

Transition Policy: Children’s Services and Adult Services

Document Control

Document Objectives:	
<p>This policy sets out Haringey Councils responsibilities for an adult assessment as set out in the Care Act 2014 in relation to young people receiving children’s social care services who may benefit from adult services after turning 18.</p> <p>This policy aims to ensure all professionals involved in the care and support of young people aged 14-25 are aware of the impact of this legislation in carrying out these duties effectively.</p>	
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Produced by	Transition Steering Group
Endorsed by	SEND Joint Executive Board on 3 February 2020 Adult Social Care DMT
Target audience	All staff involved in the Transition process
Policy should be read alongside:	Preparing for adulthood pathway guide¹ Transition Protocol (Appendix A) Transition Timeline (Appendix B) See other references in policy
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Reviewed	

¹ https://www.haringey.gov.uk/sites/haringeygovuk/files/preparing_for_adult_pathway_guide.pdf

1. Introduction

This policy is for professionals and details how Haringey Council will support young people (aged 14-25) with special educational needs and disabilities (SEND), known to the Council as they transition to adulthood. The policy focuses on young people who are likely to have eligible social care needs at 18 and details how services will carry out an adult assessment based on the [Care Act 2014](#)² eligibility criteria.

This policy was developed with professionals, partners and families and should be read alongside the [Preparing for adulthood pathway guide](#)³ which is for and was also co-produced with SEND families and professionals.

2. Policy aim

The policy aims to:

- Clarify the process, roles and responsibilities to enable partner agencies to work well together to raise aspirations and achieve the outcomes that matter to young people.
- prepare young people for adult life in a smooth, positive and timely way:
 - To be as healthy as possible;
 - to be able to live as independently as possible;
 - to be able to participate in society;
 - to have access to education, employment and training wherever possible.

3. Principles of good transition

[The Care Act 2014](#) (sections 58 to 66) and the [Children and Families Act 2014](#)⁴ detail the duties for transition planning of young people from children's to adult services as well as services for carers and young carers who will be turning 18. Good planning should ensure;

- Transition planning across agencies starts early to ensure there is no cliff edge experience for the young person and their family and no gaps in provision;
- early identification of likely future adult needs takes place and is communicated with multi-agency partners to ensure effective commissioning and planning of services;
- wellbeing of the young person is at the centre of the transition process;
- the young person and their family are fully involved in the transition process and their views are listened to and respected;
- that their family carers are offered a Carers assessment if determined as eligible;
- there is a co-ordinated person-centred planning process between children's and adult's services focussed on:
 - holistic approach to assessment
 - building on the young person's strengths and aspirations,
 - improving and supporting their independence,
 - care and support that are outcomes focussed
 - maximising opportunities for independent living;

² <http://www.legislation.gov.uk/ukpga/2014/23/part/1/crossheading/transition-for-children-to-adult-care-and-support-etc/enacted>

³ https://www.haringey.gov.uk/sites/haringeygovuk/files/preparing_for_adult_pathway_guide.pdf

⁴ <http://www.legislation.gov.uk/ukpga/2014/6/part/3/crossheading/special-educational-provision-functions-of-local-authorities/enacted>

- risk assessment
- there is good multi-agency working with partners underpinned by good procedures and review;
- that all transition arrangements reflect the things that are important to young people to enable them to meet outcomes;
- safeguarding is considered throughout the journey.

Until a young person's eligibility for adult services is determined, there should be no gap in service provision. Children's services will continue until either adult services are in place or the assessment shows that there are no eligible needs.

4. Referral for an adult assessment

For young people who have an Education, Health and Care (EHC) plan, already known to the Council, preparation for adulthood will begin from Year 9 through discussions and assessments as part of the EHC plan review process.

Referral to adult services for an assessment will be made by social workers in the Disabled Children's Team and occasionally EHC case workers in the SEN service, between the age of 16 and 17 based on the needs of the young person when they turn 18. This is the responsibility of the Head of Integrated SEND.

