

# Transitions for young people with learning disabilities – Information

PEOPLE

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Scottish Borders  
Health and Social Care  
PARTNERSHIP



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# Introduction

Professionals refer to the time when a young person becomes a young adult as transition. This usually happens between the ages of 14 – 18+. The Transition for someone with a learning disability may involve moving between services. This may be a transfer from children and families social work to adult social work; from school to college or university; and / or from paediatrics to adult health care services.

Transition between these services can be a very uncertain time for young people and their families. To help with some of this uncertainty we developed this information pack with input from family carers who have experienced transitions themselves. We hope it will give you a better understanding of transitions and point you to information that you might want to find out more about. We have included some helpful websites you can explore to help you through the process.

**You are an expert in the needs of your young person.** Your views are vital to making sure that the transition process and plans meets the individual needs of your young person. If you feel that this is not happening make sure you discuss this with your young person's lead professional.

As you start thinking about transition it may be helpful to write down any questions or concerns you have so that you can discuss them with people involved in your young person's future planning. We have included a checklist in this pack that might help you get started and a Resources booklet.

The transition from being a young person to an adult is a big period of change for both you and your young person. Each person's transition is different.

In 2016-17 work took place across Scotland, led by ARC Scotland, to provide guidance on best practice for young people in transition. **The Principles of Good Transitions 3** was produced. This is a framework of 7 principles to inform, structure and encourage the continual improvement of support for young people with additional needs between the ages of 14 and 25 who are making the transition to young adult life. It is helpful to know what to expect and your rights and the responsibilities of the professionals involved in your young person's transition.

You can find more information here at [www.scottishtransitions.org.uk](http://www.scottishtransitions.org.uk).



## The Principles of Good Transition

1. Planning and decision making should be carried out in a person-centred way
2. Support should be co-ordinated across all services
3. Planning should start early and continue up to age 25
4. All young people should get the support they need
5. Young people, parents and carers must have access to the information they need
6. Families and carers need support
7. A continued focus on transitions across Scotland



## Education

Transition planning usually begins at school when a young person is around 14 and a half years old and entering their senior phase of school. Your young person's pastoral teacher will start to gather views about their future plans. They may also speak with you at this stage and in some schools this will be the start of the transition process for your young person. In other schools, this information will be discussed and shared with professionals at a transition meeting. Schools in the Borders call this meeting by different names. This meeting usually takes place around February each school year. Schools start to consider what options may be available and what support might be needed. Young people and parents are not usually involved in this first meeting. This meeting starts the Transition process and helps professionals understand who might need more support.

Further transition meetings will take place which must include the young person and their family. Here, everyone discusses options in more detail and planning is progressed. There are duties the school must comply with (A duty is something that has to happen by law). You may also want to consider looking at the Education (Additional Support for Learning) (Scotland) Act 2004 Codes of Practice for more information about what the schools should do <http://www.gov.scot/Publications/2011/04/04090720/20>.

A simple explanation of the act for parents and further support about Additional Support for Learning is available from Enquire. Their contact details are: [www.enquire.org.uk](http://www.enquire.org.uk)

For legal information and advice on education matters the Govan Law Centre website is another good resource and can be found at [www.edlaw.org.uk](http://www.edlaw.org.uk)

Your young person has the right to ask anyone to attend their transition meetings and the school must invite them. Those who should attend are known as Appropriate Agencies. These Appropriate Agencies may include health, social work, college and Skills Development Scotland.

Some young people will finish high school when they are 16. Other young people will stay on until they are 18 years old. During this time of transition your young person might consider attending college, a work experience placement or a day service in preparation for when they leave school.



## Case Study

Jane is leaving school at 18 and will be attending Borders College a year later. Jane is being supported in looking for a work placement for the year before she starts college. Jane's parents work full time and the family will have to work with professionals to see what options are available to Jane to support her in reaching her full potential. Other areas that will need to be considered are transport and any support or equipment Jane will need for a work placement or when she attends college.

Some young people may work with the Learning Disability Service's Local Area Co-ordination Team to find local activities or volunteering opportunities that they might like to participate in. You may find it helpful to look at college websites to see what course options are available.

The resources booklet gives you contact information for various other options such as Social Enterprises, Day Services and other support providers. It is important to know that some services need to be funded and there are rules around assessment, eligibility criteria and budget allocation as well as different of ways of managing budgets and benefits.

## Scottish Borders Learning Disability Service

Scottish Borders Learning Disability Service is an integrated health and social care service. It provides a range of specialist health and social care services for adults with learning disabilities. It also commissions services for adults who have a learning disability from Service Providers.

