

## DUNDEE CITY COUNCIL

**REPORT TO:** Social Work Committee - 23 October 2006  
**REPORT ON:** Post School Support for Young Adults in Further Education  
**REPORT BY:** Director of Social Work  
**REPORT NO:** 579 - 2006

### 1.0 PURPOSE OF THE REPORT

- 1.1 This report outlines the duties placed on local authorities with regard to post school support for young adults in further education and makes recommendations to Committee about support/care and transport arrangements.
- 1.2 The attached information at Appendix 1, is extracted from "Partnership Matters - A Guide to Local Authorities, NHS Boards and Voluntary Organisations on Supporting Students with Additional Needs in Education".

### 2.0 RECOMMENDATIONS

- It is recommended that:
- 2.1 The Social Work Department continues to develop, alongside colleagues in education, health and further education, protocols in keeping with the Partnership Matters guidance. These protocols will include referral, assessment and decision-making processes and that an agreed multi-disciplinary group will manage this.
  - 2.2 The contractual hire of transport for 12 individuals to Elmwood is put in place in line with the financial framework outlined in Appendix 1.
  - 2.3 Eighteen hours of Care Assistant hours are redesignated to 20 hours for 38 weeks Escort per annum to support the recommended temporary transport solution to and from Elmwood.

### 3.0 FINANCIAL IMPLICATIONS

- 3.1 Where needs are identified to provide care and support to individuals pursuing further education an additional pressure on the adult care services budget will result. There are 56 adults who have been assessed as requiring care and support services but for whom financial resources cannot currently be prioritised. Meeting these needs would cost approximately £1.5m.
- 3.2 The cost of the transport proposal in this report will be **£15,392** in a full financial year. This will be met through student contributions and through a realignment of the Learning Disability Day Care services staff costs budget within the Social Work revenue budget as shown in Appendix 1.

#### **4.0 SUSTAINABILITY POLICY IMPLICATIONS**

- 4.1 Access to further education will improve the possibility of the men and women concerned seeking and gaining employment.

#### **5.0 EQUAL OPPORTUNITIES**

- 5.1 The proposals in this report will help young people improve their prospects of fulfilling their potential.

#### **6.0 BACKGROUND**

6.1 There are an increasing number of young people with additional needs being referred to the Social Work Department for post school support services. This is due in part to the increasing opportunities there are for these young people to undertake further education as colleges develop their services as part of the inclusion agenda.

6.2 Partner agencies need to consider different options in relation to the provision of in-college support to students with social care and/or support needs having regard to the principles outlined in "Partnership Matters" (Scottish Executive 2005). A best value approach to this could offer economies of scale in terms of costs without compromising the standard of service offered to students.

6.3 The largest increase is in the area of learning disability, in particular young people diagnosed with autistic spectrum disorders and attention deficit hyperactivity disorder. The education of young people with these disorders is increasingly taking place in the mainstream education settings and education can play a key role in helping them realise their potential.

6.4 The transition from school to further education is an important, and for some young persons, a stressful point in their life. For those young people with additional support needs, extra help also needs to be available to ensure a smooth and successful transition between the structured school environment and the adult care and support system.

#### **7.0 PARTNERSHIP WORKING/ROLES AND RESPONSIBILITIES**

7.1 The Education (Additional Support for Learning) (Scotland) Act 2004 has established a new framework for supporting children and young people with additional support needs in school.

7.2 The Additional Support for Learning Act gives a new focus on supporting all children and young people who may need additional support, for whatever reason, to benefit from school education. It makes provision for improving transition from school with a view to ensuring that there is a continuum of support for these young people. There is a responsibility placed on appropriate agencies to assist education authorities with preparation, planning and support for a transition from school for those pupils with additional support needs who would benefit from this extra help.

7.3 "Partnership Matters" requires local authorities to develop strategies to ensure that education duties both at school and in further education are delivered alongside Social Work Department. These should be developed bearing in mind the principles that the further education colleges are primarily responsible for education provision and local authorities and health boards are responsible for the provision of personal and health care.

### *Further Education Providers*

- 7.4 The Scottish Further Education Funding Council (SFEFC) is the statutory body responsible for distributing funds to secure adequate and efficient further education in Scotland. Section 12 (3) of the Further and Higher Education (Scotland) Act 1992 requires Boards of Management of further education colleges to have regard to the needs of people over school age who have learning disabilities.
- 7.5 In addition to a further education college's obligations under the 1992 Act, it is a condition of SFEFC grant that each further education college makes a clear statement of its policy concerning provision for students with learning difficulties. This statement should be made in the college's strategic plan and kept under review. It should reflect and refer to action that is being taken or is being planned in order to adhere to the Disability Discrimination legislation.
- 7.6 The Scottish Further Education Funding Council requires colleges to submit three-year strategic plans. In the Council's most recent strategic planning guidance, colleges are advised to take into consideration progress made in providing for the needs of students with disabilities to continue to meet the requirements of the Disability Discrimination Act (DDA).
- 7.7 Under the DDA, further education colleges have a responsibility to ensure that they make reasonable adjustment for a student with additional needs. Reasonable adjustment would include the provision of auxiliary 'aids' and services and alterations to physical features of premises. The principle behind the legislation is that disabled people should have the same opportunities as non-disabled people to benefit wherever possible from education.

