| 1  | Introduction                              | Page 2 |
| 2  | Fundamentals of Successful Transition     | Page 2 |
| 3  | Implications of the Care Act for Transition | Page 3 |
| 4  | When will Swindon Borough Council Carry Out an Assessment? | Page 4 |
| 5  | The Swindon Approach to Transition Assessment | Page 5 |
| 6  | Involvement in Assessment                | Page 7 |
| 7  | Who will be Offered an Assessment?       | Page 7 |
| 8  | Families and Carers’                     | Page 8 |
| 9  | Young Carers’                            | Page 8 |
| 10 | Refusal of Assessment                    | Page 8 |
| 11 | After the Assessment                     | Page 9 |
| 12 | Continuity of Care                       | Page 9 |
| 13 | After the Young Person Turns 18          | Page 9 |
| 14 | Further/Higher Education                 | Page 10|
| 15 | Continuing Health Care                   | Page 10|
1. Introduction

The Care Act 2014 sets out the legal framework for the transition of young people to adult care and support. This policy sets out Swindon Borough Council’s intentions. It is a combination of statutory requirements of the Care Act and local choices based around the needs of the service and responses to national consultation. The policy has been updated to reflect changing circumstances and business needs, and in particular the requirements of the Care Act 2014.

This updated policy comes into effect from 1st April 2015 and replaces all previous policies relating to adults. It complements reciprocal legislation and policies relating to children under the Children and Families Act 2014.

Recognising that inequality, disadvantage and discrimination exist in society, in redrafting this policy Swindon Borough Council accepts their responsibility to ensure that all vulnerable adults regardless of their ethnic origin, religion, language, age, sexuality, gender or disability have equal opportunity to access services and information and that the elements of this policy will be applied equitably.

The Care Act contains provisions to help preparation for adulthood for three particular groups of people – young people, young carers and young people’s carers. This policy focuses on young people. Details of policy relating to young carers and young people’s carers are given in Swindon Borough Council’s Carers’ Policy.

This policy should be used in conjunction with the Swindon Transitions Guidance and the mycaremysupport.co.uk website, which provides a wide range of information in relation to care and sources of support and advice.

Throughout the policy the term young person refers to a young person in their teenage years (under 18) preparing for adult life.

2. Fundamentals of Successful Transition

- The wellbeing of young people is at the heart of the transition process.

- Young people and their families are fully involved in the transition process. Their views are listened to and respected

- There is a co-ordinated person centred planning process focussed on building on the young person’s strengths, improving and supporting their independence, achieving their desired outcomes and providing them with normal life opportunities

- Transition planning starts early enough to ensure that there is sufficient time to ensure that there are no gaps in provision and that the care and support arranged is the best fit with the young person’s strengths, aspirations and needs.

- There is a co-ordinated multi-agency approach underpinned by robust protocols and systems and appropriate monitoring and review
3. Implications of the Care Act for Transition

The Care Act requires Local Authorities to carry out a transition 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.

Young people or their parents or carers have the right to request a transition assessment. If a Local Authority decides not to comply with a request for an assessment it 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.

A young person’s transition needs assessment must include an assessment of:

- The impact of the needs post 18 for care and support on wellbeing
- The outcomes the young person wishes to achieve
- Whether and to what extent the provision of care and support could contribute to the achievement of those outcomes

The assessment must:

- Involve the young person, the young person’s parents and any carer and any person the young person or parent or carer requests the Local Authority to involve
- Be carried out in a reasonable timescale
- Consider short term outcomes as well as medium and long term outcomes
- Support the young person and their family to plan for the future
- Build on existing arrangements
- Take place at the right time for the young person
- Happen early enough to allow for planning
- Consider whether and to what extent interventions other than care and support could contribute to the young person’s desired outcomes

When a child becomes 18, the LA must decide whether to treat the transition assessment as an adult assessment for care and support. If so, the assessment must comply with Care Act requirements, which apply to assessment of adults’ needs for care and support. Whether the transition assessment is used or a new assessment is carried out, there must be no gap in service and children’s services must continue until either adult services are in place or the assessment shows that there are no needs or that the needs are not eligible.
4. **When will Swindon Borough Council Carry Out an Assessment?**

Swindon Borough Council will carry out a transition assessment to establish a young person’s needs for adult social care and support if there is significant benefit to the young person in doing so, and if the young person is likely to have needs for care and support after turning 18, whether those needs are likely to be deemed eligible for adult social care support or not. This applies irrespective of whether or not the young person is receiving children’s services.