Other young people with care and support needs that may be referred to adult services include:

- Young people with life-limiting conditions;
- young people e.g. with autism, whose needs have been met by their place of education, but once they leave will require their needs to be met in some other way;
- young carers whose parents do not have eligible needs;
- young people receiving Child and Adolescent Mental Health Services;
- young people detained in the youth justice service who will move to adult prison.

Responsibility for referrals for the above lies with multi-agency partners.

5. Adult assessment process

The adult assessment provides an opportunity for young people to reflect on their strengths, needs and desired outcomes and to plan how they will achieve their goals. This will include planning to reduce or delay the needs for care and support and may not lead to services being provided. A [self-assessment tool](#) is available on the Council's website to check eligibility for adult services.

Adult services will screen assessments in order of priority from the age of 17 and will contact families to undertake a full assessment where it is deemed that the young person meets Care Act eligibility.

- Young people with learning disabilities will be assessed by integrated health and social care staff in the [Haringey Learning Disabilities Partnership](#) (HLDP).
- Young people with physical or sensory disabilities, autism or mental health will be assessed initially by staff in the Adult [First Response Service](#) who may make a referral to Adult Mental Health Services.

Responsibility for the transition process and outcome lies with:

- If there is a social care need - The Head of Integrated SEND and either the Head of Learning Disability Partnership or Head of Adult Social Care

- If there is a mental health need - Barnet and Enfield Mental Health Trust.
- If there is a complex health need - Haringey Clinical Commissioning Group

A Transition protocol for staff is available at Appendix A detailing this procedure and a Transition Timeline is at Appendix B.

Council staff will work with young people and their families to secure the best possible outcomes for the young person and avoid expensive temporary solutions.

If the young person has capacity, an assessment will only be done with their consent, unless the young person is experiencing or is at risk of abuse or neglect. Where a young person lacks capacity, the Council will carry out an assessment only if it is satisfied that the assessment is in their best interest. See information on Liberty Protection Safeguards.

If the young person is experiencing or is at risk of experiencing abuse or neglect, the Council will carry out the assessment even where the young person refuses or is unable to consent.

A young person or someone acting on their behalf has a right to request an assessment. The Council will consider these requests and whether the likely care and support need and significant benefit conditions apply. If so, the Council will carry out an assessment at an appropriate and agreed time. If the Council thinks these conditions are not met and refuses an assessment, it will provide a written response.

In all cases, the Council will provide information and advice on what can be done to prevent or delay the development of needs. This will include signposting to information and advice on www.haringey.gov.uk/asc or via www.haringey.gov.uk/haricare

6. Involvement in an assessment

Young people have a right to be more involved in decision making about their future from the age of 16. This is set out in the Mental Capacity Act which stated that people who lack capacity should be supported to make as many decisions for themselves as possible, and any decision taken on their behalf is in their best interest. Where a young person has difficulty being involved, a family member, friend, advocate or independent advocate appointed by the Council can support the young person to represent their interests.

7. Not eligible for adult services

Eligibility for adult services is determined by the Care Act 2014 criteria. If the current level of needs indicates that it is not likely that the young person will have needs for care and support then a referral to adult services will not be made by children's services.

In these circumstances young people will be given information and advice by their lead professional including the [Preparing for adulthood pathway guide](#)⁵ which is available in print and online at the Haringey [Local Offer](#) website. The young person should be signposted by their lead professional to prepare them for adult life to maximise independence through;

- Employment support services;
- training programmes such as Supported Internships;
- local work and health programmes led by partner organisations;
- community programmes to build and develop life skills leading to independence.

The lead professional may be different depending on the young person's needs, if a young person;

⁵ https://www.haringey.gov.uk/sites/haringeygovuk/files/preparing_for_adult_pathway_guide.pdf

- Has an allocated social worker or early help family support worker, this is their lead professional until they reach 18 years;
- is life limited or has highly complex medical needs, it is their school nurse, therapist, paediatrician or social worker;
- If the child has mental health needs the lead professional is the child and adolescent mental health practitioner until such time as a referral to adult mental health services is made;
- has an EHC plan and the above do not apply, it is their SEN officer;
- has none of the above and no EHC plan then it is their SEN co-ordinator at school or college.

