) How are you meeting the communication needs of the young disabled person to ensure that their views and wishes are central within their pathway planning process?

- 3** How can young disabled people exercise their right to appeal against the needs assessment if they wish to do so, and in particular those with high communication support needs or those living out of the authority area?

- 4** How have you involved young disabled people in developing the needs assessment tool to make it more user friendly?

KEY QUESTIONS

3.6 CHECKLIST: Person centred Pathway Plans

- 1** How are you meeting the communication needs of the young disabled person to ensure that their views and wishes are central within their pathway planning process?

- 2** Do pathway planning processes take account of young disabled people living out of authority (see previous section)?

- 3** How do you provide information to **all** young disabled people, parents and carers, about their options in order for them to exercise informed choice within their pathway planning process?

- 4** What action are you taking to widen opportunities for young disabled people in your area?

- 5** How does your pathway planning process reflect the need for young disabled people to take risks, change their minds and sometimes make mistakes when planning for their futures?

- 6** What methods are you using to record the outcomes of meetings where Pathway Plans are discussed, for young people so that they are accessible and meaningful to them?

- 7** How do you ensure that all those involved in the pathway planning process have a record of the decisions made and actions to be taken?

- 8** What arrangements do you have in place for the young disabled person to call a review of their Pathway Plan at short notice should their plans or the situation change suddenly?

- 9** What arrangements do you have in place to enable young disabled people to appeal against decisions made in the pathway planning process?
What evidence do you have that they work?

- 10** How have you involved young disabled people as service users in developing pathway-planning materials that are young people friendly?

KEY QUESTIONS

4

Supporting young disabled people

- **This section takes a look at the personal support that young people may be entitled to and how practical arrangements and agreements may be made between service providers to maximise the support offered on an individual level. It contains eight sub-sections covering a wide range of issues that are likely to be important in helping young disabled people achieve their goals and aspirations.**
 1. **Information**
 2. **Keeping in touch**
 3. **Advocacy and empowerment**
 4. **Financial support and direct payments**
 5. **Further education, training and employment**
 6. **Accommodation**
 7. **Health**
 8. **Family and friends and community involvement**

4.1 Information

Background information

It is essential to young people and their parents/carers to receive good information in order to participate in decision making throughout the transition process. Children's services should prepare a comprehensive leaving care guide informing young people of their rights and entitlements under the Children (Leaving Care) Act, that offers practical advice and signposts local services and further sources of support.

A range of media will need to be employed to ensure that young disabled people are in receipt of this information, which meets communication needs appropriately. It will need to include advice about their rights and entitlements as a disabled person. Children's services needs to demonstrate that the information has reached and been understood by **all** young people.

CHECKLIST OF KEY QUESTIONS:

- 1** In what ways do you provide information to young disabled people in and leaving care about:
 - The Children (Leaving Care) Act and
 - Their rights and entitlements as a disabled person?
(see Section 1: The Legislative Framework)

- 2** How do you meet all communication needs in doing so?

- 3** How do you ensure that young people, their parents and their carers have access to the information they need in order for their views and wishes to be central to transitional and pathway planning processes?

- 4** Is there an accessible version in multi media of the leaving care guide for young disabled people?

- 5** Does the information you provide for young people include how to complain through the leaving care complaints process identified under the Children (Leaving Care) Act and other relevant complaints procedures (such as that of Connexions, Education, Health etc.)?

- 6** How do you ensure the effective dissemination of up to date information to all young disabled people in and leaving care?

- 7** How do you involve young disabled people in ensuring that the information you give them meets their needs?



GOOD PRACTICE EXAMPLE:

PALS

PALS has developed a communication sheet for patients coming into hospital who have communication problems e.g. stroke, aphasia, learning disabilities and language problems. It is a very simple double-sided A4 card with pictures and words to help with basic communication needs. It was developed with a group of aphasic patients who had all experienced problems whilst in hospital. We discovered that there was not a consistent approach across the Trust and every hospital and every ward now has this tool.

See section below for further information on PALS

See <http://www.dh.gov.uk/PolicyAndGuidance/OrganisationPolicy/PatientAndPublicInvolvement/PatientAdviceAndLiaisonServices/fs/en>

Further reading and useful resources



Valuing People has developed a website to help people make their information more accessible to people with learning difficulties. This can be found at: www.easyinfo.org.uk



Department of Health and Centrepoint (2002) *Care Leaving Strategies: A Good Practice Handbook* – p51–53 *Creative Approaches to Delivering Information*

Mitchell, W. and Sloper, P. (2000) *User-friendly information for families with disabled children: A guide to good practice*, Joseph Rowntree Foundation

4.2 Keeping in touch

Background information

As the responsible local authority (see Section 3: Young People Living Out of Authority) there is a duty to keep in contact with young people who are eligible, relevant or former relevant, up until the age of 21 or beyond if engaged in further education or training. The level of contact should initially be determined by the needs assessment and negotiated between the young person and Personal Adviser, and reviewed thereafter through the pathway planning process. There should be a target of a minimum four contacts in a young person's nineteenth year.

Special consideration will need to be given to the means of contact with young disabled people, particularly if they are living in another local authority area. This may involve the provision of specialist equipment to enable them to use the telephone or e-mail, for example.

Contact *must not* be lost with a *relevant* young person. If it is, steps to re-establish it must be taken immediately and continued until it is re-established. In the case of *former relevant* young people *reasonable* steps must be taken to ensure ongoing contact or re-establish contact if lost. This is the case wherever a young person may be living (see Section 1: Eligibility, Rights and Entitlements).

CHECKLIST OF KEY QUESTIONS:

- 1** What strategies and range of methods do you use to keep in touch with young disabled people in and leaving care, particularly those living out of the local authority area? Are the methods used appropriate to the individual communication styles of the young people?
- 2** How have you involved young disabled people in developing these?
- 3** How do you check that the level of contact the local authority has with a young disabled person is appropriate?
- 4** What arrangements do you have in place should contact break down or cease with:
 - a) A relevant young disabled person?
 - b) A former relevant young disabled person?
- 5** Does the pathway planning process ensure young disabled people living out of the local authority area have contact that is appropriate to their needs with any partner agencies that have an involvement in the Pathway Plan?

4.3 Advocacy and empowerment

Background information

Although the role of Personal Adviser is partly that of advocating for young people in helping them to secure the support and assistance they need from the local authority, young people should still have access to advocates independent of children's services. This may be especially important to young disabled people who may encounter barriers in commenting on the services they receive or accessing the complaints procedure (see Complaints under Section 2: Service Monitoring and Evaluation).

Self-advocacy groups can play an important role in supporting young disabled people to develop the skills and confidence needed to purchase self-directed support through Direct Payments (see next section) and to take a leading role in person centred planning.

The Quality Protects programme promoted the development of independent advocacy services for looked after children and funding has been directed into this through the Children's Services Special Grant. The provision of advocacy to young disabled people must be developed in line with the national advocacy standards. If such services are to be effective, staff working with young people need to be trained to understand and promote the value of advocacy.

The role of family and friends in supporting and advocating for young disabled people can also be a significant one and should be appropriately acknowledged and facilitated.

The principle of empowerment of young disabled people should be integral to service delivery and approaches to care and pathway planning. Person centred approaches to planning should be used to ensure that this is the case (see Section 3: Person Centred Pathway Planning).

CHECKLIST OF KEY QUESTIONS:

- 1** What steps are taken to enable young disabled people access to self-advocacy, peer and citizen advocacy?
- 2** What support arrangements are in place to ensure young disabled people can access Person Centred Planning and use it effectively?
- 3** How do you ensure that young disabled people are listened to and their wishes and views recorded accurately?

- 4 Are specialist Looked After Children advocacy projects linked to self-advocacy services for young disabled people?
- 5 Are specialist advocacy projects accessible to young disabled people leaving care? How do you ensure that they are effective?
- 6 How do you support parents and carers in their roles as advocates for young disabled people?
- 7 How do young disabled people access the independent complaints process in place under the Children (Leaving Care) Act 2000?
- 8 Are advocacy services trained in accessing this process?
- 9 How do young disabled people living out of the authority areas access the complaints process?



GOOD PRACTICE EXAMPLE:

Wyre Forest Active Advocates

Wyre Forest Self Advocacy consists of youth aged 17–25 who support the rights of those at risk of being isolated as a result of disability. They have set up 7 self-advocacy groups to enable people to speak up for and work together to get their voices heard, and they strive to facilitate peer support. Due to their efforts, services are becoming more accessible for young people with learning disabilities. They have produced guidelines, which enable young people to set up their own groups, and will raise awareness about self-advocacy.

The pack is called Active Advocates and consists of a video, book and facilitators' notes. This was made by the young people themselves. The pack can be used by:

- young people to find out about what self-advocacy is
- other advocacy projects in developing their organisations to meet the needs of younger people
- youth workers and youth agencies as a training tool with staff and other young people to raise disability awareness in the hope of making the youth service more inclusive

(continued)

(continued)

- Statutory services to develop services in their local area or transitional social workers to work with young people in helping them identify what they need.

Contact:

Wyre Forest Self Advocacy, Burgage Lodge,
184 Franche Road, Kidderminster, Worcs, DY11 5AD
Telephone: (01562) 820262 Fax: (01562) 820078

Further reading and useful resources:



DfES *Get it Sorted* – Guidance on Providing Advocacy Services

The DfES has published new guidance on providing effective advocacy services for children and young people making a complaint under the Children Act 1989. This guidance is for children's services leads, team managers, complaints officers, practitioners, advocates and children's rights and participation offices. It is designed to provide all children's services staff with an understanding of the new duties in relation to advocacy for children and young people making or thinking about making a complaint under the Children Act 1989 as introduced by the Adoption and Children Act 2002. The guidance includes specific advice about providing advocacy services to disabled children.

Details from:

www.dfes.gov.uk/childrensadvocacy/

'Our life, our say!': A good-practice guide to young disabled people's peer mentoring/support by Julie Bethell and edited by Mark Harrison, published for the Joseph Rowntree Foundation by Pavilion Publishing (ISBN 1 84196 055 1, price £16.95).

Valuing People has developed a toolkit for developing advocacy services.

It is available at: **<http://www.valuingpeople.gov.uk/latestnews.htm>**

4.4 Financial support and the use of direct payments, individual budgets and resource allocations

Background information

One of the most significant changes introduced by the Children (Leaving Care) Act is around the financial support of young people (Section 6). There are new duties on local authorities to provide accommodation and maintenance for *relevant*¹ young people (16 and 17 yr olds) who have left care, who are no longer entitled to state benefits. This strengthens the role of the local authority as a 'good parent' in maintaining financial responsibility for young people until the age of 18 and avoids the complexity of the benefits system for this age group. Young people cannot receive less than they would have done if claiming benefits and in most cases their financial packages will be bolstered by incentives with education, employment etc. Most local authorities have, in any case, set minimum maintenance levels to correspond with the 18+ benefit levels.

The new financial arrangements exclude young people from benefits under the age of 18, *unless* they are single parents or defined as disabled who receive special premiums on Income Support and Job Seekers' Allowance. This however does not apply to Housing Benefit so young disabled people will be entitled to accommodation and given that accommodation options will no longer be limited by the restraints of the Housing Benefit rules it is anticipated that the value of most support packages will be well above the minimum levels.

Despite remaining on benefits *relevant* young disabled people and single parents are nevertheless entitled to a financial support package through the pathway planning process, over and above the income benefit they receive from the State.

Within the needs assessment the financial needs of the young person would be expected to incorporate: health and development, education, training and employment, the support available from family and others, practical and independent living skills and the need for care, support and accommodation. The young person should be enabled to negotiate their financial package with the support of their Personal Adviser.

Local authorities need to prioritise in what areas they wish to fund young people over and above the essentials of accommodation and maintenance (the Guidance offers suggestions as to what those might be in Chapter 9:5). Where they have set local priorities these should be accompanied by clear and transparent criteria so that young people understand the funding decisions that are made in respect of their individual packages of support. Flexibility should be employed despite local priorities so that the process is responsive to young people's individual needs and wishes.

There are also duties to support young people who are former relevant with education, training and employment and their general welfare and this support can

¹ The financial arrangements for *eligible* young people do not change as they remain 'looked after' and are entitled to all the provisions of the looked after system.

take the form of financial assistance. This duty remains while the young person is former relevant, which may be until 21 or beyond where they are pursuing further education or training as an agreed part of their Pathway Plan. There is also a new duty to provide or pay for vacation accommodation for those young people who need it who are undertaking further or higher education courses and this may particularly affect young disabled people who attend residential further education colleges.

Accessing financial support

Most young people are encouraged to have their own bank accounts to assist with the development of financial management skills. The degree to which young people can manage their finances will obviously vary with each individual so the responsible authority must have systems in place to meet the full spectrum of needs. For some, a weekly or monthly allocation paid into their account from which to meet their accommodation and other expenses may be appropriate. Others may need to have all significant outgoings taken care of on their behalf. The aim for all young people is to achieve the level of financial independence appropriate to their needs, as agreed between the young person and their Personal Adviser with an effective package of support. In this respect the Pathway Plan should look forward to a minimum age of 21.

Direct payments

The Community Care (Direct Payments) Act 1996 enables disabled people to purchase their own services through direct payments giving more choice and control over the support they require. This has recently been extended to 16 and 17 year olds² and the offer of direct payments should be made to young disabled people as part of the pathway planning process.

The report 'Improving the Life Chances of Disabled People' sets out the Government's plans to increase disabled people's ability to "to live independently at home, at work and in the community with support based on personal need, choice and empowerment through a major expansion of Direct Payments in the form of individual budgets" (see below).

Young disabled people will need training and support in developing the independent living skills they need to administer direct payments. Assistance with recruitment and administration may need to be contracted through a separate agency and staff should receive training in the ethos and practicalities of direct payment schemes. Self advocacy and peer advocacy schemes have an important role to play in supporting young people to direct their own personal assistance. Innovative projects such as 'In Control' (see below) are developing new models for self-directed support.

2 The Carers and Disabled Children Act 2000

Individual budgets and resource allocations

The Cabinet Office publication, 'Improving the Life Chances of Disabled People' and the subsequent Green Paper on adult social care 'Independence Choice and Well-Being', promote the use of individualised budgets. The idea is that individuals are assessed to determine their level of need and then told how much money they can spend on purchasing support in a way of their choosing. This might be from people in their local community or more traditional services. They may need a broker to help them think about how best to get this support and the money to pay the broker is likely to form part of the financial allocation. This idea was piloted through a project known as 'In Control' with people with learning disabilities in six council areas including Wigan where the target group was young people in transition to adulthood. The perceived success of these pilots has led the government to announce an expansion of the In Control programme and the introduction of an individualised budget pilot project with other groups of people needing support. At the time of writing, the White paper on adult social care is awaited but is likely to make this a more widespread option which will be available in future to young people leaving care.

The Independent Living Fund

The Independent Living Fund (ILF) is a useful source of funding for young disabled people who need higher levels of support in order to live independently. ILF can be paid whether or not a person is receiving income support and may be used if the young person is away at college but needs support during college/university holidays.