If the young person has capacity an assessment will only be done with their consent, unless the young person is experiencing or 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. For further information about capacity please refer to the Mental Capacity Act, 2005 guidance.

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

A young person or someone acting on their behalf has a right to request an assessment. Swindon Borough Council will consider these requests and whether the likely need and significant benefit conditions apply. If so, it will carry out an assessment. If the Council thinks these conditions are not met and refuses an assessment, it will provide reasons in writing in a timely manner.

Where the current level of needs indicate that it is likely that the young person will have needs for care and support, but it is not yet of significant benefit to carry out a transition assessment, the Council will include as part of its reasons for refusal an indication of when we believe the assessment will be of significant benefit. In these circumstances, the Council will contact the young person or their appointed representative to agree the timing.

In all cases, the Council will provide information and advice on what can be done to prevent or delay the development of needs for support and support in the future. This will include signposting to the information and advice on [www.mycaremysupport.co.uk](http://www.mycaremysupport.co.uk) or via the Swindon Advice and Support Centre.

When considering whether the criteria of significant benefit apply, the Council will consider whether the timing of the assessment is appropriate.

The Council will ensure that the assessment will take place at the right time for the young person and at a point when we can be reasonably confident about what the young person’s needs for care and support, will be after the young person in question turns 18. We will endeavour to minimise disruption for the young person and their family, whilst ensuring that transition assessments are carried out early enough to leave time for both carrying out the assessment and for planning the care and support needed. Through ensuring that there is time for considered decision making and planning, the Council will work with young people and their families to secure the best possible outcomes for the young person and avoid expensive temporary solutions.

There is no set age for transition assessment. The Council will make its decision about the timing of the transition assessment on a case-by-case basis. However, in most cases it is unlikely that a transition
assessment will take place before a young person is 14. We would endeavour to complete all assessments of young people who are known to the Council around the age of 16 and certainly before the young person is 17 ½. The Council will consider the following factors when agreeing the time for the transition assessment:

a. The stage reached at school and any upcoming exams

b. Whether the young person wishes to carry on with education or training or get a job at 18 or after further/ higher education

c. Whether the young person is planning to move out or the parental home into their own accommodation

d. Whether the young person will have care leaver status when they become 18

e. The time it may take to carry out an assessment

f. The time it may take to plan and put in place the adult care and support

g. Any relevant family circumstances

h. Any planned medical treatment

For young people with Special Educational Needs who have an Education, Health and Care (EHC) plan, preparation for adulthood will begin from Year 9. From this point onwards, discussion and action planning for adult life will from part of the statutory EHC Plan review process. Transition assessments will be undertaken as part of this process, building on the information contained in the EHC Plan. The actions required for transition from children’s to adult care and support will be incorporated into this plan.

For care leavers the Council will use the statutory Pathway Planning process as the opportunity to carry out a transition assessment. This can be carried out by the Route 16+ team, consulting with adult social care where required.

For young people who do not have a statutory EHC Plan but who require additional support to prepare for adulthood, the Early Help Record & Plan can be used to discuss and record outcomes and actions.

5. The Swindon Approach to Transition Assessment

Effective person centred planning is essential to help young people and their families prepare for adulthood. Transition to adult care and support comes at a time when a lot of change can take place in a young person’s life. It can also mean changes to the care and support they receive from education and health services or involvement with new agencies including those who provide support for housing, employment, further education and training. Giving clear information and advice to support informed decision-making is central to Swindon’s approach to transition assessment.
The wellbeing of each young person is at the centre of Swindon Borough Council’s transition process. Professionals from different agencies will work together with young people and their families in a co-ordinated manner. Their focus will be to support the young person to raise their aspirations and achieve the outcomes that matter to them.

Through planning for transition effectively and having early conversations, Swindon Borough Council will ensure that the transition assessment provides an opportunity for young people and their families to reflect on their strengths, needs and desired outcomes and to plan ahead for how they will achieve their goals. This will include planning to prevent, reduce or delay the development of needs for care and support and will not necessarily involve the provision of paid services.