8. Adult carers and young carers

The Council will assess the needs of an adult carer where there is a likely need for support after the young person turns 18 and it is of significant benefit to the carer. In addition, young carers may also be eligible for an adult assessment due to their caring responsibilities. The Council will consider the impact of the needs of the adult on the young carers' wellbeing, welfare, education and development. The person in a caring role may also make a self-referral to Adult social care services for an assessment.

The carers' assessment focusses on the same areas as the cared for person and ascertains whether the carer is willing and able to continue caring for the young person when they turn 18.

9. Refusal of an assessment

Young people have the right to refuse an assessment. The Council is unable to provide financial support without a valid assessment. The council's duty to assess remains even if the a young person refuses an assessment in the following circumstances, in line with [section 11 of the Care Act](#):

- Adult safeguarding concerns are suspected;
- where there are doubts over the young person's mental capacity to make such a decision;
- where the circumstances of the young person has changed.

10. After the assessment

After an assessment, has been completed, the Council will give an indication of which needs for care and support are likely to meet the Care Act eligibility criteria once the young person turns 18, so that the young person understands the care and support they are likely to receive and the differences in the way support is provided for adults and children.

Where needs are eligible the Council will work with the young person and their family to either forward the referral to mental health services or undertake the care planning process and give an indication of the likely personal budget that is available to support planning so that there is no gap in service provision.

Whether needs are eligible or not, the Council will give the young person or their carer information and advice about what can be done to meet or reduce the needs.

The young person's plan will be updated with key milestones in the transition which contribute to achieving their desired outcomes.

11. Continuity of care

Haringey Council will make every effort to ensure that the assessment and planning is carried out sufficiently early so that adult care and support is in place on the young person's 18th birthday if they are eligible for adult services. However, if adult care and support is not in place

on a young person's 18th birthday, and they or their carer have been receiving services under children's legislation, the Council will continue providing services until one of the following has occurred:

- The Council concludes that the young person does not have needs for adult care and support
- The Council concludes that the young person has needs for adult care and support and is going to meet some or all of them and has begun to do so
- The Council concludes that the young person has needs but is not going to meet them because they do not meet the eligibility criteria

This does not apply if the Council has offered to carry out an assessment and this offer has been refused. In this case funded services cannot be provided until an assessment has taken place.

12. After the young person turns 18

If there is an on-going safeguarding concern when a young person is 18 and is likely to have care and support needs as an adult, children's services will work with the adult safeguarding team to ensure responsibility for the work is transferred.

The move to adult social care services should happen by the age of 18. Young people may receive social care services such as direct payments from adult services after transition and the provider may be different as adult services has different providers and different charges.

13. Further or higher education

If a young person with care and support needs wishes to take part in further education or higher education to meet their identified outcomes, they will be supported by the college/ careers advisors to choose a suitable course. The Council will consider the young person's on-going eligible care and support needs through the assessment to ensure appropriate support is available from the day the young person or carer starts at their chosen place of learning. The SEND and Adults services will agree appropriate funding of a young person's care and support whilst in education at a Transition Panel. In accordance with the Council's charging policy, some elements of this may be chargeable to the family dependent on the circumstances. The support plan will be based on the amount of time at college.

Education up to the age of 25 will only be agreed by the Head of Integrated SEND if there is evidence that it will make a positive difference to the young person's outcomes.

14. Continuing Health Care (CHC)

Continuing Care for young people and Continuing Healthcare for Adults applies to young people with complex health problems, including life limiting conditions, where funding for care may be from health care services instead of social care services.

After a young person turns 17, The relevant Clinical Commissioning Group will undertake an assessment to determine eligibility for NHS funding so that care is in place before the age of 18 if eligible.

The young person's needs will be screened by the relevant children's therapy and nursing services involved with the young person.

