

8. What are your view on the overall aims of the Bill and whether the Bill can meet these aims?

Please provide your response in the box provided.

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.

9. Do you think that changing the law is the best way to do what the Bill is trying to do?

Please provide your response in the box provided.

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.

10. Could there be any unexpected or unforeseen effects of the Bill (as it is currently written)?

Please provide your response in the box provided.

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.

12. What do you think the financial impact of the Bill on the Scottish Government, local authorities or other bodies could be?

Please provide your response in the box provided.

The financial memorandum has suggested planning can mostly come from existing resources. Whether or not that is the case is one issue, however it is the costs of implementing the actions in the plans and ensuring the support is put in place and funded that is the bigger concern.

We accept the intention of the Bill is not to provide new provision or fund provision. However, it is only logical that if more young disabled people are getting proper transition planning than before, and have a plan that requires support, where previously these young people wouldn't have had a plan or support on leaving school, then there is going to be a higher demand for services and provision. It is the funding of this provision that is raising concerns for us. And if strict eligibility criteria from local authorities means these young people can't access the social care funding they need to move forward with their chosen plan, whether that be support to access volunteering, training, college, university or employment, then they are left with a meaningless plan.

We see young disabled people being let down all the time when they try to move into post school learning, but social care support is not funded or the education provider does not meet their needs, and the placement falls through. We are extremely concerned about raising expectations that cannot be met through existing provision and resources.

That is not to say we think this is at all an acceptable situation, as of course all young disabled people who want and require a plan SHOULD get one, but they also should then get what has been agreed in that plan. There is a woeful lack of resources and suitable post school provision for young disabled people - no amount of planning is going to address this, and we would argue the need to develop and fund proper provision far outweighs the need to legislate planning for it.

13. How will the Bill affect (for better or worse) the rights and the quality of life of the people covered by the Bill?

Please provide your response in the box provided.

The intention of the Bill is of course to improve the rights and quality of life of the people covered in this Bill, and we of course support this intention and indeed believe this will be the outcome in some cases. But there will be other cases where this outcome just cannot be achieved within the existing funding and policy landscape related to disabled young people and post school opportunities.

15. Do you agree with the proposals relating to transition plans?

Please provide your response in the box provided.

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.

16. Who do you think should coordinate the transitions plan?

Please provide your response in the box provided.

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 question how a local authority can track all the of disabled young people under 26 who have already left school when the legislation is implemented as they too desperately need transition planning and support.