CHECKLIST OF KEY QUESTIONS:

- 1 **What arrangements do you have in place with the local Benefits Agency to ensure easy and fast track access for young disabled people in and leaving care?**
- 2 **Do these arrangements include a *benefits check* at the point of transition to ensure that young people are in receipt of all their financial entitlements?**
- 3 **What funding priorities do you have in place to meet the additional needs of young disabled people as part of their Pathway Plan (over and above any benefits they may be entitled to)?**
- 4 **What arrangements are in place to pay for the accommodation of relevant young disabled people, or former relevant young disabled people if their education and training needs or their general welfare requires it? Does this include any necessary adaptation costs?**
- 5 **What arrangements have you in place to provide suitable accommodation for disabled care leavers (including those who are *qualifying*) in the vacation if attending higher or residential further education?**

- 6** What arrangements do you have in place to facilitate the use of Direct Payments for disabled 16 year olds and above who are in or leaving care?
- 7** How do you involve young disabled people in setting local priorities and having in place clear and transparent criteria for the financial support of young disabled people leaving care?
- 8** How is your area preparing to offer young disabled people a resource allocation or individualised budget?



GOOD PRACTICE EXAMPLE:

Cumbria

“The availability of direct payments has focussed on supporting disabled children through transition. Protocols are in place between adults and children’s social services that support transition. The pathways and leaving care services are supporting implementation. Differences in eligibility remain a problem and further work is required to support developments.”

Contact:

Cumbria Leaving Care Team, Adolescent Services
SSD Market Street, Barrow in Furness, Cumbria LA14

Example taken from *Putting Young People at the Centre: Developing service for care leavers* (2003) Department of Health/First Key. Copies available from Rainer, National Leaving Care Advisory Service
E-mail: nlcas@raineronline.org

Further reading and useful resources:



PMSU (2005) *Improving the life chances of disabled people*.

Available from www.strategy.gov.uk



The ‘In Control’ project is a ‘national programme to change the organisation of social care in England so that people who need support can take more control of their own lives and fulfil their roles as citizens.’ The project is being run by Mencap, in partnership with Helen Sanderson Associates, the North West Training and Development Team, and Paradigm and supported by the Valuing People Support Team. It is being tested and developed across several local authorities and aims to inform national learning and service development:
<http://www.in-control.org.uk/ic-what.html>

Department of Health/First Key (2003) *Putting Young People at the Centre: Section 7 Financial Support for Care Leavers*

The Valuing People website has very useful information about Direct Payments and their administration. This includes information for service users, councils setting up Direct Payment schemes, and policy and Guidance, as follows:

An Easy Guide to Direct Payments, Giving You the Choice and Control

This is a pack containing a book, CD ROM and tape. Ref 33291

Direct Choices: what councils need to make direct payments happen for people with learning disabilities. Ref: 33715/Direct Choices

Direct Payments Guidance – Community Care, Services for Carers and Children’s Services (Direct Payments) Guidance, England 2003

For all the above go to: **www.valuingpeople.gov.uk/DirectPayments.htm**

Or order from Department of Health Publications. Tel: 08701 555455

Minicom: 08700 102870, E-mail: dh@prolog.uk.com

On direct payments for 16 & 17 yr olds: ‘Living it Up!’ is available on the Norah Fry Research Centre website: **www.bris.ac.uk/depts/NorahFry**

Carlin, J and Lenehan C. *Direct experience: a guide for councils on the implementation of direct payments in children’s services.* Council for Disabled Children.

Copies available at £15 (incl. postage and packaging) from Maria Bremmers, Council of Disabled Children, 8, Wakley Street, London EC1 7QE (m.bremmers@ncb.org.uk)

Joseph Rowntree Foundation:

www.jrf.org.uk/knowledge/findings/socialcare/553.asp

National Centre for Independent Living:

www.ncil.org.uk

Values Into Action:

www.viauk.org

For Information about accessing the Independent Living Fund(s) go to:

www.ilf.org.uk

4.5 Further education, training and employment

Background information

Under the Children Act 2004, Local Authorities have a new duty to promote the educational achievement of looked-after children as well as safeguarding and promoting their welfare. The 14–19 Education and Skills White Paper proposes alternative gateways to higher education and skilled employment through specialised diplomas in 14 areas. Developed by employers (through sector skills councils) and higher education institutions, these will offer more opportunities for vocational learning. In the future, the DfES expects 14–19 year olds to be taking specialised Diplomas, if not GCSEs, ‘A’ levels or Apprenticeships, because these qualifications will be specifically designed to meet the needs of employers and HE, as well as the young people themselves. The new entitlements, set out in the 14–19 Implementation Plan, reflect this. The intention is to move progressively to a position where the DfES funds only those qualifications which support the curriculum choices set out in the 14–19 White Paper.

The Government’s Strategy for special educational needs (SEN), underpinned by Every Child Matters, aims to develop more collaboration between local authorities, schools, health and the voluntary sector in improving the education of children and young people with special educational needs. In Chapter 3 “Removing Barriers to Learning” it sets out a commitment to improve transition from school to further education and training. The four key areas it addresses are early intervention, removing barriers to learning, raising expectations and achievement and developing effective partnership approaches.

National outcomes for care leavers in terms of education and employment are poor. Young disabled people’s experiences in particular may be characterised by limited opportunities in further education and training and by low expectations of their ability to achieve that carries through to prospective employers (see Further Reading).

The first Pathway Plan (under the Children (Leaving Care) Act 2000) will be prepared whilst the young person is still at school and will build upon previous assessments undertaken through transitional planning, the Personal Education Plan and any assessments undertaken under the Learning and Skills Act (S.140).

The plan should look forward to a minimum age of 21 years and address young people’s goals, identifying the supports necessary to assist them in achieving them, be that through the provision of special equipment, help in acquiring personal assistance, identifying available grants or sources of funding, identifying and funding (if necessary) appropriate accommodation in the vacation, help with travel arrangements etc. The plan should consider whether the young person might be entitled to an Educational Maintenance Allowance from the Government (see further reading and useful resources below).

Young people over 21 remain entitled to support under the Children (Leaving Care) Act whilst engaged in an education or training programme that is identified as part of their Pathway Plan, reviewed on a six monthly basis. This support continues as long as the young person pursues the programme.

Roles and responsibilities with regard to education, training and employment planning should be negotiated between the leaving care Personal Adviser and the Lead Professional or Connexions adviser to avoid duplication or confusion and maximise support for the young person.

Good planning must be accompanied by the creation of opportunity and choice within the community for which a joined up approach is needed involving the Learning Partnership Board, Connexions³, the Learning Skills Council, Further Education Colleges, employers, private and voluntary sector training providers, and Higher Education providers. Such arrangements should explicitly recognise under-attainment amongst the care leaving population and the desire of many young people to return to education or training later in life. Schemes might include the creation of opportunities for lifelong learning to assist young people in returning to education as adults.

Similarly, equal access to employment opportunities will require the creation of specialist schemes such as supported employment schemes, employer incentive schemes, ring fenced employment opportunities within the council or local employers (see good practice examples below). It also means developing strong links between Social Services, Connexions (see footnote 3), Jobcentre Plus, the Learning and Skills Council and local intermediate labour market companies.

CHECKLIST OF KEY QUESTIONS:

- 1** Are all young people with learning difficulty and or disability who are entitled receiving an assessment under the Learning and Skills Act Section 140 to determine their needs and the support to be provided by a range of agencies?⁴
- 2** Does your local Connexions service (see footnote 3) offer support as needed to young people with learning difficulty and/or disability up to their 25th birthday?
- 3** What arrangements are in place with the local Learning and Skills Council to proactively ensure equal opportunities in the provision of education and training opportunities?
- 4** What arrangements are in place with Connexions, local employers (including the local council) and adult supported employment schemes to develop employment opportunities for young disabled people in and leaving care?
- 5** Does your local authority meet the requirements of the Disability Discrimination Act 1995 making reasonable adjustments to the workplace for the employment of disabled people?

³ Under the new proposals described in *Youth Matters* (DfES, 2005) the role currently fulfilled by Connexions may be undertaken by another locally determined service.

⁴ It is the responsibility of Connexions or the equivalent service to undertake this assessment from yrs 11 to 13.

6 How do you involve young disabled people in developing a range of education, training and employment options available for them post 16?

7 Are there schemes to provide young people with role models through peer mentoring schemes etc.?



GOOD PRACTICE EXAMPLE:

The Employability Plus Programme

This is a year long project which aims to ensure that young people with learning disabilities who are in or leaving care are better prepared for adult life and have the same opportunities as other young people in the general population. It aims to increase the further education, training and employment prospects of young people with learning difficulties so that they can participate wherever possible in paid work and therefore lead more independent lives. The programme is working to achieve this by working with two pilot local authorities, Herefordshire County Council and Trafford Metropolitan Borough Council by:

- Working directly with young people in creative and innovative ways to develop their key skills, confidence and self-esteem.
- Exploring creative ways of opening up employment opportunities within their local communities.
- Ensuring that employment initiatives are flexible and share corporate responsibility for the futures of these young people.
- Raising awareness of the particular training and employment needs of young people with learning difficulties within the authorities and communities where they live.
- Developing materials for national dissemination, to ensure that the outcomes and learning from the Employability Plus Project promote better opportunities nationally for young people with learning disabilities to participate in the world of work.

For further information contact:

Jenny Robson, Director of Development E: jenny.robson@thewhocarestrust.org.uk

Grainne Sinclair, Project Co-ordinator E: grainne.Sinclair@thewhocarestrust.org.uk



GOOD PRACTICE EXAMPLE:

The Flame 1 Project in Plymouth

The Candle Trust began in 2001, when a group of parents and a university lecturer in special education, recognised that young people with Autistic Spectrum Disorder (ASD) with Severe Learning Difficulties (SLD), were approaching school leaving age and their future options for further education in Plymouth were few or non-existent.

The project provides a base from which students with ASD/SLD can be taught accredited programmes of study through the CFE, but from which they can also receive appropriate therapeutic methods of teaching and care relating to their needs as a young person with severe autism. They are able to access some parts of the Skills and Development courses based in The Plymouth College of Further Education and each young person develops their access opportunities at a pace dictated by their needs and by the careful planning of the staff who work at the project. This idea was developed by CANDLE and the Flame 1 project is a partnership arrangement between the Learning Skills Council, Adult Social Services and CANDLE.

Details about the funding for this project are available on request.

For further information or discussion:

Please contact Mary Pittman, Chair of Candle
E-mail: ADDPITT@aol.com Tel: 01822 853847

Further reading and useful resources:



EMA is a weekly payment of £10, £20 or £30 a week depending on household income. The money is intended to help with the day-to-day costs when a young person stays on at school, college or training provider – such as travel, books and equipment. It is paid directly into a bank account if the young person stays on in learning at school or college after GCSEs, and is available during term time for any academic or vocational course (up to level 3) which involves at least 12 hours of guided learning per week.

<http://www.dfes.gov.uk/financialhelp/ema/index.cfm?SectionID=1>

14–19 Education and Skills White Paper

<http://www.dfes.gov.uk/publications/14-19educationandskills/>

DfES (2004) *Removing Barriers to Achievement*

<http://www.standards.dfes.gov.uk/primary/publications/inclusion/883963/>

The Disability Briefing: May 2002. Available at www.drc-gb.org

O'Bryan A., Simons K., Beyer S. and Grove B. (2000) *A Framework for Supported Employment*. Policy Consortium for Supported Employment. ISBN 1 84263 009 1.

Available from York Publishing Services Ltd, 64 Hallfield Rd, Layerthorpe, York, YO3 7XQ Tel: 01904 430033 Fax: 01904 430868. E-mail: orders@yps.ymn.co.uk

Department of Health/First Key (2003) *Putting Young People at the Centre: Section 4 Education, Training and Employment of Care Leavers*.

Copies available from Rainer, E-mail: nlcas@raineronline.org.

Jacobsen, Y. *Making the Jump: Transition to Work* comprises a research report and a pack for adults with learning disabilities who want to work.

Available for purchase online from www.niace.org.uk/publications

Lakey, J., Barnes, H., and Parry, J. (2001) *Getting a Chance: Employment support for young people with multiple disadvantages*. Joseph Rowntree Foundation. York Publishing Services.

Rabiee, P., Priestley, M. & Knowles, J. (2001) *Whatever Next? Young disabled people leaving care*. Leeds: First Key.

Copies available from Rainer, National Leaving Care Advisory Service
E-mail: nlcas@raineronline.org

The government has written an action plan called '*Pathways to Work: Helping People into Employment. The Government's Response and Action Plan*', (2002). Available from www.dwp.gov.uk/consultations/consult/2002/pathways/pathways.pdf

The Valuing People website has a range of documents to help with employment issues including a Framework for the Development of an Employment Strategy and a useful Employment Resources Guide. Go to: www.valuingpeople.gov.uk/employment.htm

On the same site is a new document entitled *Adult Education and Valuing People* describing the sorts of further education opportunities available after people have left school: www.valuingpeople.gov.uk/latestnews.htm

Also available on the site is the original document: *Valuing People: A New Strategy for the 21st Century*

The National Institute for Adult Continuing Education:
www.niace.org.uk

Connexions:
www.connexions.gov.uk

Learning Skills Council:
www.lsc.gov.uk/national

Access to Work Scheme
<http://www.jobcentreplus.gov.uk/jcp/customers/helpfordisabledpeople/accesstowork/index.html>

4.6 Accommodation

Background information

Under the Children (Leaving Care) Act the local authority should develop a range of safe, appropriate and affordable housing options for young people leaving care, with varying levels of support to meet individual need. Section 27 Children Act 1989 compels any local authority including the housing, health or education authority to comply with a request for assistance in so far as it falls within their own duties to do so. The Housing Act 1996 explicitly recognises young people leaving care as a vulnerable group and regulations made under the Act refer to them as a priority group if homeless.

In 2003, each local housing authority should have prepared a housing strategy identifying the needs of people with learning difficulties, including those who are care leavers. Social services are required to cooperate with these reviews in helping to identify the needs of care leavers. This assessment of need should address:

- The diverse accommodation and support needs of care leavers
- The capacity to offer young people a degree of choice of accommodation
- Existing and planned provision of safe, affordable accommodation
- Gaps in provision
- Priority setting
- The need for contingency arrangements

The Act requires the responsible authority to either provide or fund accommodation for *relevant* young people (23B (8)(b)) unless they are convinced that their welfare does not require it. The assessment of need will cover accommodation for both eligible and relevant young people (Regulation 7(f)), details of which will be identified in the Pathway Plan (Schedule 1). Relevant young people must be accommodated in suitable accommodation, which Regulation 11(2) defines as accommodation:

- Which so far as is reasonably practical is suitable for the child in the light of his identified needs, including his health needs
- In respect of which the responsible authority has satisfied itself as to the character and suitability of the landlord or other provider
- In respect of which the responsible authority has so far as reasonably practicable taken into account the child's –
 - 1 wishes and feelings
 - 2 his educational, training or employment needs

Any accommodation identified for a relevant young person will be subject to certain safety checks (Regulation 11(2)(b)).

The Guidance to this regulation states specifically that certain accommodation is not deemed suitable i.e. unsupported accommodation or bed and breakfast (though it is acknowledged that this may be necessary as an emergency and short-term measure). The provision of appropriate accommodation will necessitate the development of a multi-agency strategy, which should inherently acknowledge the likelihood of young people needing to return to more supported accommodation for periods of time and the need for contingency planning. The local authority should ensure that Supporting People schemes are developed which take account of the needs of disabled people wishing to achieve a level of independent living, whatever level of support they require.

Vacation accommodation for care leavers

Section 24B(5) of the Act also introduces a new responsibility to ensure that care leavers have appropriate accommodation during vacations if in higher education or on a full time residential course in further education (Regulation 11(3)(a&b)). This responsibility applies to all care leavers, not just those that are former relevant, who do not have access to their term time accommodation, and can be fulfilled either by providing accommodation or paying for it. This responsibility remains until young people have completed the programme of education that has been agreed upon in their Pathway Plan. For more detail on this see Chapter 3 of the Guidance.

