

NORTH YORKSHIRE COUNTY COUNCIL

YOUNG PEOPLE OVERVIEW AND SCRUTINY COMMITTEE

16 MARCH 2012

POST 16 TRANSITIONS FOR YOUNG PEOPLE AGED 16-25 WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

1.0 PURPOSE OF REPORT

1.1 The purpose of this report is to:

- a) provide an update for the Committee on progress in relation to work around 'transitions' for young people with Special Educational Needs and Disabilities (SEND);and
- b) highlights some of the key issues and challenges in this area for discussion with members

2.0 BACKGROUND

2.1 Young person's perspective

Making the transition from childhood, through adolescence and into adulthood is challenging for any young person. Young people with SEND can face significant additional barriers, including a lack of local post 16 or post 19 learning opportunities, limited access to paid work and changes to health and care provision, which means the 'transition' can be both daunting and frustrating for young people and their parents and carers.

It is important that we are aware of the challenges that young people face as they make this transition, and that we have good mechanisms in place to involve young people in developing our approaches to addressing needs. The Flying High group, a group of young adults who are currently making their way or who have recently been through the transition process, provide a vital sounding board for the Local Authority's (LA) work in this area. One of the members of the group recently produced a helpful paper (attached at Annex One) which sets out some of the challenges facing disabled young people though the transition period.

2.2 The changing cohort – children with complex needs

Although the absolute number of children with a statement has been reducing over the last 4 years the proportion of children with statements of complex needs has been increasing. Severe Learning Disabilities (SLD), (Profound and Multiple Learning Disabilities (PMLD) and Autism Spectrum Disorder (ASD) now account for 39% of children with a statement compared to 29% in Jan 2009.

Mirroring national trends the number of SEN pupils with a primary need of ASD in North Yorkshire is rising. ASD is now the most common primary need among pupils with a statement in North Yorkshire and trends indicate it will continue to rise.

Increases in children with statements for complex needs places greater demands on the services and resources available through the Children and Young People's Service (CYPS) and also, as young people approach transition and adulthood, on the services and resources of Health and Adult Social Services (HAS).

2.3 North Yorkshire response and priorities

The Local Authority has a duty to secure suitable education and training for all 16-19 year olds as well as those aged 19-25 who are subject to a S139A Learning Difficulty Assessment. The Local Authority also has duties to encourage, enable and assist participation of all young people with learning difficulties and/or disabilities up to 25 years.

The CYPS 'North Yorkshire Special Educational Needs and Disability Strategy 2011-14' (Focus Area 4: Preparing for Adulthood) makes a commitment to:

- Improving local provision and post 16 learning opportunities – including the development of flexible and personalised packages of support so young people can continue in education or training
- Integrated and person-centred assessment approaches through the transition period – using the Learning for Living and Work Assessment Framework (LflW), which incorporates an holistic review of the young person's education, health and social care needs in their transition from school
- Close working with colleagues in HAS and with NHS health providers to improve the pathways from children's services to adult services
- Improving information, advice and support to families

The Strategy takes account of and responds to the Government's 2011 Green Paper '*Support and Aspiration a New Approach to Special Educational Needs and Disability*' which sets out a range of proposals to reform the system of support for young people with SEND and their families.

2.4 SEND Pathfinder

North Yorkshire is one of 20 Pathfinders funded by the DfE to trial elements of the 2011 Green Paper on SEND, prior to amending the legislation on assessment and provision for this group of children and young people. The Green Paper largely reflected themes that were already planned within the CYPS Strategy and the Pathfinder status brings a modest amount of development funding until 2013, access to a national support network and a clearer focus to some aspects of our work.

There are several elements to the Pathfinder but the core of it is to develop a process to generate a single education, health and care plan which co-ordinates assessment, planning and provision for those with SEND from birth to 25 years; this will replace the current statutory assessment and Statement of SEN in due course. We have chosen to work with two age groups: disabled under 5s in Hambleton/Richmondshire and disabled school leavers in Scarborough.

We will use the LfLW Framework to plan a personalised pathway and consider how to develop a resource allocation system that would generate a personal budget for those school leavers in Scarborough who plan to stay in the area for further education, training or supported employment. We are working closely with Springhead School, the SEND Hub in Yorkshire Coast College, colleagues in HAS and the PCT, the Flying High Group of disabled young adults and with the support of Preparing for Adulthood, a national third sector organisation, to plan this.