The Learning Disability Service provides assessment, care management, treatment, specialist advice and consultation, training and support. The service employs a Transitions Worker who works with some families in transition. The Local Area Co-ordination Team works with some families in transition as well.



## Social Work Supports

Young people who have a CHAD (Children Affected by a Disability) social worker will be referred to the Learning Disability Team and will usually transfer to the Team when they are 18 years old. This transition can begin 6 months before a young person is supported into adult social services.

Other young people that need support in their transition and do not have an allocated CHAD social worker may be referred to the Transitions Worker or a Local Area Co-ordinator within the Learning Disability Team. This usually happens before they leave school.

You can ask for an assessment from a Social Worker if you haven't already had one. It is a Social Work duty to assess anyone that asks for an assessment. The assessment is called an Adult Personal Assessment (PAS).

## What does the Transitions Worker do?

The Transitions Worker will help your young person on the journey from children's services to adult services. They will assess and make recommendations about the package of care needed to meet your young person's 'critical needs'. The Transitions Worker will be able to give you and your young person advice and support while you look at the options available to your young person based on their needs and wishes. They will be able to attend meetings with you so that your young person's Transition can be well planned and managed.

## What does a Local Area Co-ordinator do in transition?

The Local Area Co-ordinators and Community Link Workers may support your young person to get ready for their move into adulthood by supporting them to link into opportunities and build connections in their own local community. The team provide support to individuals to use, and continue to build, their skills, knowledge and confidence into adulthood.

For some families a Local Area Co-ordinator may be a Transitions Contact Person. They will give you information about Transitions and tell you about where you can get more information or support. They will also give you a contact telephone number if you have any questions. They may be able to give you and your young person information to help you plan.





## Assessment

If your young person is referred to the Learning Disability Service their needs will be assessed. This assessment is called the Adult Personal Assessment. This will allow the service to identify if the young person has needs that fall under the Council's Eligibility Criteria for funded support. If your young person meets the 'eligibility criteria' they will be offered a range of choices to meet their outcomes. Information on eligibility criteria can be found here:

[https://www.scotborders.gov.uk/info/20069/how\\_do\\_i\\_get\\_a\\_service/511/eligibility\\_criteria/1](https://www.scotborders.gov.uk/info/20069/how_do_i_get_a_service/511/eligibility_criteria/1).

Funding for eligible support is agreed at a Resource Panel in the Learning Disability Service.

The assessment may identify needs that do not meet the Council's Eligibility Criteria but your young person may be signposted to other people who can help you make other plans.

The Social Care (Self-directed Support) (Scotland) Act 2013 places a duty on local authority social work departments to offer people who are eligible for social care a range of choices over how they receive their social care and support. More information is available from the website address below. [www.scotborders.gov.uk/info/20055/adults\\_and\\_older\\_people/371/self-directed\\_support](http://www.scotborders.gov.uk/info/20055/adults_and_older_people/371/self-directed_support).

Locally, Encompass is a Direct Payment agency that provides self-directed support information and services to help with direct payments for families. Encompass can be contacted on telephone number 01896 759700. Information can be found on their website: [www.encompassborders.com](http://www.encompassborders.com) or by emailing them directly on: [admin@encompassborders.com](mailto:admin@encompassborders.com).

Services for adults are chargeable. Children's social work services are not chargeable. This means that your young person will have a Financial Assessment if they are assessed as needing support services funded by Social Work. They will be expected to contribute towards the cost of their package of care when they are an adult based on their Financial Assessment. More information about charging can be found here:

<https://www.scotborders.gov.uk/social-work-charging>

## Finances

When a young person becomes an adult, their finances need to be managed by themselves or someone else if they do not have capacity to do this. It is important to be aware of the changes to Welfare Benefits entitlements as a young person becomes an adult. This will have an impact on your young person's finances. The Learning Disability Service has a Community Care Finance Assessor who may be asked to meet with you to review your young person's finances. It is important to think about legal options if your young person is not able to manage their finances on their own.

Please see the legal section for more details about Capacity, Guardianship, Appointeeship, and Power of Attorney.

## Welfare Benefits

It is important for your young person to review their benefits entitlement. There have been changes to the Scottish Borders Council Welfare Benefits Service. You can get information about benefits and other important information from Citizens Advice Bureaus locally or this website: [www.citizensadvice.org.uk/scotland](http://www.citizensadvice.org.uk/scotland).

You can also contact Scottish Borders Council Financial Support and Inclusion Team. [https://www.scotborders.gov.uk/info/20075/help\\_applying\\_for\\_benefits/301/how\\_can\\_the\\_financial\\_support\\_and\\_inclusion\\_team\\_help](https://www.scotborders.gov.uk/info/20075/help_applying_for_benefits/301/how_can_the_financial_support_and_inclusion_team_help).