CHECKLIST OF KEY QUESTIONS:

- 1** What arrangements are in place with the local housing department and other accommodation providers to offer a range of safe and appropriate housing options to young disabled people leaving care?
- 2** What support mechanisms are available to ensure that a young person receives the level of support necessary to accommodate their individual level of need?
- 3** How do you ensure that the accommodation is suitable and of good quality?
- 4** Are individual accommodation needs identified early enough to allow for the commissioning of appropriate individual housing and support options for young people with complex needs?
- 5** What arrangements are in place to provide young people attending higher or residential further education with suitable accommodation in the vacation?
- 6** How have you involved young disabled people in advising on the range of accommodation and support options necessary to ensure their transition to a desired and appropriate living situation?



GOOD PRACTICE EXAMPLE:

South Gloucestershire

The council has a new care leaver/vulnerable young person supported housing development. It was built and is run by Bromford Housing with funding by South Gloucestershire Housing and Social Services. The development has 3 bed-sits, one of which is adapted for a disabled user and 8 flats – one of which is purposefully adapted. All other flats have extra width doorways for disabled visitors etc. This is funded by Supporting People Grant.

Contact:

Mike Connolly

E-mail: Mike.Connolly@southglos.gov.uk

Further reading and useful resources:



First Key (2003) *Putting Young People at the Centre: Section Three – Accommodation and support for Care Leavers.*

Copies available from Rainer, National Leaving Care Advisory Service

E-mail: nlcas@raineronline.org



Office of the Deputy Prime Minister (2004) *Supporting People review of policy and costs of housing related support since 1997:*

www.spkweb.org.uk/files/summary_final.doc

Simons, Ken (1997) *Residential care or housing and support?* British Journal of Learning Disabilities Vol. 25, pp. 2–6.

Simons, Ken (1998) *Home, work and inclusion: The social policy implications of supported living and employment for people with learning disabilities.* York Publishing Services.

For information about Supporting People go to: <http://www.spkweb.org.uk/>
This site will provide links to your local Supporting People Team, which should be able to offer advice on financial support with accommodation.

Housing Options is an independent advice and information service for people with learning disabilities which aims to assist people with learning disabilities achieve greater control over aspects of their life and to provide more housing and support choices. Go to:

www.housingoptions.org.uk

4.7 Health

Background information

The role of the Primary Care Trusts is pivotal to the implementation of Standard 8⁵ of the National Service Framework for Children, Young People and Maternity Services although, as with the whole Change for Children programme effective joint working will be at the heart of development and is likely to take the form of co-located services in children's centres or health settings.

Under the Children (Leaving Care) Act Regulation & 4(a) the responsible authority must undertake an assessment of young people's health and development as part of the needs assessment, within three months of the young person becoming eligible or relevant. This should be a holistic assessment and should follow the guidance issued by the Department of Health in 2001 *Promoting the Health of Looked After Children*.⁶

The first Pathway Plan should use this health assessment together with the health records held by Looked After Children Services as its foundation and ensure:

- Appropriate use and access to primary health care services
- Access to any specialist or therapeutic services
- The promotion of leisure activities
- Help for young people in taking responsibility for their own health care
- Identification of entitlement to free prescriptions and help with claiming them
- The provision of accessible information to young people about healthy living, sexual health and sexuality, mental health.

Specific consideration will need to be given to ensuring access for young disabled people to mainstream health services.

CHECKLIST OF KEY QUESTIONS:

- 1** Is there a lead health professional for disabled care leavers?
If so, how does this person work out the role relative to that of the health facilitator as described in the White Paper Valuing People?
- 2** Are all young disabled people registered with a GP in their place of birth and in a new local authority area if living away from home?

⁵ Addressing the needs of disabled children and young people and those with complex health needs.

⁶ Appendix 4 Adolescence and Leaving Care 11–18.

- 3 Are individual health plans in place (and incorporated into the needs assessment and Pathway Plan) that are held by the young person, recognised, and supported by primary care?
- 4 Is the health facilitator role to include responsibilities around care leavers?
- 5 Do CAMHS and specialist learning disability health services have protocols to ensure young people who have mental health needs continue to receive support as they enter adult mental health services?
- 6 Are there agreed arrangements in place between Health Trusts and Health Authorities about meeting the health needs of young people placed out of area? (These will include the promotion of health, maintenance and review of health needs and the provision of prescriptions.)
- 7 What steps have been taken to ensure that local continuing health care protocols take account of severely disabled young people who are care leavers?
- 8 How do you ensure that young disabled people have access to information and advice about sexual health, sexuality and healthy living, including those young people who are living out of the local authority area?
- 9 How do you plan to meet the needs of young people labelled with mild to moderate learning difficulties or behavioural and emotional disorders who are unlikely to qualify for adult services?
- 10 How do you involve young disabled people in developing and commenting on health services and health promotion?
- 11 Do your Local Delivery Plans for the National Services Framework address the needs of young disabled people leaving care?



GOOD PRACTICE EXAMPLE:

ACCSEX

This is a new project at the Brook Young People's clinic in Bristol that actively promotes the inclusion of young disabled people in the free confidential, contraception, sex advice, sexual health and counselling services at Brook. The project is part of the 2003 European Year of Disabled People, funded by the Department of Work and Pensions.

Contact:

Maria Cassidy, Tel: 0117 9290090



GOOD PRACTICE EXAMPLE:

South Gloucestershire

A group of care leavers has received funding to make a video on their health needs and to promote health take up of other young people in care.

”We have worked with the young people in 4 afternoon workshops developing the video ideas/structure, and started filming with them. The group felt it was important to speak in their own voices and share their experiences about health issues but also to link to support and information sources. Each young person had a particular area they were interested in so we’ve developed a structure, which incorporated this. The video will have these elements in it:

- Leaving care
- Independent living
- Emotional health
- Alcohol
- Sexual health
- Drugs
- Smoking
- Positive futures
- Information/support links

It has been difficult to co-ordinate all the young people and the video content is constantly developing during the process. There is a strong sense that the young people should be as involved as possible in steering the video, which is great but means it’s a longer process for us all.”

The video is being filmed and edited by Knowle West Media Project and will be finished by October 2004.

Contact:

Nigel Shipley

Tel: 01454 865939

E-mail: Nigel.Shipley@southglos.gov.uk

PALS is the Patient Liaison Service which can provide a bridge to hospitals for young people if they have any problems with their health care (see good practice example in Section 4: Information – above).

Further reading and useful resources:



The Healthy Care Programme (formerly National Healthy Care Standard (NHCS)) is a national programme that has designed a national standard for children who are looked after. Go to:

http://www.ncb.org.uk/projects/project_detail.asp?ProjectNo=241



Department of Health/First Key (2003) *Putting Young People at the Centre: Section Five – Promoting the Health of Young People Leaving Care.*

Copies available from Rainer, National Leaving Care Advisory Service

E-mail: nlcas@raineronline.org

Sex Education Forum (2001) *Ensuring entitlement: Sex and relationships education for disabled children.* Forum Fact sheet – Council for Disabled People.

Teenage Pregnancy Unit:

www.dfes.gov.uk/teenagepregnancy/

National Service Framework for Mental Health:

www.doh.gov.uk/publicationsandstatistics/publications/PublicationsPolicyAndGuidance/PublicationsPolicyAndGuidanceArticle/fs/en

To order hard copy e-mail: dohprolog.uk.com

Young Minds – The Children’s Mental Health Charity:

www.youngminds.org.uk/professionals

Relevant appendices (see Section 5):

- **Appendix 14:** Promoting the Health of Looked After Children: Appendix Four *Adolescence and Leaving Care* – 11–18

4.8 Family and friends (relationships) and community involvement

Background information

The needs assessment undertaken when the young person becomes eligible will identify the support that is available from family and other relationships and the Pathway Plan will determine the support to be given in developing the social skills necessary for building and maintaining relationships and establishing wider networks of social support. Practical support in maintaining social relationships such as travel, means of contact, etc. may represent an important part of the plan.

The role of family and friends can be extremely valuable in advocating for young disabled people and enabling them to have a voice and will be essential to the success of self-directed support. It is essential that this is taken into account in the planning process and that the friends and family that a young person identifies are consulted and involved in the process according to the young person's wishes.

Young disabled people should have equal access to leisure and sport opportunities, youth services, and local community groups. They may need additional support to access these.

CHECKLIST OF KEY QUESTIONS:

- 1 What strategies do you have in place for strengthening and maintaining relationships between young people and their families?
- 2 How do you promote the involvement of families and other significant people in the young person's life in the pathway planning process and in the ongoing support of *all* young disabled people living in or leaving care?
- 3 How do you help young people keep in touch with their friends and peers at home and in educational settings, especially when changing services?
- 4 How do you enable young people to maintain contact with and involvement in their own communities where they wish to do so?
- 5 How do you involve young disabled people, parents, carers and siblings in developing strategies for strengthening family and community supports?



GOOD PRACTICE EXAMPLE:

Bristol

Youth Pass (Personal Assistance Support Scheme) is for any young disabled person (aged 11–19) living in Bristol who would benefit from using personal assistance. It offers the opportunity to experience using personal assistance, providing support and training relating to issues surrounding the use of personal assistance. It provides personal assistants to young disabled people on work experience organised by schools and colleges and offers support to the parents of those participating in the project.

The project offers young people more freedom to get out and about and to become more involved in community life (for example, joining youth groups, shopping, meeting up with friends.)

Tel: 0117 903 8900



GOOD PRACTICE EXAMPLE:

Out and About, Ipswich

A well established voluntary organisation, **Out and About** provides a wide range of leisure opportunities for disabled children and young people. Though based in Ipswich its contacts go deep into the surrounding Suffolk countryside, to give a representative mix of both urban and rural communities. In recent years **Out and About** staff have based their work on the social model of disability and, in addition to providing leisure activities at weekends and during school holidays, are keen to take up opportunities that enable young disabled people to express their opinions and tell of their experiences.

<http://www.out-and-about.org.uk/aboutus.asp>



GOOD PRACTICE EXAMPLE:

Interplay, Swansea

Interplay is a charity based in Swansea and the County Borough of Neath Port Talbot. The object of the organisation is to enable disabled young people to participate in their communities in a wide range of existing leisure and play activities. Though an organisation for disabled young people only, its connections with voluntary agencies catering for disabled **and** non-disabled make it well placed to develop and explore themes of inclusion.

Young people attending **Interplay** have recently had opportunities to be involved in a range of consultation initiatives with, for example, the Welsh Assembly.

<http://www.rightsintoaction.org.uk/AboutUs/Interplay.asp>

Further reading and useful resources:



Department of Health (March 2001) *Family Matters: Counting Families In*. Available from www.valuingpeople.gov.uk



Chamba, R., Ahmad, W., Hirst, M., Lawton, D., Beresford, B. (1999) *On the Edge: Minority ethnic families caring for a severely disabled child*. Joseph Rowntree Foundation: The Policy press

Dobson, B., Middleton, S., Beardsworth, A. (2001) *The impact of childhood disability on family life*. Joseph Rowntree Foundation: York Publishing Services.

Morris, J. (2001) *That kind of life? Social exclusion and young disabled people with high levels of support needs*. Scope

Murray, P. (2002) *Hello! Are you listening? Disabled teenagers' experience of access to inclusive leisure*. Joseph Rowntree Foundation: York Publishing Services (ISBN 1 84263 074 1, price £14.95).

Action for Leisure have a list of useful publications on their web site:

<http://www.actionforleisure.org.uk/salespub.html>

There is advice on how to make environments accessible at:

www.odpm.gov.uk/ search on 'accessible environments'.

The following website provides a resource by which people can assess whether venues are accessible for them:

<http://www.disabledgo.info/AboutUs.asp>

4.1 CHECKLIST: Information

- 1** In what ways do you provide information to young disabled people in and leaving care about:
 - The Children (Leaving Care) Act and
 - Their rights and entitlements as a disabled person?
(see Section 1: The Legislative Framework)

- 2** How do you meet all communication needs in doing so?

- 3** How do you ensure that young people, their parents and their carers have access to the information they need in order for their views and wishes to be central to transitional and pathway planning processes?

- 4** Is there an accessible version in multi media of the leaving care guide for young disabled people?

- 5** Does the information you provide for young people include how to complain through the leaving care complaints process identified under the Children (Leaving Care) Act and other relevant complaints procedures (such as that of Connexions, Education, Health etc.)?

- 6** How do you ensure the effective dissemination of up to date information to all young disabled people in and leaving care?

- 7** How do you involve young disabled people in ensuring that the information you give them meets their needs?

KEY QUESTIONS

4.2 CHECKLIST: Keeping in touch

1 What strategies and range of methods do you use to keep in touch with young disabled people in and leaving care, particularly those living out of the local authority area? Are the methods used appropriate to the individual communication styles of the young people?

2 How have you involved young disabled people in developing these?

3 How do you check that the level of contact the local authority has with a young disabled person is appropriate?

4 What arrangements do you have in place should contact break down or cease with:

a) A relevant young disabled person?

b) A former relevant young disabled person?

5 Does the pathway planning process ensure young disabled people living out of the local authority area have contact that is appropriate to their needs with any partner agencies that have an involvement in the Pathway Plan?

KEY QUESTIONS

4.3 CHECKLIST: Advocacy and empowerment

- 1** What steps are taken to enable young disabled people access to self-advocacy, peer and citizen advocacy?

- 2** What support arrangements are in place to ensure young disabled people can access Person Centred Planning and use it effectively?

- 3** How do you ensure that young disabled people are listened to and their wishes and views recorded accurately?

- 4** Are specialist Looked After Children advocacy projects linked to self-advocacy services for young disabled people?

- 5** Are specialist advocacy projects accessible to young disabled people leaving care? How do you ensure that they are effective?

- 6** How do you support parents and carers in their roles as advocates for young disabled people?

- 7** How do young disabled people access the independent complaints process in place under the Children (Leaving Care) Act 2000?

- 8** Are advocacy services trained in accessing this process?

- 9** How do young disabled people living out of the authority areas access the complaints process?

KEY QUESTIONS

4.4 CHECKLIST: Financial support and the use of direct payments

- 1** What arrangements do you have in place with the local Benefits Agency to ensure easy and fast track access for young disabled people in and leaving care?

- 2** Do these arrangements include a *benefits check* at the point of transition to ensure that young people are in receipt of all their financial entitlements?

- 3** What funding priorities do you have in place to meet the additional needs of young disabled people as part of their Pathway Plan (over and above any benefits they may be entitled to)?

- 4** What arrangements are in place to pay for the accommodation of relevant young disabled people, or former relevant young disabled people if their education and training needs or their general welfare requires it? Does this include any necessary adaptation costs?

- 5** What arrangements have you in place to provide suitable accommodation for disabled care leavers (including those who are *qualifying*) in the vacation if attending higher or residential further education?

- 6** What arrangements do you have in place to facilitate the use of Direct Payments for disabled 16 year olds and above who are in or leaving care?

- 7** How do you involve young disabled people in setting local priorities and having in place clear and transparent criteria for the financial support of young disabled people leaving care?

- 8** How is your area preparing to offer young disabled people a resource allocation or individualised budget?

KEY QUESTIONS

4.5 CHECKLIST: Further education, training and employment

- 1 Are all young people with learning difficulty and or disability who are entitled receiving an assessment under the Learning and Skills Act Section 140 to determine their needs and the support to be provided by a range of agencies?*

- 2 Does your local Connexions service** offer support as needed to young people with learning difficulty and/or disability up to their 25th birthday?

- 3 What arrangements are in place with the local Learning and Skills Council to proactively ensure equal opportunities in the provision of education and training opportunities?

