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# North Lincolnshire Council Children's Services, Adult & Community Wellbeing

## Transition to Adulthood Policy

**North  
Lincolnshire  
Council**

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## 1. Objective

This policy aims to ensure that professionals across education, health and social care are consistent in their approach to the North Lincolnshire Council commitment in providing a seamless and safe transition from adolescent to adulthood. Enabling young adults to achieve the best possible outcomes in employment, independent living, health and community inclusion.

## 2. Legislation/Policies/Documents

The legislation in this policy derives from:

- The Children and Families Act 2014
- Special Educational Needs and Disability Code of Practice 2014
- The Care Act 2014
- The Children's Act 1989/2004
- The Mental Capacity Act 2005
- [Social Care Institute for Excellence](#)

There are other practice guidance documents available to support this policy.

## 3. Introduction

North Lincolnshire Council and its partners recognise the importance of supporting young people with SEND, and their families in preparation to adulthood. Young people's needs are assessed in a holistic way to ensure the right service is delivered at the right time and in the right place, whilst enabling them to stay independent within their own community.

In order to commission, deliver and review appropriate services for young people and young adults, the Council has implemented a Preparing for Adulthood Operational Group. This group has regular oversight of young people aged 14 and over who are considered to require a coordinated approach in successfully achieving positive outcomes in adulthood. In order to ensure holistic needs are met effectively in adulthood, an assessment will be carried out.

## 4. Scope

The transition into adulthood policy applies to:

- Young people aged between 14 and 25 years who have SEND

## **5. Policy Key Points**

### **5.1 Transition Arrangements**

Young people with SEND approaching adulthood should already be known to Children's Services, be moving into the local authority area, or have had their needs met solely within their educational establishment.

They may subsequently become known to the Council via the single point of access (Children or Adult and Community Wellbeing Services), an Education, health and care assessment referral, self-referrals, or a referral from another professional.

In all cases once a young person with SEND becomes known to the Council and is considered to require future support from Adult and Community Wellbeing Services, their level of need will be identified and presented to the Preparing for Adulthood Operational Group.

The group determine if the need reviewing the ones that don't come back can be referred at a later stage. This consider if the young person has eligible needs assessed against the eligibility criteria in meeting the requirements of the Care Act.

The group will establish if a transition assessment is required and if there is a significant benefit to the young person or carer in doing so. This is regardless of whether the child or young person currently receives services and if they are likely to have needs for care and support for adult care after turning 18 years of age.

### **5.2 Eligibility for Continuing Healthcare (CHC)**

The National Framework for NHS Continuing Healthcare (CHC) and NHS-funded Nursing Care November 2012 (Revised) which has been further revised and will be active from October 2018 (referred to as the 'Framework') sets out the principles and processes for the implementation of NHS Continuing Health Care & NHS-funded nursing care (FNC).

If it is felt that if a young person or young adult is going to be eligible for CHC, the CCG will be informed of the young person at the preparation for adult group. The General Data Protection Regulation (GDPR) will be adhered to and if required a data Protection Impact Assessment will be completed by colleagues within Adult Services. If appropriate the CHC checklist and subsequent assessment will be completed at 16 and half years or above or whenever the young person or young adult becomes known to services.

The individuals formed consent will be obtained before determining eligibility to NHS Continuing Health Care. If the individual lacks the mental capacity either to refuse or consent, a “Best Interest” decision will be taken and recorded in line with the Mental Capacity Act 2005 as to whether to progress an assessment.

The Decision Support Tool process will consider the health needs of individuals and whether the individual has a primary health need or a social service’s needs.

Where an individual has been assessed as having a primary health need’ the individual will become eligible for NHS Continuing Health Care. In such cases North Lincolnshire Clinical Commissioning Group will be responsible for providing and funding a package of care and support based on the individuals health and social care needs, as identified in the person centred care plan, driven by the Decision Support Tool assessment during the Continuing Health Care eligibility process.

An individual may be entitled to services from both the NHS and local authority.

Where a person is eligible for Continuing Health Care the local authority will continue to offer a role in assessment and review, support for carers, and social work services.

