

1. Do you agree with the overall aims of the Bill? If so, do you think the Bill can meet these aims?

**Please enter your comments in the box provided:**

Yes we agree with the overall aims of the bill, and would support initiatives that could lead to improved outcomes for disabled children and young people, as we mirror the concerns and frustrations around transitions expressed in the bill. However, we are not convinced the bill can meet these aims. We have concerns about the content of the bill, the financial implications and the impact it could have on an already cluttered policy landscape.

2. Is changing the law the only way to do what the Bill is trying to do? Would the Bill (as it is currently written) have any unexpected or unforeseen effects?

**Please provide your comments in the box below:**

While we understand the desire to introduce new legislation to address the longstanding issues surrounding transitions, we do not believe changing the law is the only way to achieve the aims of the bill. This is an already very cluttered policy landscape with multiple laws and plans already in place in relation to children and young people and additional support to learn. Despite the existing legislation and expectations on professionals, poor transition experiences are still regularly reported. This is a challenging, multi-faceted and multi-disciplinary area of policy, and we do not believe introducing a new law can be a silver bullet to overcome the layers of complexity transitions presents.

An alternative to introducing a new law would be to continue resourcing and supporting the current work happening in Scotland around transitions, namely the development and piloting of Principles into Practice, led by ARC Scotland. Professionals often acknowledge there is not a lack of good policy intentions and aims in the legislation, but it is the practical and logistical challenges of implementing these principles into practice that can cause issues.

We know from our national disabled students' helpline that social services are oversubscribed and many more young people with additional support needs would benefit from social work input than are currently eligible for it. This bill seeks to make a transition plan mandatory for many young people who are not currently eligible for social care support. The concern would therefore be that vital resources are diverted from where they're most needed and budgets stretched even more than they are now, resulting in less young people accessing a suitable social care budget to support their transition and aspirations in a move to adult life.

3. The Bill would require the Scottish Government to introduce a National Transitions (sections 1 to 6 of the Bill). Do you agree with introducing a strategy, and a Scottish minister to be in charge of it?

**Please enter your comments in the box provided:**

A National Transitions Strategy could assist disabled young people to achieve independent living as it will bring increased focus, attention and responsibility on such an important policy area. However, a national framework for good transitions already exists within The Principles of Good Transitions, along with extensive

research and consultancy, so we would encourage using this framework to develop the strategy rather than reinventing the wheel.

Assigning a Minister with specific duties around transitions would bring important increased focus to this area of work. However, consideration would need to be given to which portfolio this would sit under, as transitions span education, social care, health, housing, children and young people, adults, equalities, welfare, employment, communities and local government. The creation of a new minister would need to consider how this approach would bridge transitions work across existing directorates.

4. The Bill places a duty on local councils to prepare and implement transition plans for each disabled child and young person within their local authority area (sections 7 to 13 of the Bill). They would also have to explain: o how plans were going to be prepared and managed. o what would happen if there was a disagreement about what was in a plan or how it was working. Do you agree with these proposals?

Please enter your comments in the box provided:

Content

There is limited detail within the proposal as to what would be contained within a transitions plan, but we are concerned there is a focus solely on needs rather than including impacts and sustained outcomes. Focusing on needs rather than outcomes could lead to transition plans serving the purpose of assessing needs and becoming a tick box exercise rather than actually leading to improved practice and implementation to achieve sustained outcomes. We would therefore suggest placing the young person's sustained outcomes in all aspects of their adult life at the centre of the transition plan, complemented by what care and support would be needed to meet those outcomes.

While we agree that a local authority should be responsible for introducing a plan while a young person is still at school, we would question the practicalities of how they would maintain contact and support with them up until age 26, especially if they are not eligible for any social care funding and therefore not engaging in any social care services. We would also encourage a broader range of partners to be specifically named as having duties within the legislation, especially colleges and universities, as there needs to be more joined up working, joint responsibility and accountability for ensuring appropriate educational support is assessed, funded and put in place in time. Young people and their families need to be clear about who is responsible and accountable for these plans being created and executed.

**5. What financial impact do you think the Bill may have, either on the Scottish Government, local councils, or other bodies?**

Austerity is having a devastating effect on disabled people, and young people with ASN are at particular risk of bearing the brunt of funding cuts across services. Callers tell us that social workers are over worked and under resourced, an increasing number of longstanding services are closing across the country, and resourcing for additional support to learn at school is reducing. Most social work departments are now prioritising critical need only within social care spending, leaving many young people without appropriate support to take up a learning opportunity. This issue has been supercharged as a result of the coronavirus pandemic, with even more vital social care support being withdrawn from disabled people. It is common for many young people with ASN to never even be assigned a social worker or secure a personal budget due to the strict eligibility criteria. If all young disabled people aged 14-26 are then entitled to a mandatory plan, where before many would not have been eligible to access support, this will inevitably cost more money and it would be very unlikely this could be met within current resources. Given that transition planning is already a legal requirement, not always upheld, we would urge caution around creating new legislation that will unavoidably cost more but not necessarily lead to improved outcomes, as it could distract attention and divert vital resources away from where it is needed most.

The issue with transitions is not just with the planning, it is also with the variety and quality of suitable destinations available for disabled young people when they leave school. We receive a high volume of calls on our helpline from parents exasperated and outraged at the options being put forward for their children on leaving school. They are utterly dumbfounded that their children face either no options or support, or a completely unsuitable placement. Committing to person centred transition planning for all disabled young people should also come with a commitment to raising aspirations and widening opportunities. If there are a lack of appropriate destinations to move into, no amount of planning can make up for this. Appropriate post school learning and training opportunities for young disabled people should be looked at as a matter of urgency, before introducing a law that may result in raised expectations that ultimately may not be met.