- 4 What arrangements are in place with Connexions, local employers (including the local council) and adult supported employment schemes to develop employment opportunities for young disabled people in and leaving care?

- 5 Does your local authority meet the requirements of the Disability Discrimination Act 1995 making reasonable adjustments to the workplace for the employment of disabled people?

- 6 How do you involve young disabled people in developing a range of education, training and employment options available for them post 16?

- 7 Are there schemes to provide young people with role models through peer mentoring schemes etc.?

* It is the responsibility of Connexions or the equivalent service to undertake this assessment from yrs 11 to 13.

** Under the new proposals described in *Youth Matters* (DfES, 2005) the role currently fulfilled by Connexions may be undertaken by another locally determined service.

KEY QUESTIONS

4.6 CHECKLIST: Accommodation

- 1** What arrangements are in place with the local housing department and other accommodation providers to offer a range of safe and appropriate housing options to young disabled people leaving care?

- 2** What support mechanisms are available to ensure that a young person receives the level of support necessary to accommodate their individual level of need?

- 3** How do you ensure that the accommodation is suitable and of good quality?

- 4** Are individual accommodation needs identified early enough to allow for the commissioning of appropriate individual housing and support options for young people with complex needs?

- 5** What arrangements are in place to provide young people attending higher or residential further education with suitable accommodation in the vacation?

- 6** How have you involved young disabled people in advising on the range of accommodation and support options necessary to ensure their transition to a desired and appropriate living situation?

KEY QUESTIONS

4.7 CHECKLIST: Health

- 1** Is there a lead health professional for disabled care leavers?
If so, how does this person work out the role relative to that of the health facilitator as described in the White Paper Valuing People?

- 2** Are all young disabled people registered with a GP in their place of birth and in a new local authority area if living away from home?

- 3** Are individual health plans in place (and incorporated into the needs assessment and Pathway Plan) that are held by the young person, recognised, and supported by primary care?

- 4** Is the health facilitator role to include responsibilities around care leavers?

- 5** Do CAMHS and specialist learning disability health services have protocols to ensure young people who have mental health needs continue to receive support as they enter adult mental health services?

- 6** Are there agreed arrangements in place between Health Trusts and Health Authorities about meeting the health needs of young people placed out of area? (These will include the promotion of health, maintenance and review of health needs and the provision of prescriptions.)

- 7** What steps have been taken to ensure that local continuing health care protocols take account of severely disabled young people who are care leavers?

- 8** How do you ensure that young disabled people have access to information and advice about sexual health, sexuality and healthy living, including those young people who are living out of the local authority area?

- 9** How do you plan to meet the needs of young people labelled with mild to moderate learning difficulties or behavioural and emotional disorders who are unlikely to qualify for adult services?

- 10** How do you involve young disabled people in developing and commenting on health services and health promotion?

- 11** Do your Local Delivery Plans for the National Services Framework address the needs of young disabled people leaving care?

KEY QUESTIONS

4.8 CHECKLIST: Family and friends (relationships) and community involvement

- 1** What strategies do you have in place for strengthening and maintaining relationships between young people and their families?

- 2** How do you promote the involvement of families and other significant people in the young person's life in the pathway planning process and in the ongoing support of **all** young disabled people living in or leaving care?

- 3** How do you help young people keep in touch with their friends and peers at home and in educational settings, especially when changing services?

- 4** How do you enable young people to maintain contact with and involvement in their own communities where they wish to do so?

- 5** How do you involve young disabled people, parents, carers and siblings in developing strategies for strengthening family and community supports?

KEY QUESTIONS

Appendix

FUTURE POSITIVE: Policy Map – Disabled Care Leavers

EMERGING POLICY

Green Paper
Youth Matters

KEY LEGISLATION

Children
(Leaving Care)
Act 2000

Children
Acts 2004
& 1989

Disabled
Persons
Act 1986

Learning
and Skills
Act

Education
Act 1996

Housing
Act 1996

Disability
Discrimination
Act 1995

Community
Care Act 1996
(Direct
Payments)

KEY POLICY

Valuing
People

Improving the
life chances of
disabled people

Every Child
Matters; Change
for Children

Choice
Protects

NSF for Children,
Young People and
Maternity Services

Quality
Protects

Supporting
People

KEY GUIDANCE

SEN Code of
Practice

ISA:
Information sharing,
Lead professional

Inclusive
Schooling

Fair Access to Care
Services (adults)

Guidance on the allocation
of housing accommodation
and homelessness

Transitions; Young
Adults with
Complex Needs

A Better
Education for
Children in Care

Young people
leaving care:
a way forward

Promoting the Health
of Looked After Children
National Healthy Care Standards

Removing Barriers
to Achievement

NB: National strategies on teenage pregnancy, drugs and suicide prevention all have implications for care leavers.

Appendix



Protocol: Leaving care and children's disability services

1.0 Context

- 1.1 For the purposes of this protocol the term “disabled young person” is taken to mean someone with a physical and/or sensory impairment and/or learning disability as defined by Sect 17(11) Children Act 1989.
- 1.2 Disabled young people may well face more barriers than other young people who are being cared for or leaving care and may also have needs specifically related to impairment. It is essential to ensure that these needs are met when preparing these young people for leaving care and subsequently, providing after care. At the same time, care must be taken to ensure these young people do not fail to achieve their full potential as a result of under-expectation on the part of those caring for them.
- 1.3 Account should be taken of any transition plan drawn up under the Special Educational Needs Code of Practice and of the duties to any young person who is subject to a statement of special educational needs (Sect 322 Education Act 1996).
- 1.4 It is important to note that the needs of young people with disabilities will not cease when they leave care and it is essential to ensure a smooth transition from Children's to Adult's Services.

2.0 Aims

- 2.1 Looked after Children and Careleavers with disabilities have additional needs and vulnerability and Leaving Care policies must be inclusive of these groups of young people. The Leaving Care Service should ensure that disabled careleavers are supported in ways that promote their choice and independence. It should work closely both with the young person, their family and other agencies in planning for their future.
- 2.2 Careleavers with disabilities should as with all careleavers be included in consultation around the planning and delivery of care leaving services. They should participate fully and be involved in making choices in the same way as non-disabled careleavers. Special consideration must be given to ensure how this best happens particularly in the case of careleavers who have communication difficulties. This may involve using a range of interactive tools and techniques.
- 2.3 The Leaving Care Service recognises that the needs of profoundly disabled young people are highly complex and specialised. It is appropriate therefore that the Leaving

Care Service provides assistance to the primary service as well as ensuring that duties under the Children (Leaving Care) Act 2000 are met. This also avoids any duplication or confusion over roles and responsibilities.

3.0 Procedure

- 3.1 Looked after young people with a mild to moderate learning disability where case responsibility rests with either the Duty & Assessment Team or one of the Children & Families Long Term Teams will be transferred to the Leaving Care Team on or around their 15th birthday. (See “Protocol: Case Transfers to the Leaving Care Team”)
- 3.2 If the young person is assessed as being able to move to independent living at some point post-18, case responsibility will remain with the Leaving Care Team until the age of 21 (or 24 if engaged in an agreed programme of education or training)
- 3.3 If the young person is assessed as requiring a supervised care placement post –18 (ie they will not be able to live in an independent setting), case responsibility will transfer to the Community Learning Disability Team at 18 years of age. (See “Protocol: Leaving Care and Community Learning Disability Team”)
- 3.4 Where case responsibility for disabled Looked After Children rests with the Children’s Disability Service, transfer to the Leaving Care Team will not take place and case responsibility will remain with that Service until transfer to the Community Learning Disability or Physical Disability Teams at 18/19 years of age.
- 3.5 To ensure that the above aims (2.1–2.3) are met, all Looked After Children with a profound disability will be referred by their social worker to the Service Manager, Leaving Care Team on or around their 16th birthday. The referral process will be completion of a form CF3 together with a copy of the last LAC Review. They will then be allocated their Leaving Care Personal Adviser from the Leaving Care Team. A meeting between Social Worker, Leaving Care Personal Adviser and Transitions Worker if in place will be held with the purpose of determining the roles of the respective workers.
- 3.6 The role of the Leaving Care Personal Adviser will be to assist in ensuring that the young person’s rights and entitlements under the Children (Leaving Care) Act are met. The Leaving Care Personal Adviser will ensure that the Children’s Disability Service’s assessment and case planning documentation mirrors and is compatible with the Children (Leaving Care) Act Needs Assessment and Pathway Plan formats. In the majority of cases the primary need is to effect a smooth transition to Adult Services and the Leaving Care Service may therefore perform a relatively minor role.
- 3.7 When case responsibility transfers from Children’s Disability Service to Community Learning Disability or Physical Disability Teams, the young person will retain their Leaving Care Personal Adviser until the age of 21 (or 24 if engaged in an agreed programme of education or training). The role of the Leaving Care Personal Adviser will be to ensure that Pathway Plans are compatible with Adult Services case planning documentation.

Protocol: Leaving care and Community Learning Disability Team

1.0 Context

- 1.1 Many young people leaving care have been known to be assessed as having a mild to moderate learning disability. This often becomes magnified when the young person attempts to live independently without the support of foster carers, supported lodgings carers or supported housing providers.
- 1.2 Research has evidenced that this group of young people is a particularly vulnerable category of careleaver who is more susceptible to homelessness, mental ill health, criminality and poverty. This is particularly the case for young people who have an unidentified and/or unassessed learning disability.
- 1.3 Many of these young people may reach their mid-teens without a full assessment having been undertaken of the implications and impact these disabilities may have when they move from their care placement. Workers and carers may often under-estimate these disabilities to avoid negative labelling. This process may well disadvantage accessing support from appropriate adult services.

2.0 Aims

- 2.1 To ensure that Looked After Children and Careleavers with mild to moderate and either unidentified or unassessed disabilities have access to services that meet their needs and address their vulnerability.
- 2.2 Looked After Children and Careleavers with disabilities should, as with all Looked After Children and Careleavers be included in consultation around the planning and delivery of care leaving services. They should participate fully and be involved in making choices in the same way as non-disabled Looked After Children and Careleavers. Special consideration must be given to ensure how this best happens particularly in the case of Looked After Children and Careleavers who have communication difficulties. This may involve using a range of interactive tools and techniques.

3.0 Procedure

- 3.1 When undertaking the Leaving Care Assessment of Need, it is essential that the Leaving Care Service identifies the ability of the young person to manage independent living and the timescale required to achieve this. It will be necessary to refer to any 14+ Transition Plan, any Statement of Educational Needs and any current psychological or psychometric assessment. It will also be important to involve any specialist services and partner agencies to ensure that a comprehensive understanding of the young person's needs are developed.
- 3.2 Where it is assessed and evidenced that a young person is unable to live independently without appropriate levels of support beyond the age of 18 years, referral will be made to the Community Learning Disability Team. The referral will include a thorough assess-

ment taking into account information drawn from services highlighted above. This will include the Leaving Care Assessment of Need, Pathway Plan (to follow at 16.5 years) and Risk Assessment and will identify any post-18 funding issues. It will be completed and forwarded to the Community Learning Disability Team by the young person's 16th birthday. The consent of the young person to share this information will be obtained beforehand.

- 3.3** Where it is recognised that the young person will not be able to live independently post-18, the primary responsibility for that young person will rest with the Community Learning Disability Team who will best meet his or her assessed and evidenced needs.
- 3.4** Where case transfer from the Leaving Care Team to Adult Services takes place after the young person's 18th birthday, that young person will still retain their Leaving Care Personal Adviser. The role of the Leaving Care Personal Adviser will be to assist in ensuring that the young person's rights and entitlements under the Children (Leaving Care) Act 2000 are met and that Pathway Plans are compatible with Community Learning Disability Team case planning. In the majority of cases the primary need is to effect a smooth transition to Adult Services and the Leaving Care Service may therefore perform a relatively minor role.

NB: Brighton and Hove is not making any representation in relation to this document's contents and accuracy. They provide this protocol for your information only and any reliance placed on the document is at your own risk.



Department of Health/First Key (2003) Putting Young People at the Centre Fact Sheet: Children (Leaving Care) Act 2000

The Children (Leaving Care) Act 2000 received Royal Assent on 30 November 2000, and came into force on 1 October 2001. The Act introduces a range of important new duties for local authorities in their role as corporate parents to young people leaving care.

The purpose of this fact sheet is to outline the new duties imposed on local authorities by the Act and the associated mandatory regulations and guidance. The first part of the fact sheet provides a brief overview of the main parts of the new Act; the second examines the regulations and guidance in more detail.

In general, the primary legislation applies only to England and Wales. The regulations and guidance attached to the Act apply only to England, and it is to these that this fact sheet refers. The National Assembly for Wales has produced separate regulations and guidance for Wales. Section 6 of the Act, which deals with social security benefits, also applies to Scotland and took effect there once equivalent support arrangements to those provided by the 2000 Act in England and Wales were put in place through Scottish legislation (1 April 2003).

Background

The Children (Leaving Care) Act 2000 implements proposals set out in *Me, Survive, Out There? – New arrangements for Young People Living in and Leaving Care*, a consultation document published by the Department of Health (DoH) in July 1999. The consultation set out detailed proposals for improving the life chances of young people living in and leaving local authority care.

It followed up the White Paper, *Modernising Social Services* (Cm4169), and the Government's Response to the Children's Safeguards Review (Cm4105), both published in 1998. These documents both included a commitment to legislate, when Parliamentary time allowed, to create new and stronger duties on local authorities to support care leavers up to at least the age of 18.

The Children Act 1989

The Children (Leaving Care) Act 2000 and its associated Regulations and Guidance provide care leavers with important new entitlements designed to improve their chances in life. However, apart from section 6, which deals with income support and other state benefits, the Children (Leaving Care) Act accomplishes this simply by amending and supplementing

the leaving-care provisions of the Children Act 1989. Thus, the Children Act 1989 remains the general legal framework for young people leaving care. Keeping this in mind should make it easier to understand and use effectively the new leaving-care provisions.

Purpose of the Children (Leaving Care) Act 2000

The main purpose of the Act is to improve the life chances of young people living in and leaving care; to help young people who have been looked after by a local authority move from care into living independently in as stable a fashion as possible.

The main aims of the Act are to:

- delay young people's discharge from care until they are prepared and ready to leave;
- improve assessment, preparation and planning for leaving care;
- provide better personal support for young people after leaving care; and
- improve the financial arrangements for care leavers.

What does the Act do?

The Act places a duty on the responsible local authority to assess and meet the care and support needs of *eligible* and *relevant* children and young people and to assist *former relevant* children, in particular in respect of their employment, education and training.

New Local Authority duties under the Act:

- assess and meet needs
- Pathway Plans
- Personal Advisers
- assistance to achieve goals agreed in Pathway Plans
- support and accommodation
- financial support
- keep in touch.

Key features and definitions are:

Eligible children are those aged 16 and 17 who have been looked after by the local authority for a period of 13 weeks since the age of 14 and are still in care. The period of 13 weeks need not have been continuous and could be made up of a series of shorter periods during which the child was looked after. Planned periods of respite care (no one period longer than 4 weeks) do not count towards eligibility.

Relevant children are those aged 16 and 17 who meet the criteria for eligible children, but who left care after reaching their 16th birthday.

Former relevant children are those young people who have reached 18 but not 21 and were eligible and/or relevant prior to becoming 18. However, if someone is being helped with education or training, they remain a former relevant child to the end of their agreed programme, even if it takes them past the age of 21.

The responsible local authority is the one looking after an eligible young person, or that last looked after a relevant or former relevant young person. The local authority will retain its responsibility wherever the young person may be living in England or Wales. Previously, responsibility fell to the authority in which the young person was living, which gave rise to disputes over responsibility between authorities.