3.0 KEY ISSUES AND CHALLENGES

3.1 Demands on budgets and resources

As indicated above, the transitions agenda has significant implications on the resources of the LA, both from a CYPS and HAS perspective. The arrangements for post 16 funding for young people with SEND are complex, but the key issues can be summarised as follows:

- Some of the existing accountability arrangements limit the direct influence the LA, as a commissioner, can exercise over the costs associated with post 16 educational provision. This is particularly relevant in the case of post 16 Independent Specialist Providers (ISPs). ISPs are independent residential colleges which currently provide for significant numbers of North Yorkshire young people with SEND. The Young People's Learning Agency (YPLA) currently manage and administer the post 16 specialist funding on behalf of LAs and costs are constrained by the YPLA national funding formula which has high unit costs over which the LA has no direct control.
- As part of the ongoing reform in relation to the provision offered to young people with SEND, the expectation is that the funding for post 16 specialist provision will transfer to the LA in 2013/14. Although the specific detail in relation to the funding transfer has, as yet, to be formally confirmed by the Department for Education we do have concerns about how budgets will be determined and whether resources made available will be sufficient to meet needs in North Yorkshire (particularly given the historically high pattern of spend in this area). Equally, it is expected that moving forward the transfer will provide the LA with an opportunity to more effectively control and manage spending in relation to post 16 specialist placements.
- The LA inherited a legacy of high numbers of young people going out of County to high cost ISP provision. The table at Annex Two shows that the costs associated with placing new learners at ISP provision in 2011/12 were significantly lower than the costs attached to funding continuing learners – the vast majority of whom were placed by the previous funding body – the Learning and Skills Council. We estimate that the costs associated with placing new learners at ISP provision in September 2012 will diminish further as more young people are placed on Personalised Learning Pathways at a local level (see below). Personalised pathways are significantly more cost effective when compared against the high unit costs currently attached to Independent Specialist Provision (see Annex Two).

- HAS, in common with most other authorities, has historically contributed to some of the social care costs in ISPs. This was reviewed last year with the overall contribution capped to £320k and only available where young people required exceptional funding. In North Yorkshire ISPs have previously been seen as the only pathway once young people reached 19. With the development of local Personalised Learning Pathways HAS made appropriate contributions from young people's personal budgets to these local pathways within the overall £320k budget allocation. HAS have also committed up to a maximum contribution of £320,000 towards the costs of ISP and Personalised Pathways in 2012/13 which is in line with the contributions received in 2011/12. The reduction of numbers attending ISPs and increase in young people accessing local provision has the potential to increase costs to HAS – both services are alert to this issue and we will need to monitor and evaluate the impact carefully
- There are significant costs attached to meeting the needs of young people who will return to North Yorkshire from ISPs. In July 2012, there are 40 young people who will transition back into the County. Formal assessments by HAS indicate this will be at the cost of an average Annual Personal Budget of £18,428. Using this amount HAS have estimated that the total package cost for the people returning from ISP will be approximately £737,000 per annum (this may potentially reduce to circa £560,000 per annum reflecting the contribution they already receive). It is clear that the Annual Budget the young people will receive from HAS on their return from ISP will be significantly less than the costs that have been attached to their ISP placement. It will be important that collectively we continue to manage parental expectations in terms of the perceived budget many parents and carers believe young people should receive on their return from ISP.

3.2 Issues and Challenges – Health and Adult Services

Funding for young people and adults who come through transition is one of the key financial challenges for HAS, reflecting an unavoidable increase in demand, combined within an increasingly challenging financial climate. The key issues include:

- An analysis of trends in respect of the number of young people transferring to adult services, including the number of young people with statements, shows there is strong evidence of a gradual increase in overall numbers up to 2015/16, in particular of the more complex cases and also an increase of young people diagnosed with autism.
- Whilst there is a reduction in the numbers of those young people attending ISPs and an increase in those accessing local provision (which is, as indicated, more cost effective), this does have the potential to increase the costs on HAS
- There is a peak in numbers of those young people who will return from ISPs in 2012/13 adding financial pressures on the service, which added to the above is estimated to be in the region of 800K.

There has been significant work and progress between CYPS and HAS on joint planning (ensuring a holistic view is taken of the educational and social

care needs of young people with more severe and complex needs in transition), ensuring better prediction of future costs to the LA, and managing expectations of young people and families of the support they can expect.

3.3 Developing local provision

A key priority for the LA is to improve local provision and learning opportunities for young people with SEND 16-25. Personalised Learning Pathways are a key strand of this strategy.

The purpose of a Personalised Learning Pathway is to enable young people to progress to learning that will lead to independent living and or employment wherever possible by identifying the learner's needs, the right support and appropriate provision. These packages are learner-centred and delivered in partnership by a range of providers in order to ensure that the individual needs of young people are met within the local community.