## Independent Living Fund – Short-term transitions fund

The Scottish Government, through the Independent Living Fund, have put in place a grant award scheme a bit like a short term benefit, for young people who might not meet Social Work Eligibility Criteria for support. This fund is aimed at helping young people (aged 16 – 21) move into an independent life in their community. It is open to anyone with a disability (as defined in the Equality Act), and is young person led. This means you don't need a social worker, health care professional or other service to help you fill out the form. However, evidence of disability can be given by any of these services or a third sector charity with a Charity number if you are involved with them. The award has no minimum or maximum amount able to be awarded but it is there for a short term period only. The award must help the young person move toward independence over a 3, 6 or 12 month period. The award is open to any ideas the young person has that will help them reach greater independence. A good example of this might be travel training or driving lessons, self defence classes (to feel safer) or licence fees for associated support software etc. You can find out more about this fund at <http://ilf.scot>.

## Health

Transition in your young person's health care is the process of planning, preparing and moving from children's health care to adult health care.

This may start at the age of 12-14 and should be completed from the ages of 16-18 years old depending on your young person's health condition.

The exact timing of transition varies from person to person.

It may also depend on what adult services are available. A member of health staff will act as a 'lead health professional.' This may be your young person's doctor, nurse or other health professional. Other members of staff may also be involved. The lead health professional will make sure that you and your young person are supported through the process.

You should be given information about the transition process, adult services, contact details for staff, information about how the service is organised and information on how adult services are different from other services.



The adult service your young person transfers to will depend on his or her health needs. This may be the adult service in hospital, your general practitioner, or it may be a service provided by other hospitals.

Your lead health professional may be able to arrange for you and your young person to visit the adult service. A visit to the new service can help to introduce you to the new team, get used to going to the new department and find out where to go for appointments, tests and scans.

Part of the transition process should be helping you to look at where the young person's on-going healthcare needs can be best met. Your young person's consultant, specialist, nurse or family doctor (GP) will be able to give you information to help make the best decision.

When your young person moves into adult health services your GP is your first point of contact for primary health care services.

There are two leaflets from health that you can look at for more information. They can be found on the website:

[www.kingdomtech.co.uk/nhs/default.aspx?PageID=706](http://www.kingdomtech.co.uk/nhs/default.aspx?PageID=706)

[www.kingdomtech.co.uk/nhs/default.aspx?PageID=707](http://www.kingdomtech.co.uk/nhs/default.aspx?PageID=707).

## Carer Support

Being a parent and carer to a young person with a disability can be challenging. Family carers told us that there are many "emotional issues" for them that don't go away. It can be difficult for you to make sure your needs are being met. As a parent you may wish to consider having a carer's support plan completed by the Borders Carers Centre. They can also give you free independent help and support throughout the transitions process <http://www.borderscarerscentre.co.uk/>.

There are also times when it is helpful to have someone to talk to about your mental health and Borderline Helpline is a resource that offers a free skilled listening and support service for those experiencing emotional distress. <http://www.borderlinecounselling.co.uk> Telephone: 01228 596900

## Advocacy

During the transition process young people may want or need some independent advice and support. Borders Independent Advocacy Service (BIAS) is a free and confidential advocacy service in the Borders that your young person might want to contact for support <http://www.bordersadvocacy.org.uk/>.

Advocacy services can also support young people in transition meetings.



## Respite / Short Breaks

Respite can take many forms. Some people refer to Respite as Short Breaks. Respite aims to give you and your young person a chance to have a break from each other. Respite offers young people opportunities to develop skills, meet other people and have other positive experiences usually away from the family home. Respite can be critical for you to remain in your caring role. Respite options for adults are different to those for children.



You can discuss respite options that may be available. There are some contact details for respite options in the Resources booklet.

Respite or Short Breaks can sometimes act as a holiday for the young person. However it is important to note that a 'holiday' is only funded if it can be demonstrated that this has a clear respite function for the carer. Borders Carers Centre may be able to help give advice about options or help with the costs of having a break for example.

## Legal Matters

### Capacity

When a young person reaches 16 years old they become an adult. Parents will have no legal right to make decisions for them anymore. However some young people will not be able to make safe decisions about some or all areas of their lives for themselves. If this is the case, we advise that you seek legal advice to see what options are available. It will be helpful to have a look at the Adults with Incapacity (Scotland) Act 2000 (AWIA).

A short guide to the act can be found on the website:  
[www.legislation.gov.uk/asp/2000/4/contents](http://www.legislation.gov.uk/asp/2000/4/contents).