A duty to keep in touch. The responsible local authority has a duty to keep in touch with all its care leavers who qualify for these new support arrangements, including those aged 18–21 and beyond in some cases.

Pathway Plans. All eligible, relevant and former relevant children and young people must have a Pathway Plan. For eligible children it complements, and is part of, the Care Plan. For relevant and former relevant young people, it takes over from existing care plans and will run until they are at least 21, covering areas such as education, training, career plans and support needed, for example, to move into supported lodgings. Pathway Plans must be reviewed every 6 months or more frequently as needed.

Personal Adviser. All eligible, relevant and former relevant children and young people must have a Personal Adviser who will help draw up the Pathway Plan, to make sure that it develops with the young person's changing needs and to make sure that it is implemented. When the young person leaves care, and until they are at least 21, the Personal Adviser will be responsible for keeping in touch with them and ensuring that they receive the advice and support to which they are entitled.

Vacation support. The responsible local authority must assist relevant, former relevant and certain other care leavers in higher education, or in residential further education, with vacation accommodation where this is needed.

Assistance with employment. The responsible local authority must assist a relevant and former relevant child (and may assist other care leavers) with the costs associated with employment to the extent that his or her welfare requires.

Education and training support. The responsible local authority must assist a relevant and former relevant child (and may assist other care leavers) with the costs of education and training up to the end of an agreed programme, even if that takes the young person past the age of 21, to the extent that his or her welfare and educational and training needs require.

General assistance. The responsible local authority must assist a former relevant child (and may assist other care leavers) to the extent that his welfare requires it, either in kind or, if the individual young person's circumstances are exceptional, in cash.

New financial regime

The Act is intended to simplify the arrangements for the financial support of young people leaving care. Previously, young people who left care at 16 could claim welfare benefits, which, depending on their circumstances, might have been Income Support, Housing Benefit or income-based Job Seeker's Allowance.

The new Act places local authorities under a new duty to be the primary income support for 16 and 17-year-old *relevant* young people.

The Explanatory Notes to the Act suggest that these measures are intended to ensure that vulnerable young people receive the care and help they need to grow into independence. Local authorities are expected to provide far higher levels of support than simply cash, especially when they work across departments to fulfil their role as corporate parents. They will need to ensure that young people in and leaving care are suitably accommodated, supported and advised according to their needs, rather than simply given money and obliged to fend for themselves.

Exceptions

Certain groups of *relevant* young people – lone parents and disabled young people – will be able to continue to claim benefits, as they would if they were living with their parents. These young people will otherwise be entitled to the new arrangements under the Act, including additional financial support.

Representations and complaints

Young people are entitled to make use of the local authority's representation procedures if they are not satisfied with local authority services (with the addition of a 14-day informal resolution stage, introduced by the Act).

How does the Act fit into existing legislation?

The Act amends Part III of the Children Act, in particular by introducing into that Act paragraphs 19A–C of Schedule 2 and new sections 23A to 23E and substituting for section 24 new sections 24 and 24A to 24D. Section 6 of the Act provides for changes to social security legislation.

Residual powers under the Children Act, Section 24

The Children (Leaving Care) Act does not replace the Children Act 1989. It builds on and extends the duties and powers included in the leaving care and aftercare provisions of that Act. The provisions of the new Act will apply to all eligible, relevant and former relevant young people as defined in the Act and Regulations. It is important, therefore, to recognise that there will be some young people who do not come within most of the provisions of the new Act, but who will be covered by the duties and powers of the responsible authority provided for in the new sections 24, 24A and 24B of the Children Act (*persons qualifying for advice and assistance*).

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NB: First Key ceased to exist in 2003. Much of the work it did was transferred to Rainer as the National Leaving Care Advisory Service.

NLCAS can be contacted at:

Unit 1, Palm Tree Court, 4, Factory Lane, Bruce Grove, London N17 9FL.

Appendix

4

FUTURE POSITIVE:

Glossary of terms

looked after	The general term used to describe young people who are in the care of the local authority whether by means of a court order or by voluntary agreement.
in care	This usually refers to the situation where there is a court order stipulating that the young person should be looked after by the local authority. The local authority shares parental responsibility with the parents in these circumstances. However, it is also used as a general term for all children 'looked after'.
accommodated	A young person is accommodated by voluntary agreement under Section 20 of the Children Act 1989. In this situation the parents retain full parental responsibility.
care leavers	The term 'care leavers' is used to refer to young people aged 16 or over who leave the care of the local authority and have entitlement to support under the Children (Leaving Care) Act 2000. It is not generally used to refer to young people of any age returning home from care.
eligible	An 'eligible' young person under the Children (Leaving Care) Act 2000, is 16 or 17 and has been 'looked after' for a period of 13 weeks since the age of 14. They are still 'looked after' and the local authority has a duty to provide them with a Needs Assessment, Pathway Plan and Personal Adviser to help plan for the transition to adulthood.
relevant	A 'relevant' young person is 16 or 17, and has been 'looked after' for a period of 13 weeks since the age of 14 but is no longer 'looked after'. In this situation they are entitled to maintenance and accommodation from the local authority, which is still responsible even if the young person moves out of the area. They are also entitled to a Needs Assessment (if they haven't already had one) a Pathway Plan and a Personal Adviser.

former relevant	A 'former relevant' young person is 18 and therefore no longer 'looked after' but has been either eligible, relevant or both. Whilst not entitled to maintenance and accommodation they are entitled to a Pathway Plan and Personal Adviser at least until 21 and beyond if in further education or training that has been agreed in the Pathway Plan.
responsible local authority	This is the one looking after an eligible young person, or that last looked after a relevant or former relevant young person. The local authority will retain its responsibility wherever the young person may be living in England or Wales. Previously, responsibility has fallen to the authority in which the young person lives, which has given rise to disputes over responsibility between authorities.
qualifying	A 'qualifying' young person does not meet the eligibility criteria as above but has been looked after on or after their 16th birthday. In this situation they are entitled to advice and assistance under the provisions of the old Children Act 1989 Section 24.
aftercare	'Aftercare' is the term used to refer to the service provided by (or on behalf of) local authorities to care leavers.
Pathway Plan	This is the plan that represents the young person's goals and maps out a route for them to adult life. It is prepared in response to the Needs Assessment, with the help of the social worker or Personal Adviser, but with the young person at the centre of the process.
Personal Adviser	The Personal Adviser is the person who co-ordinates the Pathway Plan and makes sure that all the different people and services are involved as they should be. They should also be a consistent adult figure in the young person's life and is likely to be the person they will keep in contact with until at least 21.

Appendix

5

CHILDREN'S TRUSTS

Extract from 'Every Child Matters'

(2003) The Stationary Office

Pages 70–73

- 5.12** The Government's long term vision is to integrate key services within a single organisational focus. The preferred model for achieving this integration is **Children's Trusts**. Most areas should have Trusts by 2006.
- 5.13** Children's Trusts go beyond children, families and schools departments by including children's health services (through Section 31 of the Health Act 1999). Trusts may also include other services such as Connexions and Youth Offending Teams. Children's Trusts will normally sit within the local authority and report to the Director of Children's Services who will report through the Chief Executive to elected members.
- 5.14** The key services that should be within the Trust are:
- Local education authority – potentially all education functions, including the education welfare service, youth service, special educational needs and educational psychology, childcare and early years education, and school improvement
 - Children's social services – including assessment and services for children in need such as family support, foster and residential care, adoption services, childcare, advocacy services and child protection, and services for care leavers
 - Community and acute health services – such as community paediatrics, services commissioned by Drug Action Teams, teenage pregnancy co-ordinators, and locally commissioned and provided Child and Adolescent Mental Health Services. They could also include speech and language therapy, health visiting and occupational therapy services concerned with children and families. Primary care Trusts will be able to delegate functions into the children's Trust, and will be able to pool funds with the local authority.

Other services which may be part of the Trust include:

- **Youth Offending Teams** – multi-disciplinary teams working with young people and their families to prevent offending
- **Connexions Service** – multi-agency information, advice and guidance service for 13–19s.

5.15 Children's Trusts will commission services and may provide them directly or contract with public, private or voluntary sector organisations. Staff providing the services may be seconded into the Trust or transferred.

What will be the key features of Children's Trusts?

5.16 Children's Trusts will have the following core features:

- Clear short and long term objectives covering the five Green Paper outcome areas of: enjoying and achieving, staying safe, being healthy, making a positive contribution, and economic well-being
- A Director of Children's Services in overall charge of delivering these outcomes and responsible for services within the Trust and co-ordination of services outside the organisation.
- A single planning and commissioning function supported by pooled budgets. This would involve developing an overall picture of children's needs within an area, and developing provision through public, private, voluntary and community providers to respond to those needs. It would also involve developing arrangements for pooled budgets through a Section 31 agreement.

5.17 The integration of objectives, planning and commissioning through Children's Trusts is designed to achieve the integration of frontline service provision as outlined in the previous chapter. This is expected to include:

- Co-located services such as Children's centres and extended schools
- Multi-disciplinary teams and a key worker system
- A common assessment framework across services
- Information sharing systems across services so that warning signs are aggregated, and children's outcomes are measured over time
- Joint training with some identical modules so that staff have a single message about key policies and procedures such as child protection and can learn about each other's roles and responsibilities
- Effective arrangements for safeguarding children
- Arrangements for addressing interface issues with other services, such as services for parents with mental health problems.

5.18 The move to Children's Trusts is an ambitious agenda. The pace of change will need to vary according to local circumstances, particularly given that health services and Connexions Partnerships are often not coterminous with local authorities, which could add to the complexity of the transition. It will be essential to manage change so that standards of practice and care are not disrupted.

- 5.19** As set out above, the Government expects localities to develop a change programme for implementing the framework set out in the Green Paper. As a minimum, PCT's will be asked to ensure that the relevant sections of their delivery plans in relation to children are agreed with the Director of Children's Services. Delegation of commissioning and the transfer of budgets is the preferred model. Partnership working on children's services is an integral part of the agreement that PCTs reach with Strategic Health Authorities as part of the performance management system.
- 5.20** The Government is also keen to see a closer integration of the services provided by education welfare services, Children's Fund, Connexions, Youth Service, learning mentors, and Behaviour and Education Support Teams. The total resource going into these services is over £1 billion.
- 5.21** The Government wants Connexions to play a full part in Children's Trusts. To reinforce this, the Government will, through Connexions business planning guidance from 2005:
- Ask Connexions Partnerships to use, Children's Trusts, where appropriate, as their local management committees. This will give Trusts an influence over the use of resource for the local authority area. The amount of Connexions resource for each local authority area should be clearly identified by the Partnership.
 - Expect that Connexions business plan should be signed off by local Children's Trusts before Ministers will agree them. However, because of the way that Connexions is administered, the Connexions Partnership Chief Executive will have the final say in the plan that is submitted and Ministers would have discretion to sign off plans without agreement by Children's Trusts to avoid disputes blocking the deliver of Connexions.

How Children's Trusts will relate to other organisations

- 5.22** Children's Trusts will integrate the functions of many key organisations that come into contact with children, young people and families. But some public sector organisations will remain outside the Trust, such as the police, the Learning and Skills Council, some health functions, and housing departments. Trusts will need to develop close relationships with a network of private, voluntary and community sector organisations.
- 5.23** The Government intends to legislate to ensure the co-operation between local authorities and other public, private and voluntary organisations to improve outcomes for children. We intend to allow flexibility over how this partnership working is undertaken. In many areas, this may involve building on the existing Children and Young People's strategic Partnerships.

Appendix



FUTURE POSITIVE:

Fact Sheet: Special Educational Needs Regional Partnerships

There are 11 SEN Regional Partnerships across England that have been established in response to the Green Paper 'Excellence for All Children: Meeting Special Educational Needs' (1997) and the Special Educational Needs 'Programme of Action' (1998) which both called for closer partnership working in the support of pupils with special educational needs.

The partnerships are funded by the DfES until March 2006 and the national objectives for the partnerships are:

- To develop more inclusive policies and practices
- To improve the efficiency and effectiveness of SEN processes and services
- To respond to, and engage effectively with Government initiatives
- To improve inter agency working locally and regionally

The website addresses for the 11 SEN regional partnerships are as follows:

East Midlands SEN Partnership	www.emleas.org.uk
Eastern Region SEN Partnership	www.easttogether.org.uk
London Region SEN Partnership	www.londonsen.org.uk
Merseyside Region SEN Partnership	www.merseysen.org.uk
North East Region SEN Partnership	www.fine-partnership.org.uk
North West Region SEN Partnership	www.sen-northwest.org.uk
South Central Region SEN Partnership	www.scrip.uk.net
South East Region SEN Partnership	www.sersen.uk.net
South West Region SEN Partnership	www.sw-special.co.uk
West Midlands Region SEN Partnership	www.westmidlandssrcp.org.uk
Yorkshire and the Humber Region SEN Partnership	www.yhsen.org.uk

Appendix



FUTURE POSITIVE:

Fact Sheet: Service locations – young disabled people leaving care

Young people entitled to receive leaving and aftercare support under the Children (Leaving care) Act 2000 are likely to be using a variety of services and be placed in a range of locations. These may include:

- Foster care (including kinship placements and private fostering)
- Residential children's homes
- Private residential homes
- Residential schools and colleges
- Short break units
- At home with parents (on care orders)
- Assessment and treatment centres
- Education Other Than at School Services (EOTAS)
- Hospitals, orthopaedic wards
- Adolescent psychiatric units
- Private psychiatric/nursing homes
- Secure Units – Youth Offending Institutions
- Children's hospices
- Nursing homes for older people

Appendix

8

Information sharing protocol relating to learning disability database

1.0 Signatories

- (A) The Cornwall County Council (the “**Council**”);
- (B) Central Cornwall Primary Care Trust;
- (C) North and East Primary Care Trust;
- (D) West of Cornwall Primary Care Trust (Parties B, C, D together the “**PCTs**”)
- (E) Cornwall Partnership NHS Trust – Learning Disabilities Services (the “**Partnership Trust**”); and
- (F) Royal Cornwall Hospitals NHS Trust (the “**RCHT**”).

For the avoidance of doubt, the entire Cornwall County Council will be bound by this Protocol.

2.0 Purpose of the information sharing exercise

- 2.1 National data on learning disability issues are currently underdeveloped. In 2001/2002, the Department of Health commissioned a national survey of people with learning disabilities in Local Authorities with Social Services Departments.
- 2.2 The purpose of the information sharing exercise is to prepare for this survey and to enable databases (the “**Databases**”) of Learning Disabled clients of all the Signatories to be developed by the Council. Such Databases are one of the stated objectives in the Government White Paper entitled *Valuing People: A New Strategy for Learning disability for the 21st Century*:

“Sub-objective 9.4: Ensuring people with learning disabilities receive the best value from publicly funded services.

Proposed Performance indicator: Number of people with learning disabilities known to the local council per head of general population.”
- 2.3 Exchange of information is thus required to create the Databases from which may be provided Depersonalised Information (in the form of statistics and reports) to the Signatories to enable planning of best value services incorporating the concepts of person-centred planning, supported living and supported employment. Information concerning current lifestyles will therefore be required (e.g. address, age of clients, disabilities, attendance at colleges and day centres and work placements). This is to enable needs mapping and analysis.

2.4 A summary of the information exchange process which this Protocol is to govern is set out in the Appendix to this Protocol.