For the 2011/12 academic year the YPLA introduced increased flexibility in the use of the post 16 Specialist Placement budget which resulted in the LA being able to pilot a small number of localised Personalised Learning Pathways for young people with SEND post 19. Additional CYPS resources were used to support set up and infrastructure costs.

Pathways have been offered to young people with SEND in two areas of the County (Harrogate and Scarborough) with the intention being to build on the pilot over the course of the next academic year. This will include a staged expansion of learner numbers in Harrogate and Scarborough in 2012/13 and the introduction of Personalised Learning Pathways in the Central Vale. Local hubs have been established in Harrogate and Scarborough; (one community based (Harrogate) and one College based (Scarborough)). These will be reviewed through the year in order to test the models. Colleges involved in the pilot have been fully committed in developing Personalised Learning Pathways in each of the local areas.

It is important that the LA now builds on these achievements in order to secure the continued expansion of the Personalised Learning offer in 2012/13. Key issues are:

- The need for a clear support structure to be in place to ensure Personalised learning is fully embedded across the County. This will include:
 - Financial resources
 - Appropriate staffing levels with relevant skills and knowledge to ensure Personalised Learning is developed, offered and valued within local areas across the County
 - Ensure Hubs are located in the most appropriate setting within each area of the County.
- Transport costs remain a potential barrier for young people accessing local provision, particularly those with more complex learning difficulties. Further work needs to be explored to support learners to access programmes within their local community.
- Local residential provision has been highlighted as a potential area of need for young people accessing Personalised Learning Pathways. This will be explored further to look at possible models of delivery, in partnership with HAS.

3.4 Integrated assessment and planning

The work around the Pathfinder described above is central to more integrated processes between the various agencies for assessment and planning for those young people with SEND.

Local Integrated Transition, Planning and Review Groups (made up of senior practitioners from within the PCT, HAS, CYPS, Special Schools and IGEN Specialist SEN advisers) have been established in 2011 as a key local mechanism for looking at the needs of young people with SEND for whom mainstream provision may not meet need. The groups have contributed significantly to an open and honest dialogue and a sharing of information between education, health and social care professionals, including a shared understanding of the costs attached to young people with more severe and complex needs, and they have provided a platform from which meaningful dialogue can take place as to how individual young people can be more effectively supported in terms of their transition. The work of the groups is currently being evaluated to further develop their role into the next academic year.

4.0 RECOMMENDATIONS

The Committee is invited to note the progress which has been made to support the needs of those young people with SEND in transition; and to comment on the issues raised.

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Background papers None

Issues facing disabled young people around transition period

Social Services:

Between the ages of 16 and 21, young people who have extra support needs and disabilities are transferred between the Children's services to Adult Social Services. This can be a difficult time for young people and their families as you are 'passed on' to a completely different team of social workers and support staff and you, more than likely, have to explain your whole situation again to many different people.

In addition to this, there are many new areas young people would be introduced to through social services that they may not have experienced before:

- Direct Payments – This is money given to disabled people by social services on an individual basis so that they can pay for their own care – i.e. support workers and specialist equipment.
- Agency Care/Employing own support workers – to help people with disabilities to live independently, support workers can be employed. They can either be employed through a support agency or the role can be advertised for with the help of Direct Payments Support Service.
- Benefits – As children, many disabled young people would have probably claimed Disability Living Allowance (DLA) which consists of a care component (which is used to contribute to support) and a mobility component (which if higher rate can be used towards a motability car). This would have been organised by their parents. As an adult, the benefit would go directly to your account and you would be responsible. There are also other disability benefits that can be discussed and claimed.
- Housing – Social services do often encourage disabled young people to put themselves on the local housing list if they are unable to buy or rent a house of their own or would like supported/adapted living. It can take years to find a house/flat on the housing list and if you wanted to buy/rent a house and you needed adaptations due to a physical disability, this can also take time.

How can these issues be addressed?

- **More information!** Most information that is published for adult services is either aimed at elderly people (who are a big group of people who receive social care) or professionals (e.g. social workers & support agency managers). There is hardly any information published for disabled young people in this transition period. This information could include:
 - **Direct Payments** – What they are, how they are used, how to organise/use them, who can support you
 - **Agency Care** – How to choose agency care, what questions to ask when choosing agency care, what to expect from support workers/agency care (e.g. employer/employee relationship), issues of privacy/confidentiality, risk

assessments/basic health and safety guidelines they have to follow, how to make a complaint, who can support you if you have any issues with agency care.

