

Education Lifelong Learning and Skills Committee

ELLS(2)-07-06(p.4)

Special Educational Needs Policy Review – Phase III, Transition

Abstract

This paper outlines the areas that the Committee agreed to consider as part of the third phase of its policy review on Special Educational Needs. Since that time, the Equality of Opportunity Committee has begun a policy review into service provision for disabled young people. As part of the review, the Committee looked at education, work and training. This paper summarises evidence received by the Equality of Opportunity Committee, research into young disabled people's transition to adulthood undertaken on behalf of the Joseph Rowntree Foundation; the work undertaken by Estyn on preparing learners in independent living skills, and the Prime Minister's Strategy Unit's report, Improving the Life Chances of Disabled People. It also sets out some background on transition planning.

1. Background

At its meeting on 9 July 2003, the Committee agreed that for the third part of its review into Special Educational Needs it wished to look at transition. The following issues of concern were identified:

- The need for careful transition planning;
- In transition from primary school to secondary school, the increased number of teachers who will become involved with the young person, and the extent to which they are made aware of the additional support required;
- The selection of curriculum subjects;
- In transition from primary school to secondary school, the sheer physical size of the school;
- The flow of information about a pupil at transition, and the resources and training of staff at transition points, especially from primary to secondary (and from secondary to post-16).
- The information that flows from primary to secondary is usually SAT levels. With booster classes, often the levels are distorted and children going to secondary schools with the same SAT level can be quite different in ability, whilst children with adjoining levels might be more similar.

The Committee also wanted to look at transition between each sector of education and training and to focus on how agencies collaborate with each other.

2. Transition and transition planning

The Special Educational Needs Code of Practice for Wales states:

"All concerned with the child should give careful thought to transfer between phases. Advance planning is essential. The move should initially be considered at the review meeting prior to the last year in the current school."

Transition planning is a process for planning for the transition from school to adult life for young people with special needs. It involves the young person and his or her parents/ carers, and draws together information from a range of individuals from different agencies. It starts with the first annual review after the 14th birthday, following which a Transition Plan is drawn up. A young person without a statement can also go through such a process. This process is documented in detail in the Special Educational Needs Code of Practice. Extracts from the Code of Practice are attached at Annexe A.

3.1 Research into Transition – Joseph Rowntree Foundation

Hurtling into a void: Transition to adulthood for young disabled people with ‘complex health and support needs’ was a review of research, consultation with six local authorities and interviews with young people themselves published in 1999. Amongst the findings were:

- Young people wanted accessible information, given to them rather than their parents;
- A number of young people felt that they had not been given the opportunity for continuing with education and learning in the way they would wish;
- Young people talked about barriers to employment, including prejudicial attitudes held by employers about people with certain conditions and disincentives to employment through means-testing of personal assistance.

3.2 Research into Transition - Estyn

As part of its remit in 2003-2004, Estyn undertook a survey of provision for learners with special educational needs in further education colleges in relation to transition planning arrangements from further education into training and employment. The report states:

Very few learners with learning difficulties or disabilities progress into employment or work based training. Most progress or move sideways into other courses within the Independent Living Skills programme area. Unless they can move into further education mainstream vocational areas such as Construction, Catering or Hair and Beauty, where they can receive vocational training, the rates at which they progress into paid work are very low. Too few move on to employment or training because there are not enough opportunities for progression. Employers do not always realise that people with learning difficulties can work and contribute to the economy. There are not enough stimulating, sheltered and open employment opportunities for learners with more complex needs in some areas of Wales, particularly in rural areas.

[Independent Living Skills] programme staff prepare learners well for well for transition to independent living and they become more self sufficient. Learners enjoy their experience at college and begin to make appropriate plans for their future. They gain qualifications or credits and improve

their basic and key skills. They make friends and develop interests that will sustain them in later life. This adds to the quality of their lives.