15. Transition from Child and Adults Mental Health services (CAMHS) to Adult mental health services

CAMHS will work with SEND services to explore the most appropriate adult pathways for young people with an EHC plan. If a young person does not have an EHC plan CAMHS will work with Adult Mental Health Services to make a referral to ensure wellbeing for the young person.

16. Legal context

The Care Act 2014

The Care Act requires the Council to carry out an adult assessment of any young person, young carer, or young person's carer when there is significant benefit to the young person or carer in doing so and if they are likely to have needs for care and support when the young person/ young carer becomes 18. For carers this is about outcomes to ensure a life outside of caring.

Young people, their parents and carers have the right to request an assessment. If the Council decides not to comply with a request for an assessment, the Council must give the person who made the request, written reasons and information and advice about what can be done to prevent or delay the development of the young person's needs for care and support in the future.

No Recourse to Public Funds (NRPF)

If a person has no recourse to public funds they may still have access to social care support, which is not a public fund. The Care Act duties would apply, though there are some restrictions about meeting the needs of some people with NRPF, and additional assessments such as human rights assessments that may be undertaken when exclusions apply.

Ordinary resident

For Transition purposes, the Council can only meet the needs of an adult who is ordinarily resident in Haringey for settled purpose. If they are not settled but present assessed care and support needs after the age of 18, this is subject to a different test.

17. Enquiries

All initial enquiries should go through the allocated worker. If the case is waiting to be allocated, an email can be sent to the First Response Team Firstresponseteam@haringey.gov.uk who will respond during office hours.

18. Equalities and diversity

This Policy and its implementation is compliant with [Haringey Council's Equal Opportunities Policy 2008](#) and the [Equality Act 2010](#) and an Equality Impact Assessment has been carried out.

19. Review of policy

This Policy will be reviewed annually by the Head of Integrated Special Education Needs and Disabilities, Head of Haringey Learning Disabilities Partnership and Head of Adult Social Care.

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Definitions

Assessment: This refers to a needs assessment and can apply to a young carer's assessment, and a young person's carer's assessment. The term used for all three is an adult assessment, which may also be referred to as a transition assessment or Care Act assessment.

Carer: An adult carer of a young person preparing for adulthood, this is the equivalent to the term 'child's carer'.

Education Health and Care Plan (EHC): This replaces Statements of Special Educational Needs and Learning Difficulty Assessments (S139a) and local authorities are required to consider any new requests for an assessment of special educational needs and co-ordinate services around the young person under new legislation. EHC plans aim to put a child or young person aged between 0-25 and their parents at the centre of decision making.

Likely need: The duty to conduct an assessment applies when someone is likely to have needs for care and support (or support as a carer) under the Care Act when they or the person they care for Transition to the adult service.

NHS Continuing Healthcare (CHC): NHS continuing healthcare is the name given to a package of care that is arranged and funded solely by the NHS for individuals who are not in hospital and have been assessed as having a "primary health need". To be eligible for NHS continuing healthcare you must be over 18 and have substantial and ongoing care needs. You must have been assessed as having a "primary health need".

Outcome based planning: provides a way of helping a person plan all aspects of their life, ensuring that the individual remains central to the creation of any plan which will affect them.

Person Centred Planning: When professionals support a person to live independently, to express their views, and to make choices and decisions, with assistance as needed.

Strengths based approach to care: When the person requesting support and professional work together to determine an outcome that draws on the person's strengths and assets to enable them to be in charge of their own lives.

Significant benefit: An assessment must be conducted for all those who have likely needs (see above); the timing of this assessment will depend on when it is of significant benefit to the young person or carer. This will generally be at the point when their needs for care and support as an adult can be predicted reasonably confidently.

Transition: Moving on from being a child to becoming an adult and this includes the transfer from children's services to adult services where care and support may be through different health, therapy and adult teams.

Young Carer: A young carer under 18 themselves preparing for adulthood.

Young Person: Person under 18 with care and support needs who is approaching transition, rather than the legal term "child".