3.0 Definitions

3.1 In this Protocol (which includes the Schedules hereto) and the Appendix hereto the following words shall have the following meanings:

Act	means the Data Protection Act 1998;
depersonalised information	means Personal Data or Sensitive Personal Data which is presented in such a way that individuals cannot be identified.
learning disability	for the purposes of this Protocol shall include the presence of: <ul style="list-style-type: none"> ● a significantly reduced ability to understand new or complex information, to learn new skills (impaired intelligence); with ● a reduced ability to cope independently (impaired social functioning); ● which started before adulthood, with a lasting effect on development. <p>This definition encompasses people with a broad range of disabilities. The presence of a low intelligence quotient, for example an IQ of below 70, is not of itself a sufficient reason for deciding whether an individual should be defined as having a learning disability. Many people with learning disabilities also have physical and/or sensory impairments. “Learning Disabled” shall be interpreted accordingly.</p>
personal data	shall have the same meaning as in the Act;
purpose	means the purpose described in clause 2 of this Protocol;
sensitive personal data	shall have the same meaning as in the Act; and
signatories	means the signatories to this Protocol.

3.2 References in this Protocol to the Signatories shall include their respective successors in title.

4.0 Disclosure of personal data by the signatories

4.1 The PCTs shall provide to the Council all Personal Data and/or Sensitive Personal Data which is identified in Schedule One of this Protocol in accordance with the provisions set out in that Schedule One.

- 4.2 The Partnership Trust shall provide to the Council all Personal Data and/or Sensitive Personal Data which is identified in Schedule Two of this Protocol in accordance with the provisions set out in that Schedule Two.
- 4.3 RCHT shall provide to the Council all Personal Data and/or Sensitive Personal Data which is identified in Schedule Three of this Protocol in accordance with the provisions set out in that Schedule Three.
- 4.4 The PCTs, the Partnership Trust and the RCHT acknowledge that they are each responsible for satisfying themselves that they are permitted under the Act to provide all Personal Data and/or Sensitive Personal Data which they provide to the Council in accordance with this Protocol.
- 4.5 The Council shall provide to the PCTs, The Partnership Trust and RCHT all that Personal Data and Sensitive Personal Data identified in Schedule Four hereto in order to enable them to attach to the same the NHS Numbers of the subjects of that Personal Data and Sensitive Personal Data. The PCTs, the Partnership Trust and RCHT agree that it shall not use the Personal Data and Sensitive Personal Data identified in Schedule Four for any other purpose and shall not carry out any further processing in respect of the same and that it shall return the same and all copies of the same to the Council immediately upon completion of the attachment of the NHS Numbers as described above.
- 4.6 The PCTs, the Partnership Trust and RCHT shall ensure that access controls and safe haven procedures will be followed in respect of the Personal Data and Sensitive Personal Data supplied to it in accordance with paragraph 5.4 above as laid down in the NHS Executive document *Protecting and Using Patient Information: A Manual for Caldicott Guardians* published in March 1999 and it shall not, for the avoidance of doubt, release the same to any third party.

5.0 Use of personal data/sensitive personal data

- 5.1 All Personal Data and/or Sensitive Personal Data provided by the PCTs, the Partnership Trust or the RCHT to the Council will be used by the Council to create the Databases.
- 5.2 The Signatories acknowledge that all processing of the Personal Data and Sensitive Personal Data provided to the Council by the PCTs, the Partnership Trust and the RCHT for the purposes of the creation of the aforementioned Databases is processing for research purposes, and as such is subject to section 33 of the Act.
- 5.3 The Council acknowledges that it is responsible for satisfying itself that it is permitted under the Act to process all Personal Data and/or Sensitive Personal Data provided to it in accordance with this Protocol.

6.0 Control and use of databases

- 6.1 Databases containing Personal Data provided by the PCTs, the Partnership Trust and RCHT respectively in accordance with paragraphs 4.1, 4.2 and 4.3 together with that Personal Data held by the Council which is identified in Schedule Four to this Protocol will be set up and password protected by Dr Denise Pascoe of the Social Services

Department of the Council. Ms Anne Carron of the Social Services Department of the Council will keep a secure additional record of the relevant passwords.

- 6.2 Databases will not be stored on laptop computers or floppy disks and will be password protected. Access to the directory on the network drive for back-up copies has been restricted to Dr Denise Pascoe.
- 6.3 Access controls and safe haven procedures will be followed in respect of the Databases as laid down in the NHS Executive document *Protecting and Using Patient Information: A Manual for Caldicott Guardians* published in March 1999.
- 6.4 Reports based on the Databases, but which only contain Depersonalised Information, will be prepared and disseminated to the Signatories by Dr Denise Pascoe from time to time.
- 6.5 The PCTs, the Partnership Trust and the RCHT acknowledge that all rights in the Databases, including all copyright and database rights, will vest with the Council, except as otherwise set out in this Protocol.
- 6.6 The Council gives no warranty as to the accuracy of Reports referred to in clause 6.4.

7.0 Data Protection Register

- 7.1 The Signatories shall each ensure that they notify all processing of Personal Data which they carry out in accordance with this Protocol, in accordance with the Act.
- 7.2 For the avoidance of doubt, the Council shall ensure that it notifies the Databases to the Information Commissioner.

8.0 The Act

- 8.1 Each of the Signatories shall ensure that it complies with the Act at all times.
- 8.2 For the avoidance of doubt, the Council shall comply with the Data Protection Principles set out in Schedule One of the Act when processing all Personal Data and Sensitive Personal Data provided to it by the PCTs, the Partnership Trust or the RCHT and where appropriate, the other Signatories shall assist the Council in achieving compliance with the same in the following ways:
 - the scheduled yearly review of the Protocol shall encompass a review of Databases which are no longer of any use and which may be destroyed;
 - where cross checking of Personal Data and Sensitive Personal Data shared by the Signatories reveals inconsistencies, Signatories shall work together to correct inaccuracies.

9.0 Subject access

- 9.1 The processing of the Personal Data and Sensitive Personal Data by the Council envisaged by this Protocol is for research purposes and, in accordance with Section 33 of the Act, no decision or measures will be implemented relating to any particular

individual. Processing will be carried out in a way that does not cause damage or distress to an individual. Reports created from the Databases will be in a form from which individuals cannot be identified. As a result, the Databases will be exempt from rights of access by individuals who are the subject of the data held in the same.

10.0 Commencement and review of the Protocol

10.1 This Protocol shall take effect from or be deemed to take effect from 14 April 2004.

10.2 This Protocol replaces and supersedes the Information Sharing Protocol entered into by the Council, Cornwall and Isles of Scilly Health Authority (now the three PCTs) and Cornwall Healthcare Trust (now the Partnership Trust) on 27 March 2002 which Information Sharing Protocol is terminated with effect from 14 April 2004.

10.3 The Signatories acknowledge that this Protocol is entered into by the Signatories as an interim measure to enable them to carry out the processing of Personal Data and Sensitive Personal Data set out in this Protocol prior to the intended Health Community Protocol for data sharing being entered into by them. The Signatories further acknowledge that it is intended that this Protocol shall terminate upon the entering of the Health Community Protocol by the Signatories. For the avoidance of doubt, the Health Community Protocol shall cover, as a minimum, the contents of this Protocol.

10.4 This Protocol shall be reviewed on an annual basis by the Signatories.

11.0 Counterparts

This Protocol may be entered into in any number of counterparts and by the parties to it on separate counterparts, each of which when so executed and delivered shall be an original.

12.0 Governing law

This Protocol shall be governed by and construed exclusively in accordance with English law and the Signatories submit to the exclusive jurisdiction of the English Courts.

SCHEDULE ONE

The PCTs shall provide to the Council the following Personal Data and/or Sensitive Personal Data:

- anonymised data of Learning Disabled clients known to obtain services of the PCTs. The personal identifier will be limited to the NHS number;
- the client's NHS number, date of birth and postcode; and
- any updates to the same which the Signatories agree are required from time to time.

SCHEDULE TWO

The Partnership Trust shall provide to the Council the following Personal Data and/or Sensitive Personal Data:

- anonymised data of Learning Disabled clients known to obtain services of the Partnership Trust;
- the client's NHS number, date of birth and postcode; and
- any updates to the same which the Signatories agree are required from time to time.

SCHEDULE THREE

RCHT shall provide to the Council the following Personal Data and/or Sensitive Personal Data:

- anonymised data of Learning Disabled clients known to obtain services of the RCHT;
- any updates to the same which the Signatories agree are required from time to time; and
- the client's NHS number, date of birth and postcode.

SCHEDULE FOUR

The Council shall provide to the PCTs, the Partnership Trust, and RCHT the following Personal Data and/or Sensitive Personal Data:

- a list of all of clients of the Social Services Department of the Council with Learning Disabilities;
- the client's name, address, date of birth, gender and postcode; and
- any updates to the same which the Signatories agree are required from time to time.

APPENDIX: Data sharing process

- The objective is for the Signatories to create a joint agency database of information concerning Learning Disabled clients in the county of Cornwall. This is to be based on the individual databases maintained by each of the Signatories.
- The databases held by each of the Signatories containing details of their respective Learning Disabled clients are in different formats. The Council's Social Service Department client database uses name and address to identify each client, and the Partnership Trust's and PCTs' and RCHT's respective databases are based on NHS identifiers.
- The NHS number has been designated as the common identifier for the purposes of constructing the combined Database.
- The Council's database will be transferred on an appropriate medium, in person by Dr Denise Pascoe of the Council, to the PCTs, The Partnership Trust and RCHT for fuzzy matching of records to the NHS number. Once copied to hard disk, the floppy disk will subsequently be formatted to eradicate the file from the disk.

- The Council's client records will be identified by NHS number, and the three databases will be merged to enable duplicate records to be removed.
- Production of maps for reports will be based on either ward codes as area identifiers, or on the first four digits of the postcode, subject to any further anonymisation of the Personal Data which may be required.
- The final stage of anonymisation will be to remove the NHS numbers to ensure that the final Database will not include any personal identifiers.
- The original database extracts containing personal data will then be destroyed.

NB: Cornwall County Council is not making any representation in relation to this document's contents and accuracy. They provide this protocol for your information only and any reliance placed on the document is at your own risk.

Appendix



FUTURE POSITIVE:

Useful data fields for recording information about young people leaving care

- Number of young people leaving foster care
- Number of young people leaving residential care
- Age of leaving
- Breakdown of gender
- Ethnicity
- Number of young people using disability services
- A breakdown of status of service users i.e. numbers eligible, relevant, former relevant, qualifying, at any one time
- Numbers of young people living in out of authority placements and becoming eligible
- Numbers of relevant and former relevant young people moving to another local authority area
- Numbers of young people with an allocated Personal Adviser
- Number of contacts in a year for each category
- Number of needs assessments completed (Reg 7)
- Number of Pathway Plans completed
- Number of Pathway Plan reviews
- Outcomes in academic achievement
- Outcomes in training
- Outcomes in employment
- Breakdown of outcomes in accommodation i.e. numbers of private, B&B, council tenancies, supported accommodation etc.
- Information re: financial support packages for each category of eligibility
- Numbers and categories receiving benefits
- Numbers of young people with allocated GP
- Numbers of young people in receipt of comprehensive information e.g. a Leaving Care Guide

Appendix

10

A service framework for disabled care leavers

(Downloaded from Quality Protects website http://www.dfes.gov.uk/qualityprotects/docs/append_4.doc)

Objectives

QP Objective 5: To ensure that young people leaving care, as they enter adulthood, are not isolated and participate socially and economically as citizens.

QP Objective 6: To ensure that children with specific social needs arising out of disability or a health condition are living in families or other appropriate settings in the community where their assessed needs are adequately met and reviewed.

Valuing People Sub Objective 2.2: Ensuring effective links are in place within and between children's services and adult services in both health and social services.

Valuing People Sub Objective 3.3: Developing locally agreed protocols and procedures to ensure services are based upon a person centred approach.

Valuing People Sub Objective 6.1: Increasing the range of choice of housing open to people with learning disabilities in order to enable them to live as independently as possible.

Valuing People Sub Objective 7.2: Enabling people with learning disability (*and any other disability*) to have access to a wide range of opportunities for education and life long learning in order to promote greater independence and maximise employment opportunities.

Key points

- Care leavers with disabilities have an 'added' vulnerability and Leaving Care policies must be inclusive of disabled care leavers. All the principles/policies described in this document equally apply to this group of young people.
- Leaving Care teams/workers should identify the numbers of young people/care leavers with disabilities in their area and plan accordingly.
- Leaving Care teams/workers have a crucial role to play in the training of adult services staff/disability teams and inter agency staff in terms of issues relating to leaving care and the Children (Leaving Care) Act 2000. Likewise, Leaving Care teams/workers should receive disability awareness training.
- Leaving Care teams/workers should ensure that disabled care leavers are supported in ways that promote their choice and independence and should work closely both with the young person and other agencies in planning for their future.
- Care Leavers with disabilities should be included in consultation around the planning and delivery of care leaving services.

Practice issues

Young people with disabilities can be subject to a number of inter agency assessments and reviews. These could include, for example:

- Transitional planning
- Disabled Person's Act Assessment
- Pathway planning
- Personal Education Plans
- Looked after reviews
- Health assessments
- Community Care Planning

Care must be taken to ensure that these are not duplicated and assessments are joined up into a single holistic process and streamlined.

Transitional planning takes place for those with special educational needs at aged 14. It is crucial for those who are looked after, that planning for their future is begun at this point.

Good practice means that the planning cycle for transitional planning and pathway planning should be merged, should be interagency and should include adult services where it is clear that their support will be required after leaving school/care.

The involvement and input of all relevant agencies should be monitored in order to ensure the best possible outcomes.

Care leavers with disabilities should participate fully in their planning and be involved in making choices in the same way as non disabled care leavers. Councils must consider how best to ensure that this happens, particularly in the case of care leavers who have communication difficulties.

The role of the Personal Adviser is crucial. They should be the choice of the young person or in the absence of this, should be someone who has the necessary skills to ensure that the young person is supported to play a full part in their planning for their future. Local disability organisations may be able to offer support and advice in this area.

Councils should also consider how they can ensure that written plans/formats are presented in such a way that they are user friendly for care leavers who have learning difficulties, visual impairment etc. Similarly, all service provision, premises and materials/leaflets should be fully accessible in line with the Disability Discrimination Act.

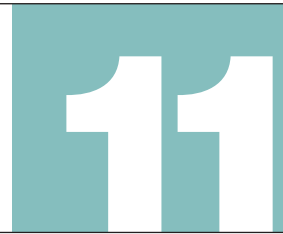
The transition between children's services and adult services should be seamless and decisions regarding community care funding should not delay the implementation of plans.

Likewise, steps should be taken to ensure that young people with disabilities receive their full entitlement to disability benefits and Welfare Rights Officers experienced in this field should ensure that this happens.

Councils, in their role as corporate parents, should consider the support of those care leavers who have mild/moderate disabilities and who would not normally meet the eligibility criteria for adult services/adult disability services.