On transition planning specifically the survey found:

- Colleges involve learners and their parents fully in planning for transition.
- There is not enough collaborative planning for transition which involves other partners in the community such as Social Services and voluntary agencies.
- Very few colleges have a systematic process for recording transition plans.
- Good planning offers learners a monitored work placement. Colleges sometimes use on-site placements for learners who are harder to place.
- Although it is mostly good, there is variation in the availability and quality of Careers-Wales advice for Independent Living Skills learners.
- There are some good examples of developing partnerships across education/work boundaries, but this needs further development.
- Teaching staff do not engage enough with the Community Consortia for Education and Training, and the Young People's Partnerships and local health services in order to give learners with special educational needs the best possible access to appropriate employment and training and support in their local area.
- Staff make good use of advocates to secure better services for learners with health and support needs.

On work experience, the survey found:

- Placements are generally of good quality. Employers are often committed to supporting learners with special needs and almost all learners are enthusiastic about the experience.
- Most teachers prepare learners well so that they can get the most out of the experience although learners do not always get enough formal opportunities to reflect on their work experience and link it to their college curriculum afterwards.
- There is generally good use of voluntary agencies to help learners who need higher levels of support on work experience.
- College staff do not always influence employers to improve learners' experience in the workplace in order to enrich their learning.
- Employers do not always receive enough information about the learners who are placed with them. Employers are sometimes unsure about arrangements for funding and insuring learners with disabilities in the workplace.

On employment and training the survey found:

- Very few learners with special educational needs progress into employment or work-based training because opportunities for progression are limited. Employers often do not realise that people with learning disabilities can work and contribute to the economy.
- Small businesses are not always willing to employ learners with special needs. Larger, national employers usually have equal opportunities policies and, as a result, they are more positive towards employing learners with special educational needs.

- Transport difficulties can lead to inequalities of access and this can also limit progression to employment or training. For instance, the availability of ‘travel-training’ agencies - which teach learners with severe learning difficulties how to use public transport - is variable across Wales.
- The constraints of the benefits system are not helpful in encouraging learners to move out of further education to employment or training. Some learners and their families are worse off if the learner goes to work or into training.

3. 3 Prime Minister’s Strategy Unit, Improving the Life Chances of Disabled People

In January 2005, the Prime Minister’s Strategy Unit published their report, Improving the Life Chances of Disabled People. The report focuses on disabled children and disabled people of working age. The UK Government has made a commitment to implement the project’s recommendations in England and, where appropriate, across the UK. On transition to adulthood, it found:

- The benefits of effective early years intervention will be lost if disabled young people’s transition through childhood and into adulthood is not managed effectively. There are particular barriers for two groups:
 - those with the highest level of need who may be offered inappropriate segregated adult services (or in some cases be offered no support at all because they are seen as ‘too disabled’ for local provision); and
 - those with less significant needs but little entitlement to additional support.
- There are three key ingredients needed for effective support for disabled young people, to ensure that they enter adulthood able to participate and be included.
 - Planning for transition focused on individual needs.
 - Continuous service provision.
 - Access to a more transparent and appropriate menu of opportunities and choices.
 - Over time, individualised budgets will allow seamless transition from childhood to adult services, providing disabled young people and their families with choice and empowerment.
- In the shorter term:
 - children’s and adult services should overlap to improve continuity and remove the "cliff-edge" in provision experienced by many disabled young people;
 - the role of families needs to be recognised and supported in a way that empowers disabled young people and their parents;
 - personalisation in planning will require increased access to advocacy and information; person centred planning approaches to be used widely; and a Connexions service committed and equipped to support disabled young people; and
 - opportunities for disabled young people to improve their life chances should be provided through inclusion in further education and employment preparation, and accessible mainstream leisure and cultural activities and youth services.

4. Education and Lifelong Learning Committee SEN Policy Review, Part 2

In their evidence during part two of the Committee's SEN policy Review, the National Autistic Society made the following points:

- A statement is not guaranteed for post-16 children, so it depends on whether an LEA will still agree to have a statement in place in terms of what provision is available for a child to either stay in sixth form education or to go on to a local college. If it is recognised that pre-16 children need additional support, then that support should continue post-16;
- Transition from primary to secondary school can be difficult for some children (such as those with autism) as they go from a small school where they know everyone and the way the system works to a large school, with different teachers for each lesson
- Some people may need support to know what opportunities are available, so work experience is important;
- It is important for employers to work with supported employment agencies;
- Careers Wales and disability employment advisers do not have specialist awareness and training to provide independent support;
- There is an obligation in law for a careers person to be involved in a transition review for those with statements, but not for those children who do not have a statement.