Transition assessments will include an assessment of:

- The impact of the needs for care and support post 18 on wellbeing
- The outcomes the child wishes to achieve in the short term in addition to and medium and longer term aspirations.
- Whether and to what extent the provision of care and support could contribute to the achievement of the outcomes

Transition assessment will not be a one – off event but instead will be the culmination of a series of conversations to gather a picture of the young person’s current situation and future aspirations. It will involve the young person, their family, support staff and other professionals who have been involved with the young person. An essential feature of the Swindon approach is that children and adult services both within and outside the Council will work closely together for the purpose of transition to adult care and support.

Transition assessments will build on any existing assessments and plans in place for the young person e.g. EHC Plan, Child in Need, Looked After Child Pathway Plan. If it is appropriate the assessment and subsequent review processes will be combined.

The transition assessment will be an assessment under the Care Act 2014 and will use the same on-line strengths based tool, which is used to gather information for the assessment of adults needs for care and support. This tool has been developed to be user friendly and help individuals to identify the outcomes, which matter to them and how this affects their wellbeing. The entry point to the tool will be through the mycaremysupport website www.mycaremysupport.co.uk which means that young people, their families and carers will have access to a comprehensive source of information and advice to help them to identify sources of support to meet their care needs alongside or as part of the assessment process.

Swindon Borough Council is committed to a person- centred approach. We are committed to offering the opportunity for young people to lead and own their own assessment, whilst recognising that assessment is a collaborative process and that some young people and their families will need support to be as involved as they wish to be.
For this reason, the model the Council will adopt is one of supported self-assessment, with the level of support tailored to the needs of the young person and their family. If the young person and their family feel confident to complete the Supported Self-Assessment Questionnaire themselves then they will be able to so, accessing support from their existing support networks. If they feel that they need additional support then this will be provided by an appropriate professional. (For further details of the self-assessment tool, see Swindon Borough Council’s Assessment and Eligibility Policy).

The process will also include a determination of where the young person is ordinarily resident. (For further details, see the Ordinary Residence Policy)

6. Involvement in Assessment

As a young person matures and approaches adulthood, they will become more involved in decision making about their future. In particular when the young person reaches 16, there will be a shift in the balance between the voice of the parent/carer in decision making and the voice of the young person. The right of young people to make decisions is as set out in the Mental Capacity Act, which is based on the principle that those 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. For young people below 16 the Council will establish a young person’s competence using the test of Gillick competence.

If the young person is not competent, or has substantial difficulty being involved, a person with parental responsibility will need to be involved or if there is no one appropriate to act on their behalf, the Council will find someone appropriate and independent of the Council to support the young person. This support will include helping the young person to understand the information and express their needs and wishes, securing their rights, representing their interests and ensuring that they obtain the care and support they need. This person could be a family member or friend who is willing and able to provide such advocacy and is acceptable to the young person who is being assessed. Where there is no one who is appropriate, the Council will appoint an independent advocate.

7. Who will be Offered an Assessment?

Many young people who receive transition assessments will be children in need under the Children Act 1989 or children with an Education and Healthcare (EHC) plan and thus already known to the Council, however, the Council recognises that there will be other young people who are likely to have care and support needs as an adult. These include:

a. Young people with degenerative conditions

b. Young people e.g. with autism, whose needs have been met by their place of education.

c. Young carers whose parents do not have eligible needs

d. Young people receiving Child and Adolescent Mental Health Services
The Council will make every effort to ensure that all young people who are likely to have needs for care and support as an adult are offered an assessment irrespective of whether those needs are likely to be eligible for funding. This offer will be made sufficiently early to allow time for planning. To achieve this we will ensure that we work closely with schools, so that they refer young people early and will carry out a cross matching exercise with the database to ensure that no young person is missed.

8. Families and Carers’

Swindon Borough Council recognises that caring for a family member has an impact on the whole family. A young person’s transition into adulthood may impact on the needs of family members and carers – eg the impact on care needs of leaving educational provision. The transition assessment will consider how the young person’s needs for care and support affect family members or others in their support network.

If it appears that information and advice relating to care and support or support for carers would be beneficial to relatives or others the Council will advise them how to obtain such information or advice, including directing to the mycaremysupport website and sources of community support. (See the Information and Advice Policy for more details). In addition if the young person being assessed has a carer, (who may or may not be a relative), as part of any assessment, the Council will consider whether a separate carers’ assessment is needed. The person in a caring role may also request an assessment in their own right.

