
Report to: Housing, Health and Care Committee

Date of Meeting: 30 October 2014

Subject: Age Long Disability Pathway

Report by: Head of Social Services

1.0 Purpose

- 1.1. The point at which a child with disabilities makes the transition into adult services presents a challenge to Local Authorities across Scotland. The need to review practice locally has also been noted in the recent multiagency inspection for children's services.
- 1.2. The complexity lies in the child and adult care processes being managed separately, working to separate policies and resource differences.
- 1.3. Various models are employed nationally but evidence of best practice is most meaningfully informed by client outcomes and experience and a process that followings the changing needs of the child.
- 1.4. This paper considers the Councils legal requirements, the views of staff, partners and families and proposes the creation of an Age Long Disability pathway, offering a seamless journey as a child moves into adulthood.

2.0 Recommendations

The Housing Health and Care Committee:

- a) Agrees to the establishment of an Age Long Disability Pathway and Service and
- b) Notes that a future report will be presented by Officers outlining:
 - How legal duties will be safeguarded and discharged
 - Financial modelling and cost implications of the proposal
 - Service Delivery arrangements

3.0 Considerations

- 3.1. The Disability Discrimination Act states "a person has a disability for the purposes for the Act if he has a physical or mental impairment which has a substantial and long term adverse effect on his ability to carry out normal day to day activities"

- 3.2. A Learning Disability is a significant lifelong condition which has three facets:
- Reduced ability to understand new or complex information or use skills
 - Reduced ability to cope independently
 - A condition which has started before adulthood (18 years), with a lasting effect on an individuals development
- 3.3. Under the Education (Adult Support and Learning) Act 2009 the Local Authority has a duty to identify and refer a young person with a disability to social services for assessment. If a young person is looked after and accommodated either for the purposes of respite, residential school or in a full time care of the Authority, discussion about a referral to adult services should take place within the Looked After Children care review when a person reaches the age of 14.
- 3.4. If a young person is leaving school at 16 they should be referred to adult services at 15 or as soon as the decision to leave school has been made. If a young person is staying on at school beyond 16 a referral should be made to adult services after their 16th birthday. The principle is that adult services should be alerted in good time to ensure that services are planned in order to meet upcoming demand.
- 3.5. A joint assessment of need is usually carried out to establish a future plan and a multiagency transitions planning group will oversee the process.
- 3.6. Despite this practice and best efforts, the management of transition presents a challenge across all local authorities for the following reasons:
- The application of "age dictation" practice, when the development age and requirements of individual children can be different
 - Resource Inequalities between children's and adults services, mainly due to the Education Service's contribution
 - The differing cultures and policies within children's and adults services
 - The complexity of the involvement of a wide range of agencies
- 3.7. Social Services has made the decision to review the current approach based on local experience and best practice across Scotland. The arrival of Self Directed Support and Health and Social Integration offer both opportunity but also the need to agree a way forward sooner rather than later.

Families outlined the following considerations:

Consultation

- 3.8. A Steering Group has been established to coordinate a programme of consultation with young people and their families who have experience of transition. This includes staff from Health, Education and Children and Adult Social Care Services.

3.9. A high level of common themes emerging from the consultation sessions offering transparency and consistency regarding the principles for a new model.

- The child should have the same choices as others and not be restricted by their disability.
- The current system is not person centred.
- The support should be offered consistently by someone who sees and gets to know the whole family.
- This is a natural maturation that requires to be supported with understanding and a clear assessment of need.
- A smooth and consistent transition is required, placing a child's needs at the forefront and removing the perceived clumsiness as a child moves into Adult Care Services.
- The differences between children's and adults services in relation to resources, respite placement and charging policies were hard to understand and should be addressed.
- The management of transition should be based on individual need, accepting the fact that children operate at different developmental levels. Age is not always an indicator of need.

Staff and Partner Considerations:

3.10.

- The current process is not working despite best efforts.
- A greater range of structured activities are required to meet the child's needs.
- The current move into adult services can mean the loss of peer groups which can be perceived as a real loss for the child.
- A clear and consistent approach for the child and family is desirable.
- Positive relations with the family are key to a successful transition.
- The process for transition should be age appropriate.
- A single budget should support the process to avoid inequities.
- The service needs to keep the child at the centre and be flexible enough to address individual needs.
- A new model should be in place before Health and Social Care Integration is fully implemented and offer clarity about how the authority will retain its legal obligations towards children.