- **Employing Support Workers** – Reasons for employing own carers, advertising for carers, interview process, who can support you with employing carers, payment, what to expect from support workers, complaints procedures.
 - **Benefits** – Why can you receive benefits, what benefits you can receive, how to apply for benefits (including advice on form filling), what can/can't you use benefits for, things you can receive through benefits (e.g. blue badge, medical exemption certificate), who to contact for help and information.
 - **Housing** – What type of housing is available, how to apply for housing, how to get help with support/adaptations, who can help you with housing.
 - **Health issues** – how to get physiotherapy, occupational therapy and other medical help if you stopped receiving it after leaving Children's services.
- **Discussion forums** – Where users of care agencies/direct payments can come together and meet with professionals to discuss any issues they have.
 - **Get professionals to work together!** There are so many different professionals people involved in working with disabled people and they do not often get together to discuss all the issues affecting each person, and so as a disabled person you often have to repeat the basic information about yourself.

Possible places we can get information from:

- Social workers and other professionals involved in social services around the county.
- Care agencies from across the county.
- Care Quality Commission - <http://www.cqc.org.uk/>
- North Yorkshire County Council Housing - <http://www.northyorks.gov.uk/index.aspx?articleid=3113>
- Direct.gov on benefits - <http://www.direct.gov.uk/en/MoneyTaxAndBenefits/BenefitsTaxCreditsAndOtherSupport/Disabledpeople/index.htm>

Education and Employment:

When young people leave school at 16 or 18 to go to college or university or to go into full time employment, there is often a lot more for young people who have extra support needs to think about such as support and funding to go to university or college and access to work.

How can these issues be addressed?

- **More information!** There is help out there, but it would be useful to get it to the young people. Information such as:
 - **Going to college/university** – how to get funding (e.g. EMA and DSA) for learning facilitators/equipment to help you study, getting adapted university accommodation and independent living support, what to do if you have any issues/complaints. Funding issues for specialist colleges, how to appeal, who can support you to appeal, how to get assistance with back up plans if you cannot get into college. Planning for living independently in the community after college.
 - **Access to work** – whether or not to mention your disability on job applications and if so how, your rights as a disabled person in the workplace and how to complain if you are treated unfairly (disability discrimination act), benefits you can receive if you are unable to work or need support in work (e.g. ESA, Access to Work).
 - **Independent Living** – learning to drive with a disability, basic living skills (e.g. cooking and money skills), issues with public transport.
- **Work with schools/colleges** – work with teachers/SENCO to get the right information to young people with extra support needs. Maybe have lessons/meetings with involvement of Flying High group to discuss these issues.
- **Courses for independent living** – teach young people living skills so they are able to live independently in the community. E.g. cooking skills, money skills, how to use transport, rights as a disabled person, how to complain if you have issues, how to be an employer (for employing support workers), learn about benefits, direct payments etc...

Possible places we can get information from:

- SENCOs/teachers at schools and colleges
- Connexions <http://www.getconnectednow.co.uk/>
- Direct.gov (Employment and disabled people) <http://www.direct.gov.uk/en/DisabledPeople/Employmentsupport/index.htm>
- Skill – National Bureau for Students with Disabilities <http://www.skill.org.uk/>
- Learning to drive/adapted cars - <http://www.motability.co.uk/main.cfm>
- ASDAN courses - <http://www.asdan.org.uk/>

ANNEX TWO

Costs - ISP and Personalised Learning provision

2011-12

	COST	EXCEPTIONAL FUNDING
COST OF CONTINUING LEARNERS ALREADY PLACED AT ISP PROVISION	£2,549,101.33	£181,175.19
COST OF NEW LEARNERS PLACED AT ISP PROVISION IN SEPTEMBER 2011 BY LA	£1,555,714.00	£191,106.05
COST OF PERSONALISED LEARNING PATHWAYS	£70,000.00 *	
	4,174,815	372,281
TOTAL COSTS OF ISP AND PERSONALISED LEARNING PROVISION		£4,547,096.57
LESS CONTRIBUTIONS RECEIVED FROM HAS		£304,206.27
LESS CONTRIBUTIONS RECEIVED FROM THE PCT	£80,905	
TOTAL FUNDING REQUIREMENT		£4,161,986

* Note - The cost of personalised learning pathways was estimated to be in the region of £70,000. This figure will differ slightly as the final costs of the provision for the 2011/12 academic year are fully evaluated.

AVERAGE PERSONAL BUDGET FROM HAS	AVERAGE COST OF ISP PLACEMENT	AVERAGE COST OF EDUCATIONAL PROVISION FOR PERSONALISED LEARNERS (EXCLUDING COST OF HUBS AND STAFFING OF HUBS)
£18,428	£61,027	£15,161