The Act aims to protect people who lack capacity to make particular decisions, but also to support their involvement in making decisions about their own lives as far as they are able to do so. Anyone authorised to make decisions or take actions on behalf of someone with impaired capacity must apply the following principles:

### **Principle 1 - benefit**

Any action or decision taken must benefit the person and only be taken when that benefit cannot reasonably be achieved without it.

### **Principle 2 - least restrictive option**

Any action or decision taken should be the minimum necessary to achieve the purpose. It should be the option that restricts the person's freedom as little as possible.

### **Principle 3 - take account of the wishes of the person**

In deciding if an action or decision is to be made, and what that should be, account must be taken of the present and past wishes and feelings of the person, as far as these may be ascertained. The person must be offered help to communicate his or her views. This might mean using memory aids, pictures, non-verbal communication, advice from a speech and language therapist or support from an independent advocate.

### **Principle 4 - consultation with relevant others**

Take account of the views of others with an interest in the person's welfare. The Act lists those who should be consulted whenever practicable and reasonable.

### **Principle 5 - encourage the person to use existing skills and develop new skills**

Encouraging and allowing the adult to make their own decisions and manage their own affairs as much as possible and to develop the skills needed to do so.

## **Supervision and regulation**

Under the Act four public bodies are involved in the regulation and supervision of those authorised to make decisions on behalf of a person with incapacity. These are: the Office of the Public Guardian (Scotland), the Mental Welfare Commission for Scotland, the Courts and Local Authorities.

One of the options under the AWIA is for someone to make an application for a guardianship order.

**Guardianship** is a Court Order. It allows you to represent someone who cannot make decisions for themselves because of incapacity.

This is a defined legal term.

<http://www.publicguardian-scotland.gov.uk/guardianship-orders>



## Children about to reach the age of 16

For children who are about to reach the age of 16, you can apply for a Guardianship Order up to three months before their 16th birthday. This means that the Guardianship Order will take effect on the date of their 16th birthday.

You may wish to apply for Legal Aid to help with the costs of the process if you decide to apply for Guardianship. Legal Aid should cover the cost of the entire process. Be aware that not all solicitors offer Legal Aid.

If it is decided that Guardianship is appropriate and would benefit your young person, the local authority Mental Health Team will be contacted by the solicitor.

A Mental Health Officer (MHO) will be allocated to prepare a report for the court. This application would include a list of the powers you need to allow you to look after your young person.

The Mental Health Team has a supervisory role once the Guardianship Order has been granted.

The Office of the Public Guardian has statutory powers to supervise Guardians. Please have a look at the Public Guardian website for further details:  
[www.publicguardian-scotland.gov.uk](http://www.publicguardian-scotland.gov.uk).

## Appointeeship

You can apply to the Department of Work and Pensions (DWP) to manage your young person's welfare benefits if they cannot manage their own due to being "mentally incapable" or "severely disabled". An Appointee can be a friend, relative, organisation or a representative of an organisation such as a local council or solicitor. Visit this website for more information on becoming an appointee for someone.

[www.gov.uk/become-appointee-for-someone-claiming-benefits](http://www.gov.uk/become-appointee-for-someone-claiming-benefits)

Being an Appointee does not give you rights regarding welfare and finances of your young person.

## Power of Attorney (PoA)

This is a legal document, which gives someone else the authority to make decisions or take actions on another's behalf if they are unable to do so. A person must have capacity to grant the powers to another person. Power of Attorney is very exceptionally used for people with learning disability. It does not have the same safeguards for the young person as other legal frameworks.

Contact a solicitor for more details on this matter. You may be charged for the PoA to be written up unless your young person is eligible for legal aid. Be aware that not all solicitors offer legal aid. The office of the Public Guardian's website gives examples of what the PoA can look like. The Office of Public Guardian, Scotland (OPG) charges a registration fee for this service.

Information on this can be found on their website:  
[www.publicguardian-scotland.gov.uk](http://www.publicguardian-scotland.gov.uk).

## More Information

The transition from young person to adult is a big period of change for everyone involved and each person's transition will be different.

Your views are vital in making sure that the transition process and plans meet the needs of your young person. You may wish to use the checklist in this pack to help you think about questions to ask. The Resources booklet gives you useful contacts and information covered in this booklet.

If you have questions and want to speak to someone about transition, you can contact the Learning Disability Service Monday to Friday on 01896 840200.



You can get this document on audio CD, in large print, in easy read, and various other formats by contacting us at the address below. In addition, contact the address below for information on language translations, additional copies, or to arrange for an officer to meet with you to explain any areas of the publication that you would like clarified.

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