3.11. In light of the consultation feedback, reviewing the practice of other authorities and scrutinising practice issues, the following proposal is offered:

An Age Long Disability Pathway

3.12. In April 2014 the Self Directed Support Act came into force, designed to offer greater flexibility choice and control of social care funding to an individual. The options include direct payments, personal budgets. Most people currently in receipt of social care services have received services as the result of a care plan outlining the services they need, following and assessment. Most people are not aware of how much their care package costs.

- 3.13.1 Self-directed support gives an allocation of money to spend on an individual's care each year, this allows individuals to design their own care plan based on the amount of money allocated to them. Alternatively if this flexibility is not required or desired, an individual does not have to change their relationship with the service.
- 3.13.2. This Self Directed Support approach offers the opportunity for a personalised care package to be wrapped around the child, supporting them in the manner they need, in full consultation with the family and to suit their stage of development. This will offer maximum choice for the child and family and tailor support to meet the specific outcomes that they wish to achieve.
- 3.14. It is suggested that this process is underpinned by a single, consistent approach to care, focussing on the child's needs and not restricted by service boundaries. A single team comprising qualified children's and adults staff will be created. The aim will be for this to offer a single point of contact, support for the family throughout the process, prevent any disruption as the child matures and oversee legal responsibilities. It is proposed that this team will sit within adult services as it reflects the majority of the life journey.
- 3.15. A review of the financial model will be required to address the resource differences between children's and adults services, chiefly due to the loss of Education Service funds when a child completes transition. It is suggested that the Childcare social funds transfer over to Adult provision from the age of 12.
- 3.16 It is proposed to Committee that an Age Long Disability Pathway is developed. This update paper will outline finance, governance, resource and implications for families. It is expected that this approach will offer improved outcomes for the children and young people of Clackmannanshire.

4.0 Sustainability Implications

- 4.1. It is anticipated that the model will ensure investment is based on evidenced need.

5.0 Resource Implications

- 5.1. Resource implications to be determined. Further detail will be presented in a further Committee Report.

5.2. Financial Details

- 5.3. Financial implications will be outlined in the proposed update paper

No

- 5.4. Finance have been consulted and have agreed the financial implications as set out in the report.

Yes ☒

5.5. Staffing

5.6. Unknown at this time

6.0 Exempt Reports

6.1. Is this report exempt? Yes ☐ (please detail the reasons for exemption below) No ☒

7.0 Declarations

The recommendations contained within this report support or implement our Corporate Priorities and Council Policies.

(1) **Our Priorities** (Please double click on the check box ☒)

The area has a positive image and attracts people and businesses	<input type="checkbox"/>
Our communities are more cohesive and inclusive	<input checked="" type="checkbox"/>
People are better skilled, trained and ready for learning and employment	<input type="checkbox"/>
Our communities are safer	<input type="checkbox"/>
Vulnerable people and families are supported	<input checked="" type="checkbox"/>
Substance misuse and its effects are reduced	<input type="checkbox"/>
Health is improving and health inequalities are reducing	<input type="checkbox"/>
The environment is protected and enhanced for all	<input type="checkbox"/>
The Council is effective, efficient and recognised for excellence	<input checked="" type="checkbox"/>

(2) **Council Policies** (Please detail)

No impact at this time

8.0 Equalities Impact

8.1 Have you undertaken the required equalities impact assessment to ensure that no groups are adversely affected by the recommendations?
Yes ☐ No ☒

9.0 Legality

9.1 It has been confirmed that in adopting the recommendations contained in this report, the Council is acting within its legal powers. Yes ☒

10.0 Appendices

10.1 Please list any appendices attached to this report. If there are no appendices, please state "none".

None


11.0 Background Papers

11.1 Have you used other documents to compile your report? (All documents must be kept available by the author for public inspection for four years from the date of meeting at which the report is considered)
Yes ☐ (please list the documents below) No ☒

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Approved by

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