The carers’ assessment focusses on the same areas as for carers of adults with the additional assessment of whether the carer if willing and able to continue caring for the child when the child turns 18.

Further details are available in the Carers’ Policy

9. Young Carers’

Swindon Borough Council will also assess the needs of young carers as they approach adulthood. A consideration will be that many young carers feel that they cannot continue with their education or enter into employment because of their caring responsibilities. The Council will consider the impact of the needs of the adult on the young carers’ wellbeing, welfare, education and development.

Further details are available in the Carers’ Policy

10. Refusal of Assessment

Young people have the right to refuse assessment. If an assessment is refused or a request is refused and later another request is made, then the Council will consider this request. The Council is unable to provide financial assistance without a valid assessment.
11. After the Assessment

On completion of an assessment, Swindon Borough Council will give an indication of which needs for care and support are likely to meet the 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 systems of support for adults and children.

Where needs are eligible the Council will work with the young person and their family to undertake the care planning process and give an indication of the likely personal budget that is available to support planning. There will be no gap in service provision.

Whether needs are eligible or not, the Council will give the young person (or the young person’s parents if the child lacks capacity) information and advice about what can be done to meet or reduce the needs and what can be done to prevent or delay the development of further needs.

The Council will ensure that the relevant elements of the transition assessment are incorporated into the young person’s EHC plan and / or Pathway plan (or an Early Help plan if the young person does not have either of these plans). This will include planning for transition to adult care and support and the key milestones in the transition which contribute to achieving the young person’s desired outcomes.

12. Continuity of Care

Swindon Borough Council will make every effort to ensure that the transition assessment and planning is carried out sufficiently early so that adult care and support is in place on the young person’s 18th birthday. 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 a transition assessment and this offer has been refused. In this case funded services cannot be provided until an assessment has taken place.

13. After the Young Person Turns 18

Where an individual who is 18 years or over is still supported by children’s services, arrangements under adult safeguarding procedures will be applied.

If there is an on-going safeguarding concern, when a young person who is likely to have care and support needs as an adult, reaches 18 children’s services will work with the adult safeguarding team up
to the point the young person reaches 18, at which point the adult safeguarding team will take over responsibility for the work.

In the case of care leavers, in accordance with the Staying Put Policy, Swindon Borough Council may extend foster placements beyond 18 to ensure transition from care to independence. This policy aims to consolidate all arrangements for young people to remain with their former foster carers for up to three years from age 18 to 21, or if they are being helped with education or training to the end of the agreed programme. In some instances this can take young people up to their 25th birthday.

For some young people over 18 with complex Special Educational and care needs, Swindon Borough Council, working with our partners, may decide that children’s services are the best way to meet a person’s needs. In accordance with legislation, young people with an EHC plan may receive children’s services up to age 25 in order to complete or consolidate their education or to achieve the outcomes of their plan. The care and support aspects of the EHC plan will be provided under the Care Act and will be co-ordinated with the rest of the plan.

The move to adult services can happen at any point between a young person being 18 and 25.

14. Further/Higher Education

If a young person with needs for care and support post 18 wishes to take part in higher or further education in order to meet their identified outcomes, they will be supported to choose a suitable course as part of the education input to the transition planning. In parallel with this, the Council will consider the young person’s on-going eligible care and support needs through the transition assessment the objective will be to ensure that there will be an appropriate package of care and support from the day the young person or carer starts at their chosen place of learning. In accordance with the Council’s Fairer Charging Policy elements of this package may attract a charge.

15. Continuing Health Care

Swindon Borough Council and the CCG will ensure that appropriate referrals are made whenever either organisation is supporting a young person who on reaching adulthood may have a need for services from the other agency. The CCG’s will ensure that adult NHS continuing healthcare is represented at all transition planning meetings where a young person has identified needs that may be eligible under the National Continuing Healthcare Guidance. The steps in the transition programme will be:

a. Children’s services will identify young people with likely needs for NHS CHC and notify the relevant CCG when such a young person turns 14

b. There will be a formal referral for adult NHS CHC screening at 16. This will normally be made by Children’s Services

c. A CHC Checklist will be completed with the young person and/or their representative to determine whether a full Decision Support Tool (DST) is required
d. Where a Checklist identifies the requirement for a full DST this will be completed as part of the MDT

e. There will be a decision in principle at 17 so that a package of care can be in place once the person turns 18