Even if a young person is not entitled to adult NHS CHC, their health needs will still be the responsibility of the NHS. In such circumstances, the Clinical Commissioning Group (CCG) should continue to play a full role in transition planning for the young person, and should ensure that appropriate arrangements are in place for services that meet these needs to be commissioned or provided. Such arrangements may be through the door health services. The focus should always be on the young person’s outcomes and the support needed to achieve these.

### **5.3 Assessment of Need and Eligibility for Adult and Community Wellbeing Services**

The assessment must consider:

- Current need for care and support
- Whether the young person is likely to have future needs for care and support, **and**
- If so, what those needs are likely to be and which are likely to be eligible needs.

- **Considering Capacity:** If there are concerns that the young person lacks capacity to make certain decisions for themselves, an assessment of their capacity should be undertaken in accordance with the Mental Capacity Act 2005 ('the MCA 2005') and the Code of Practice to the Mental Capacity Act 2005. The MCA 2005 provides the legal framework for making decisions on behalf of individuals aged 16 or over who lack capacity to make such decisions for themselves. Anything done for, and any decision made on behalf of, a person without capacity should be done or made in the 'best interests' of that person.

**What do we need to consider in the assessment:**

- carry out an assessment of anyone who appears to require care and support
- focus the assessment on the person's needs and how they impact on their wellbeing, and the outcomes they want to achieve
- involve the person in the assessment and, where appropriate their carer or someone else they nominate
- provide access to an independent advocate to support the person's involvement in the assessment if required
- consider other things besides care services that can contribute to the desired outcomes (e.g. preventive services, community support)
- use the Care Act eligibility criteria to judge eligibility for care and support.

All assessment and intervention should be person centred and all presenting needs explored to identify what outcomes people would like to be able to achieve to support their independence and/or well-being, both in the immediate and longer-term.

The transition assessment required under the Care Act does not mean duplication of effort, as it can be adjusted if circumstances change or there is new information. Assessments can also be joined with those of other agencies (for example, a review or re-assessment under children's legislation, such as where an Education, Health and Care Plan is in place), or be combined with another person where appropriate (for example, a parent/carer also transitioning to the adult statute).

Transition assessments will always be carried out in a reasonable timescale and an indicative timescale for assessment completion given. They should be proportionate to the person's needs.

A transition assessment with good information and advice about support in the community can be particularly helpful for these groups as they are less likely to be aware of support available in the community.

Those Young people who are not considered eligible for social care will be signposted to alternative support options including the voluntary sector.

Young adults over the age of 18 who may not be previously known to the council or moving into or returning to the region from out of area can request a care act assessment.

Once the assessment is complete, if significant or eligible needs are identified, a person-centred plan will always be developed, and a personal budget will be considered so that young people, carers and their families are able to plan their care and support.

Where young people aged 18 or over continue to have Education Health and Care Plan (EHCP) under the Children and Families Act 2014, and they move to Adult Social Care and support, **only the care and support aspects of the EHC Plan will be provided under the Care Act 2014 by Adult and Community Wellbeing Services.**

At all times young people and their parents will be fully involved with making decisions about their care and support. This includes decisions about the most appropriate time to make the transition to Adult and Community Wellbeing Services. The EHC Plan or any transition plan will set out how this will happen, who is involved, and what support will be provided to make sure the transition is as seamless as possible.

If, having carried out an assessment, it is agreed that it is in the best interests of the young person to continue to receive Children's Services. For a period of time rather than Adult and Community Wellbeing Services, this will be considered where and if appropriate.

The rights of a young person to make a decision for themselves will be subject to their mental capacity. The underlying principle is to ensure that those people who lack capacity are empowered to make any decisions for themselves as soon as possible, and that any decision made or action taken on their behalf is done so in their best interest. Including the person's advocate at this stage will support the person.

Where a young person would experience substantial difficulty in understanding the necessary information or in communicating their views, wishes and feelings, they will always have an advocate/family carer. Where a family carer is involved they are also entitled to an assessment of their needs.

Appropriate support and guidance will operate under the published Local Offer from both Children's and Adult and Community Wellbeing Services and where appropriate suitable preventative services, will be arranged.

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