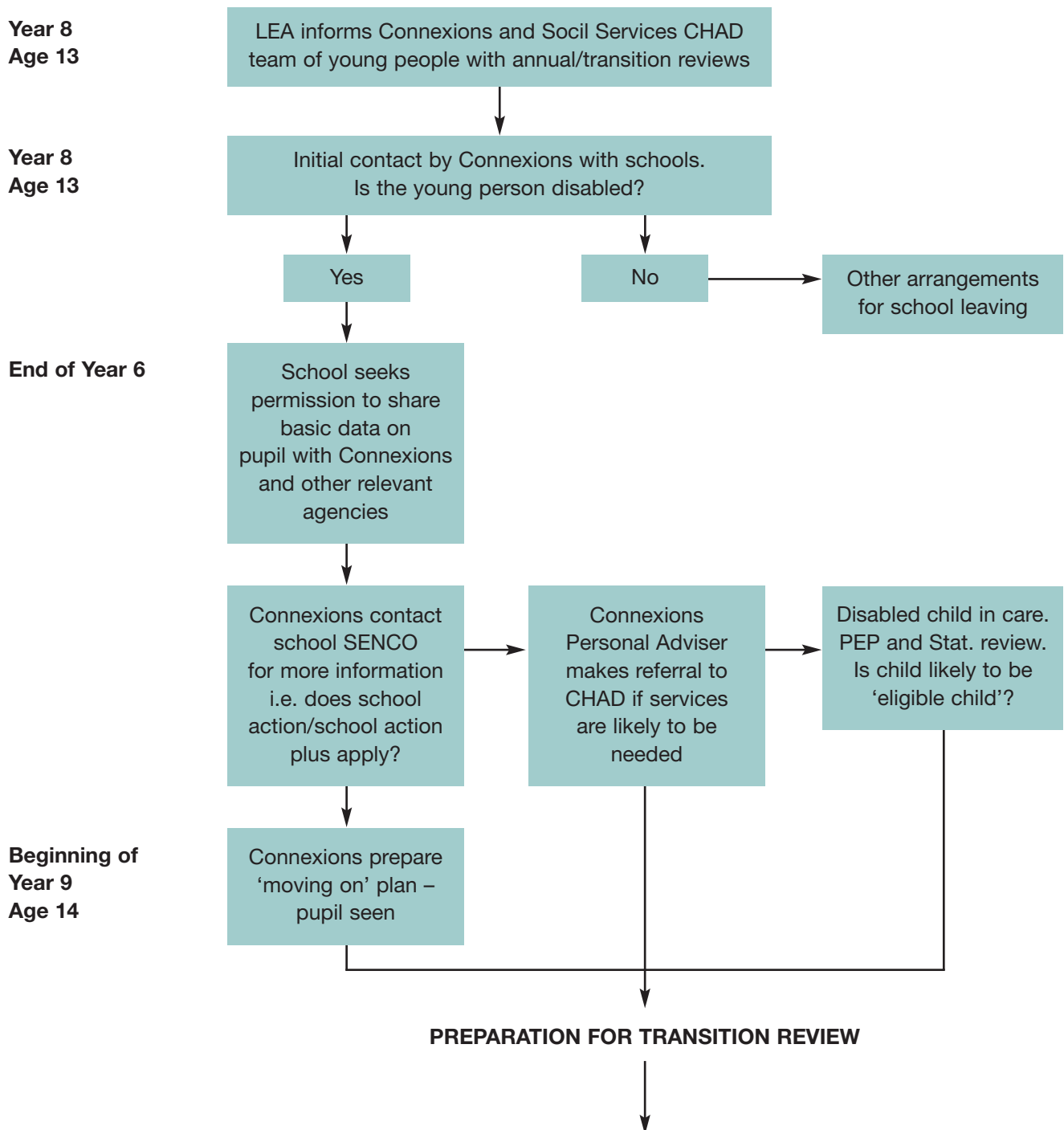
Those who are moving into independent accommodation should not be left unsupported by the local authority especially if they have no family/friends/previous carers who can provide support when it is needed. Local Authorities must consider how best to meet the support needs of this group of people and ensure the young person is provided with a named person/advocate they can contact if they feel in the need of support/advice.

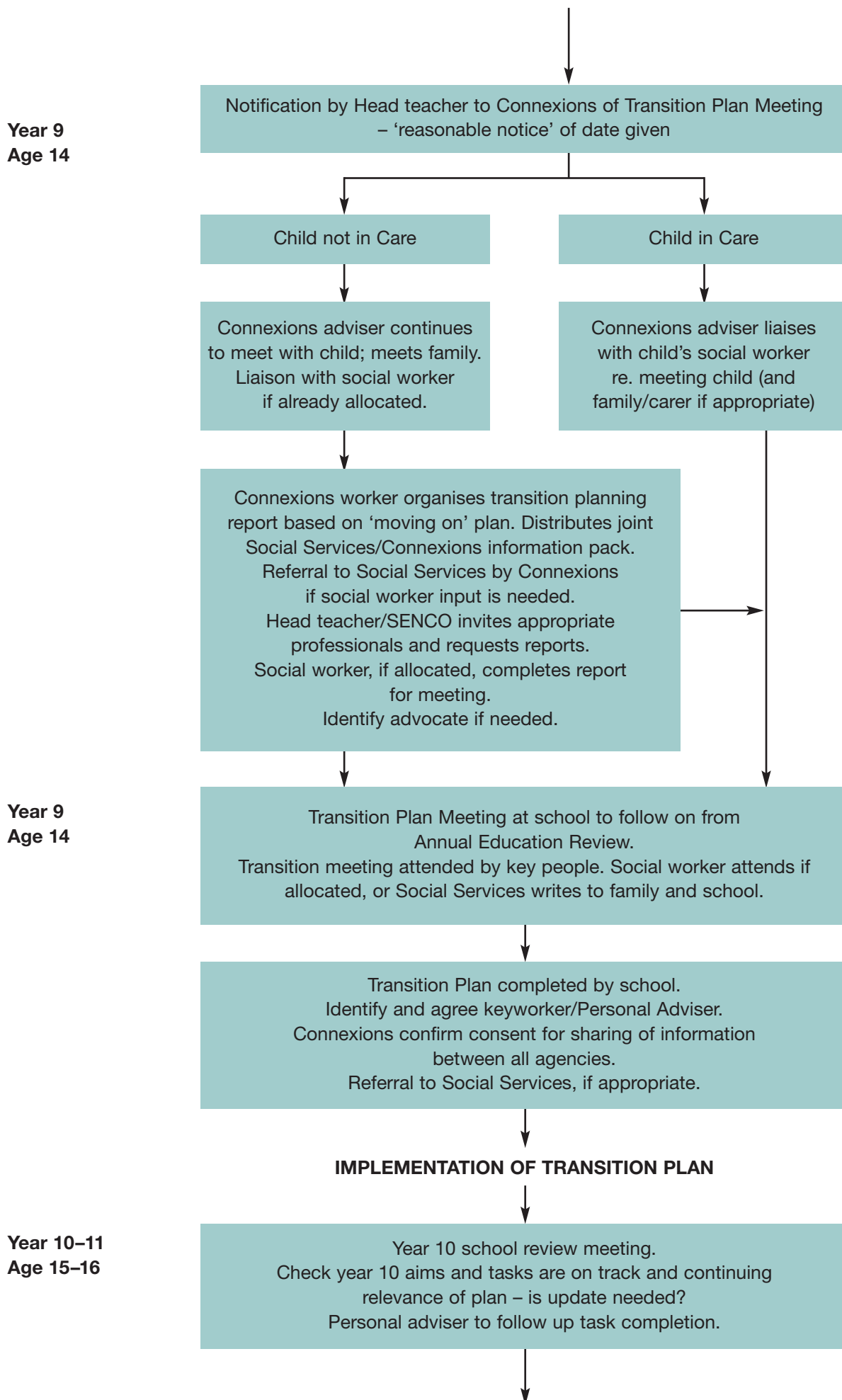
Appendix

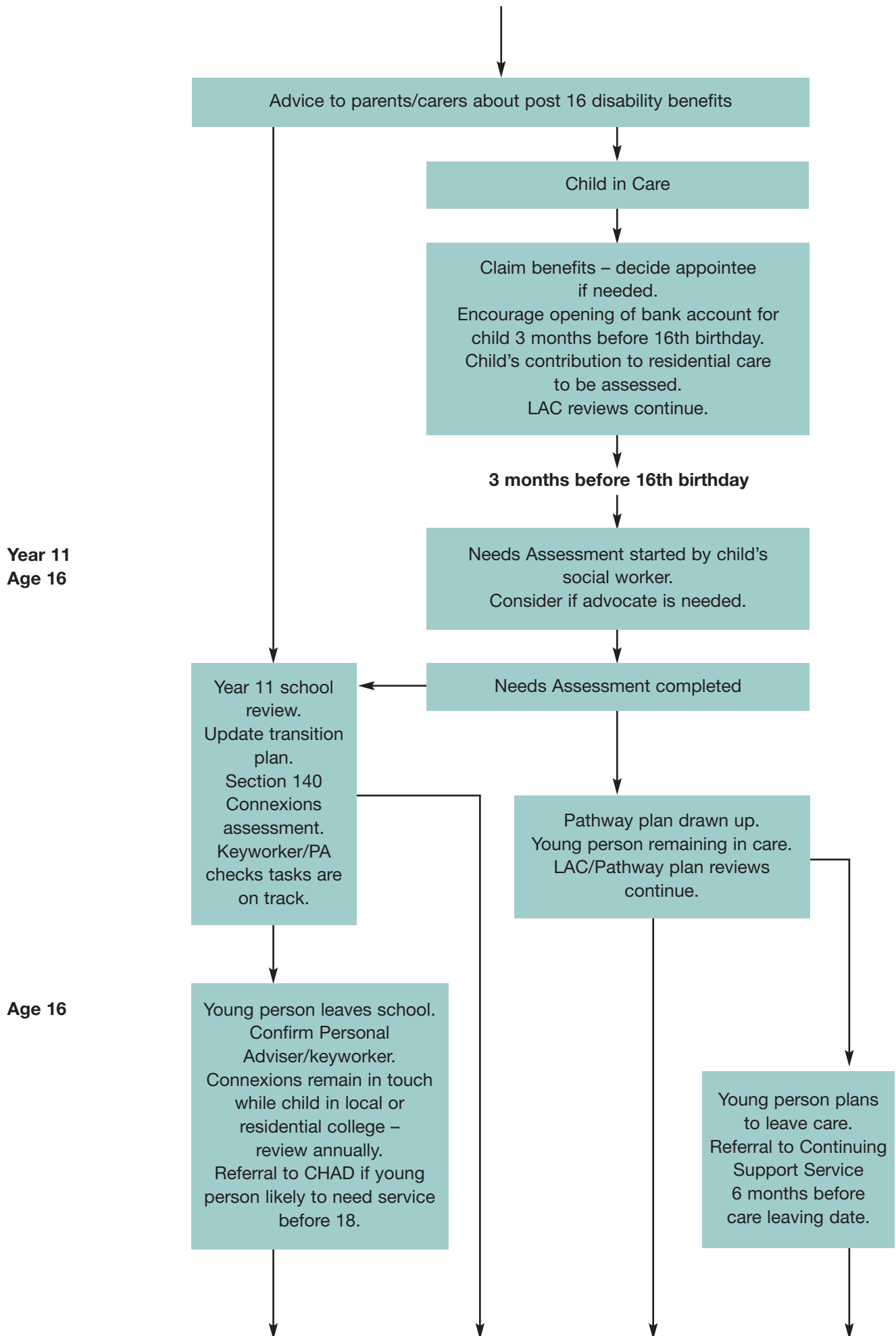


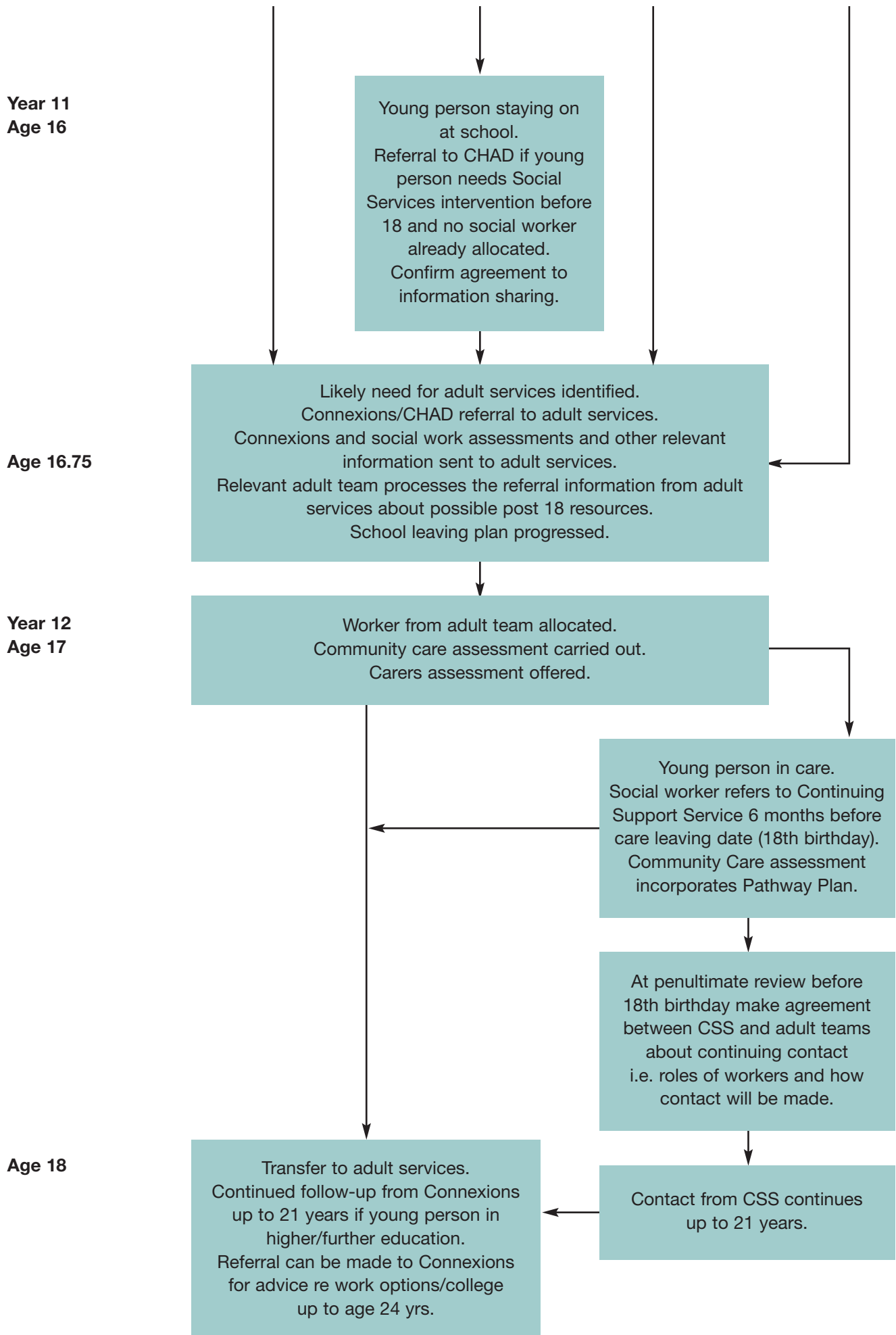
**South Gloucestershire Council
Connexions West of England**

Integrated Transition Planning: Transition pathway for disabled young people









Appendix

12

FUTURE POSITIVE:

The following is a list of those service providers, agencies or individuals that may need to be involved in the support of young disabled people leaving care:

- Children and adult services in Health and Social Service
- Multi-agency transitions teams
- Aftercare support services
- A Personal Adviser (under the C(LC)A)
- Connexions
- Primary Care Trusts
- Health Promotion services
- Jobcentre Plus Disability Service
- Learning Skills Councils
- FE colleges
- Schools
- Special education providers (including residential education)
- Training providers
- Intermediate labour market organisations
- Local employers, including the council
- Youth Offending Services
- Foster carers
- Supported accommodation providers
- Residential providers
- Private landlords
- Accommodation support – outreach/resettlement teams, etc.
- Supporting People
- DWP/benefits agency
- Relevant voluntary or community organisations, local disability groups
- An advocate/independent visitor, and
- Family/parents/social support network

Appendix

13



department for
education and skills
creating opportunity, releasing potential, achieving excellence

Local Authority Social Services Letter – LASSL(2004)20

To: The Chief Executive
County Councils)
Metropolitan District Councils) England
Shire Unitary Authorities)
London Borough Councils
Common Council of the City of London
Council of the Isles of Scilly

Copy: The Director of Social Services

28th July 2004

NATIONAL PROTOCOL – INTER-AUTHORITY ARRANGEMENTS FOR NEGOTIATING SUPPORT FOR CARE LEAVERS RESIDENT OUTSIDE OF THEIR RESPONSIBLE AUTHORITY

SUMMARY

1. This letter introduces the National Protocol about inter-authority arrangements for negotiating support for care leavers who are resident outside the area of their responsible authority. This advice included in the Protocol has been agreed between DfES and the Association of Directors of Social Services as providing a sound basis for negotiations between local authority leaving care services about how support might be best provided for care leavers who live well away from their responsible authority's area.
2. This Protocol has been produced in response to concerns that care leavers who live away from their responsible authority may be least able to access the services to which they are entitled and risk losing touch with the authority that has a legal responsibility towards them.
3. The processes outlined in the Protocol are intended to offer care leavers living way from their authority access to support in emergencies and to support more consistent service delivery for young people who are "harder to reach".
4. The advice included in the Protocol is intended to support councils with social services responsibilities achieve their targets for care leaving services. The procedures outlined in the protocol should improve services to care leavers who, for whatever reason, live outside their responsible authority area as they only involve following a simple process for obtaining information and advice from local leaving care services. Authorities should be enabled to better "keep in touch" with young people who have left their care so that

they can receive the necessary support to achieve the objectives that will have been set out in their Pathway Plans.