### *Social Work Services*

- 7.8 People with disabilities are entitled to an assessment of need and a disabled person or their carer can request a community care assessment at any time. Section 12A of the Social Work (Scotland) Act 1968 requires a local authority to carry out a community care assessment, of those aged over 18, where it appears to the local authority that the person concerned may be in need of community care services. If in the course of that assessment it appears that the person is disabled, the local authority must also make a decision as to the need for any service identified in Section 2(1) of the Chronically Sick and Disabled Persons Act 1970.
- 7.9 Where a person is assessed as being in need of a community care service, the local authority is then under a duty by virtue of Section 12 of the 1968 Act to provide those services. Statutory guidance (SWSG11/91) has been issued to all local authorities regarding the assessment process required by section 12A. Paragraph 6.1 of the guidance provides that once an individual's needs have been assessed, the services to be provided or arranged to meet the needs should be agreed by all the professionals and agencies involved in the form of a care plan.
- 7.10 If a person is assessed as being in need of a particular community care service, the local authority will then be under a duty to either provide or arrange the provision of that service. It will be open to the local authority to offer to make a direct payment to the individual in lieu of providing the service.
- 7.11 The Community Care and Health Act 2002 extended joint working arrangements between local authorities and NHS bodies. The joint future agenda stresses the importance of a co-ordinated approach by local authorities and health services for joint assessment and care management of individual needs and joint planning, commissioning and delivery of services. In carrying out the single shared assessment, local authorities and health services should consult with relevant partners, including further education colleges where the individual requires provision for their care needs to be co-ordinated with the college.

7.12 The Mental Health (Care and Treatment) (Scotland) Act 2003 applies to people with a mental disorder, which the act defines as people with a mental illness, personality disorder or learning disability (section 328.1), and who may require access to the types of care and treatment dealt with by the act. People with a mental disorder are entitled to assistance to support and enable them to lead as normal a life as possible. This means that, wherever possible, they should be able to access a range of mainstream social, educational, employment and training opportunities. The act places a duty on local authorities to provide care and support to people with mental disorder living in the community in a way that means they can live a normal life (section 25).

## **8.0 TRANSPORT TO ACCESS FURTHER EDUCATION FACILITIES FOR STUDENTS WITH ADDITIONAL NEEDS**

- 8.1 Work currently being undertaken focuses on the "Partnership Matters" framework to develop a local support solution for access to further education facilities. This work is developing but will not offer comprehensive local solutions within this academic year.
- 8.2 The size of Dundee College and the current curriculum for students with additional needs is not suited to all individuals who choose to attend further education facilities.
- 8.3 Elmwood College in Cupar provides a range of courses within a relatively small rural setting. The local environment is conducive to a number of areas for learning such as agriculture, animal care, horticulture, and life skills training. It has been identified that some young people from Dundee would benefit from the opportunity to attend Elmwood College and would therefore require supported transport during 2006/07 for the individuals. The Social Work Department may otherwise have been required to secure suitable Day Opportunities. This would have placed further pressure on existing resources and would have required a greater overall financial commitment. The people recommended for attendance at Elmwood would be recognised within the normal prioritisation process.
- 8.4 Bursary funds including travel-funding support are available to students and are means tested. Students who cannot travel independently have previously received the cash equivalent to the appropriate bus pass to assist with supported travel. In some cases this does not fully pay for the supported transport – some individuals use their own mobility/other benefits to pay for the difference and Social Work Department assists others financially.

## **9.0 CONCLUSION**

- 9.1 The demand for social work support for young people with disabilities in the process of transition from school to adult care is increasing. Within the area of learning disability, especially with young people diagnosed with autistic spectrum disorders, there has been a significant increase in the number of young people choosing to attend further education establishments and this has led to an increase in the demand for the provision of support.
- 9.2 Work with partner agencies in Dundee is progressing in relation to developing and improving the transition process for young people with a disability moving on from the structure of the school environment. Within this, the roles/responsibilities of respective organisations will be clearly stated and different options for the provision of in-college support pursued in terms of Best Value. The duties and responsibilities of the further education establishments include making reasonable adjustment in terms of physical accommodation to facilitate access and ensuring that there is adequate support for learning.
- 9.3 The duties and responsibilities placed on the Social Work Department include assessing and providing social care support that may be required for young people attending further education. This may arise where young people have been assessed as requiring advice,

guidance and support in order for them to participate in the education programme and to prevent them from presenting a risk to themselves or other people.

- 9.4 Pending the development of local further education opportunities some young people will require to access appropriate courses at Elmwood College in Cupar and will also require supported transport. The information and recommendations in this report if agreed will ensure suitable arrangements are in place to meet local authority duties and responsibilities.

## **10.0 CONSULTATION**

The Chief Executive, Depute Chief Executive (Support Services) and the Depute Chief Executive (Finance) have been consulted in the preparation of this report.

## **11.0 BACKGROUND PAPERS**

- 10.1 Partnership Matters - A Guide to Local Authorities, NHS Boards and Voluntary Organisations on Supporting Students with Additional Needs in Further Education (Scottish Executive 2005).

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Date: 27 September 2006

## **APPENDIX 1**

### **Financial Appendix**

Transport to access further education facilities for Students with Additional Needs

	<b>Full Year Costs (£)</b>
<b>Costs</b>	
Staff – Escort Support MW3 Grade @20 hrs for 38 weeks	5,482
Transport Hire for 38 weeks	10,450
<b>Total Costs</b>	<b>£15,932</b>
<b>Source of Funding</b>	
Student Contribution	9,120
Reduction of Care Assistant posts @18 hrs	6,812
<b>Total Funds Available</b>	<b>£15,932</b>