ACTION

5. Authorities are asked to take the following action –
 - Note the advice and information included in the Protocol.
 - Make their Leaving Care services and any other relevant agencies aware of the Protocol.
 - Nominate a lead officer from their leaving care services to be responsible for having an overview of services for their care leavers who live outside the local area and for care leavers who are the responsibility of other councils who live within the local authority, Further details about the lead officer's role can be found in Section 5 of the Protocol.
6. The North West Aftercare Forum has agreed to take responsibility for holding and updating the national list of lead officers. Authorities should send the name and contact details of their lead officer to Keir Parsons, North West After Care Forum, Frederick Street, Oldham, OL8 1SW net@nwacf.com

ENQUIRIES

7. Enquiries about this letter should in the first instance be made to:
Mark Burrows/Sara Cooper
Department for Education & Skills
Children, Young People & Families Directorate
Looked After Children Division
Room 125 Wellington House
133–155 Waterloo Road
LONDON SE1 8UG

Tel. 020-7972-4284
E-mail: Mark.Burrows@dfes.gsi.gov.uk

NATIONAL PROTOCOL

Inter-Authority Arrangements for Careleavers

1. Status of this Protocol:

- 1.1 This Protocol has been agreed by the Department for Education and Skills (DfES) Leaving Care Project Group and the Association of Directors of Social Services (ADSS) as a model for managing joint working arrangements between local authorities where a care leaver who is the responsibility of one authority is residing in another authority.
- 1.2 Those local authorities which have established protocols may obviously retain those protocols at their own discretion and subject to their acceptance by partner authorities. This document is designed to support authorities where one or other of the respective agencies does not have such an agreement. DfES and ADSS consider that this Protocol represents a minimum standard of joint working required of authorities to implement the Children (Leaving Care) Act 2000.

This National Protocol is being issued in July 2004 and will be reviewed after one year.

2. Statement of values:

- 2.1 Local authorities working to this Protocol recognise that care leavers deserve the same standards of care that reasonable parents would provide for their own children. This means that they agree to:
 - make sure that young people know what our responsibilities towards them are;
 - make sure that young people know what their entitlements are;
 - have the highest expectations of them;
 - strive to ensure that they are not discriminated against; and
 - offer as much support as reasonably possible throughout the transition to adulthood and independence.

In short, the values which underpin this Protocol reflect those which underpin the Children Act 1989 and the Children (Leaving Care) Act 2000.

3. Aim of this protocol:

- 3.1 The Children (Leaving Care) Act firmly established the principle that a local authority should retain responsibility for its own care leavers (see definition of responsible authority below). This Protocol is predicated on that principle and affirms that wherever reasonably possible the responsible authority should continue to ensure the direct provision of services to those care leavers for whom the authority holds responsibility.
- 3.2 This Protocol is intended to offer guidance to local authorities to ensure minimum standards of leaving care services for care leavers who have moved between authorities. It also describes a process that the authorities should follow in circumstances where it is not practicable for the responsible authority to provide a full care leaving service to

young people who are resident outside their area. These circumstances might include significant distance or, exceptionally, a breakdown in the relationship between a young person and their responsible authority. The aim of this Protocol is to enable local authorities to agree consistent arrangements and appropriate support for care leavers.

- 3.3 Wherever reasonably possible local authorities should seek to provide one another with the maximum assistance necessary to ensure that care leavers' needs are met in accordance with the legislation.

4. Definitions

- 4.1 This Protocol relates to all young people who qualify for a service as defined by the Children (Leaving Care) Act 2000 (as it amends the Children Act 1989). This therefore includes all young people who are "relevant" (Section 23A), "formerly relevant" (Section 23C), and "qualifying young people who have been looked after by local authorities" (Section 24). This Protocol will simply refer to all such young people as "care leavers".
- 4.2 The Children (Leaving Care) Act firmly establishes the principle that local authorities should retain responsibility for their own care leavers irrespective of where those care leavers may live. The "responsible authority" (Section 23A) is the one which last looked after the young person before they became a care leaver. This Protocol seeks to support authorities to work in partnership and find pragmatic solutions to address the needs of care leavers who do not live within the boundaries of their responsible authority. But the Protocol in no way dilutes the core duties that the responsible authority retains with regard to its care leavers.
- 4.3 Within this Protocol the "host authority" or the "receiving authority" refers to the local authority within whose boundaries the care leaver is living where that is different from the responsible authority.

5. Named Lead Officer in each authority

- 5.1 Each authority will provide a named Lead Officer who:
- can be contacted in the event of difficulty and who will try to resolve any concerns reported about the service offered to young people; and
 - will contribute to the monitoring of the Protocol.

The lead officer will usually be the local authority service manager with overall direct accountability for care leaving services.

- 5.2 The Lead Officer will ensure that wherever a care leaver from that responsible authority intends to move or has moved to a different local authority then the Lead Officer of the receiving authority is notified with as much notice and information as is reasonably possible.
- 5.3 The Lead Officer will also ensure that systems are in place to receive such notifications from other responsible authorities in order to enable negotiations between authorities about how best the needs of the care leaver can be addressed. Those systems will include the capacity to respond quickly where the move of the care leaver is unplanned.

5.4 The Lead Officer will also ensure that monitoring arrangements are in place to monitor the implementation of this Protocol. Lead officers might usually share monitoring information about services for care leavers living outside the responsible authority area with senior officers in their own authority, with regional leaving care networks and with other professional forums.

6. Principles of negotiation

6.1 Every local authority should be mindful that the Children (Leaving Care) Act established the principle of the “responsible authority” in order to ensure continuity of care and responsibility, consistent with the aims of the legislation to ensure good parenting. A good parent does not discharge their responsibility when their child leaves the area. By the same token, every local authority ought to aspire to provide a needs-led, comprehensive, and equitable service to all young people in their area, regardless of whether it is the ‘responsible authority’ for the young person.

6.2 Wherever possible a responsible authority should strive to provide services directly to its care leavers. Where it is not possible for the responsible authority to provide a service directly then the responsible authority may seek to negotiate support for a young person with the receiving authority who will make every effort to comply with requests. This Protocol recognises that the receiving authority should try to meet these needs as far as possible within the limit of their resources but will retain the right to decide what they can, or cannot, offer. Receiving authorities may also retain the right to charge responsible authorities for their services but it is expected that such charging would not apply to the provision of basic advice and support nor should it ordinarily include the costs of indirect services (eg on-costs for administration).

6.3 Where there is a delay in the provision of service arising from differing interpretations of policy between authorities, the named officers in the responsible and receiving authorities will negotiate directly in order to achieve a speedy resolution. In exceptional cases where such a resolution cannot be achieved then they should refer the case to their respective senior managers for resolution within 4 working weeks. The minimum standard of service should be maintained to the young person concerned whilst a resolution is being reached. It falls upon the responsible authority to ensure that the minimum standard is maintained but the receiving authority must do all it reasonably can to support the responsible authority pending resolution.

7. Financial responsibility The responsible authority retains financial responsibility for:

- direct financial support to the young person;
- the cost of any negotiated services provided by agreement by the receiving authority (see paragraphs 6.2 and 8.9).

8. Good practice guidelines

8.1 Wherever practicable, the responsible authority will continue to deliver services directly to the young person. At the same time and in the spirit of the legislation, the receiving authority will do its utmost to support the responsible authority and ensure the provision of at least a minimum standard of service to the care leaver.

- 8.2 Young people will be involved in the planning and negotiations to transfer their support under this Protocol, and will be kept informed at all times.
- 8.3 Each young person will remain on an active caseload with the 'responsible authority' as long as they are receiving services from either or both authorities.
- 8.4 The 'responsible authority' will continue to have responsibility for gathering management information, and will need the co-operation of the receiving authority. This will be part of the negotiation between the two authorities.
- 8.5 Authorities should offer each other maximum co-operation so that they are able to work effectively together to provide good quality services to young people.
- 8.6 Where the 'responsible authority' provides the service to a young person living in another local authority, they may seek:
- information or advice from the receiving authority about resources within that area; and
 - to negotiate additional support from the receiving authority.
- 8.7 The receiving authority will, if requested, provide services to all young people on an equitable basis that will be comparable to services that they provide for their own care leavers.
- 8.8 If possible, services should be provided at nil cost to the responsible authority, but in some circumstances the Protocol recognises that it may be necessary for the receiving authority to negotiate charges to the responsible authority for its assistance. These circumstances may include:
- where the numbers of incoming care leavers in a receiving area are consistently substantial relative to the authority's own looked after and care leaver population;
 - where staff shortages in the receiving area mean that the receiving authority would have to recruit additional staff to fulfil a commitment under this Protocol;
- or
- where care leavers have exceptional needs (e.g. extremely challenging behaviour).
- 8.9 Each authority retains the right to make decisions about which services they can, and cannot provide for young people from other authorities.
- 8.10 Where a young person is to move to another authority, the responsible authority will make every effort to ensure the move is planned and that any support arrangements are negotiated in advance. The Pathway Plan will be the central document in this negotiation.
- 8.11 Where a young person moves at short notice, or is found to be living in another authority, the authorities concerned will act promptly to assess and meet their needs. The receiving authority will provide emergency financial assistance and the responsible authority must recognise its responsibility for refunding this.

- 8.12 Though there will be exceptions, as a general rule it is not likely to be in the best interest of a young person to move between areas in an unplanned fashion, not least as this is likely to be contrary to the Pathway Plan which the young person has helped develop. There is a collective role shared by the agencies to impress upon the young person the need to work in partnership in the delivery of the Pathway Plan and to understand that unplanned moves are bound to prejudice the quality of service that they can expect to receive.
- 8.13 Where a young person in a receiving authority has a complaint about the service that is being provided, the matter will be referred to the responsible authority for resolution in accordance with its own complaints policy and procedure. Where that complaint relates to the delivery of service provided by the receiving authority there should be effective dialogue between the authorities about the handling of the complaint.

9. Procedures

- 9.1 Planned moves where the 'responsible authority' is seeking input from the receiving authority. The Aftercare Service/case-manager in the 'responsible authority' will contact the local manager in the receiving authority and will:

- provide them with a Pathway Plan and any other information that is required;
- negotiate any support or services that are needed.

The receiving authority will then provide a response to this request within 4 working weeks. In the meantime the young person's support will continue to be provided by their responsible authority

- 9.2 Detailed arrangements as to the services to be provided to the young person will be subject to a review of their Pathway Plan, which will be convened by the responsible authority in the receiving area.

- 9.3 Unplanned moves to another authority When a young person moves to another authority at short notice, or is found to be living there, the receiving authority will take the following steps upon receiving a referral from another agency or upon the young person presenting him or herself:

- interview the young person to assess any immediate need;
- contact the 'responsible authority' urgently to inform and discuss the young person's immediate needs; and
- meet any emergency needs for advice or support in the meantime while discussions take place.

The responsible authority will:

- provide the receiving authority with as much information as possible immediately, including a faxed or e-mailed copy of the most recent Pathway Plan;
- agree a process to refund any immediate reasonable costs incurred by the receiving authority (see paragraph 6.2); and
- in the event that the young person intends to remain within the receiving authority, agree to a meeting to review the Pathway Plan within 4 working weeks.

10. Monitoring arrangements

- 10.1 Lead Officers will maintain accurate records which detail the young people for whom their authority is responsible but who are resident elsewhere as well as of those young people for whom their authority is acting as a receiving authority. As a minimum those records will include details of age, race, gender and disability as well as the location of the care leaver, the nature of the move (planned or unplanned) and the duration of the residence. Authorities should also record cases of dispute.
- 10.2 DfES and ADSS will collaborate to collate and review this information during 2005 after the first year of implementation of the National Protocol. That review will include an analysis of the usefulness of the Protocol. Any comments about the Protocol in the interim should be forwarded to:

Mark Burrows
Room 142
DFES
Wellington House
133–155 Waterloo Road
London SE1 8UG

E-mail: Mark.BURROWS@dfes.gsi.gov.uk

EXTRACT

Promoting the health of looked after children (2002): Department of Health

Appendix 4: The content of a health assessment

Adolescence and leaving care – 11–18

For secondary school age children and young people the focus will be on:

- ability to take appropriate responsibility for own health, including management of specific health conditions e.g. asthma, diabetes;
- communication and interpersonal skills;
- educational and social progress;
- lifestyle including diet and physical activity;
- mental and emotional health including depression and conduct disorders;
- understanding of issues relating to sexuality and sexual activity including its role in relationships; contraception; sexually transmitted infection and the particular risks of early sexual activity;
- access to sources of information and advice about a range of health issues including the risks of alcohol, tobacco and other substance use and access to sources of advice on modifying health risk behaviours;
- ensuring that immunisations are up to date;
- ensuring care leavers have a full copy of all social care health records (including generic background and details of illness and treatments) and be equipped to manage their own health needs.

Copies of **Promoting the Health of Looked After Children** are available from
Department of Health Publications. PO Box 777. London SE1 6XH
Tel: 08701 555 455 E-Mail: doh@prolog.uk.com

'Future Positive' is the product of a South West Regional working party that was concerned with improving practice with young disabled people who are looked after by local authorities. The group was made up of professionals from a wide range of backgrounds and sought to identify how closer and more effective working could be achieved between professionals based in 'leaving care' or 'looked after' teams and those working in disability services and mainstream services for adults.

The book provides a guide to legal and policy issues, local planning frameworks and practice issues. Within each section, there is a structured set of questions to enable practitioners and local policy makers to assess local performance in relation to disabled care leavers. A range of good practice examples and a useful set of web and paper based resources are also included to help the reader. Further practical help and recommendations to improve practice are also available in the appendices.

'Future Positive' will be of interest to policy makers, practitioners, commissioners, partnership boards and anyone else who is committed to ensuring the best possible outcomes for young disabled care leavers.

"This guide will provide local authorities with clear, basic information on aspects of legislation, guidance and good practice which is in place to support disabled care leavers. The many good practice examples and use of checklists to focus on particular points of practice will be especially useful in service planning."

Christine Lenehan

*Director
Council for Disabled Children*