5. The Equality of Opportunity Committee Policy Review – Service Provision for Young Disabled People

In relation to education to training and continuing education, the following evidence was received by the Equality of Opportunity Committee.

5.1 Careers Wales:

- The lack of progression opportunities post education/training;
- A decline in the training/work-based learning opportunities available for young people with SEN;
- A lack of suitable work experience opportunities in general, particularly in rural areas;
- The apparent downward trend in one-to-one support in general for young people with SEN;
- The wide variation in local authority SEN provision in Wales in general and the lack of evaluation of that provision.
- Training provision does not easily match requirements of the clients, it is too outcome based with too much emphasis on passing NVQs.

5.2 Skill: National Bureau for Students With Disabilities

- Lack of information is one of the biggest weaknesses and this is worse where a person's first language is not English;
- Young people are not adequately consulted about what they want for their future – young people need to be fully involved in planning for their future – transition meetings can take place without the full involvement of the young person, or without them receiving the full

amount of information to ensure they make the most appropriate choices – they are often given a restrictive range of options in their transition to adult life.

5.3 ELWa

- The culture of low-expectations amongst parents and employers can undermine achievement;
- Work experience placements are difficult to secure and there is a lack of sheltered employment opportunities in many parts of Wales;
- There is not enough collaboration between colleges, health and social services and the voluntary sector;

5.4 Estyn

- Very few learners progress into employment or work based training;
- Constraints of the benefits system are not helpful in encouraging learners to move out of further education to employment or training;
- There are not enough opportunities for progression from education. Employers do not always recognise that disabled people can work and contribute to the economy. There are not enough stimulating sheltered and open employment opportunities for learners with more complex needs in some areas of Wales, especially rural areas;
- There is too little collaboration between partners in the community such as education, social services, health and voluntary agencies in planning for transition;
- Although mostly good, there is a variation in the quality and availability of careers advice in colleges;
- It often takes too long to assess the needs of disabled learners prior to the start of their college courses which delays the provision of assistive technology.

Annex A

Extracts from the Special Educational Needs Code of Practice for Wales

Annual review

5:68 The procedures to be followed during annual reviews of statements are explained in Chapter Nine. There are however particular points in a child's school career when the arrangements for annual reviews might need to be varied.

5:69 All concerned with the child should give careful thought to transfer between phases. Advance planning is essential. The move should initially be considered at the review meeting prior to the last year in the current school. Thus consideration of transfer from primary to secondary education would need initial consideration at the review in year 5.

5:70 At the review in year 5 it should be possible, in most cases, to give clear recommendations as to the type of provision the child will require at the secondary stage. It will then be possible for the parents to visit secondary schools and to consider appropriate options within the same or similar

timescales as other parents.

5:71 In a very few cases the options may not be clear at the year 5 review, in which case it may be necessary to hold an interim or early annual review in the autumn of year 6. Very rarely a child's needs may change after the year 5 review to such a great extent that the recommendations as to the type of provision will need amendment. This should take place through an interim or year 6 review.

5:72 Thus for all children transferring between phases, except from early years settings, a provisional recommendation should be made in the year previous to transfer so that parents can consider options at the same time as other parents. The child's statement must then be amended by 15 February of the year of transfer in the light of the recommendations of the annual review, the parents' views and preferences and the response to consultation by the LEA with the school or schools concerned. There will be no need to require the annual review for such children to be brought forward since the information from the previous review can be used. All the arrangements for a child's placement should therefore be completed no later than the beginning of March before transfer. It is important for placements to be finalised as early as possible in order for any advance arrangements relating to that placement to be made and to ensure that parents and children feel confident and secure about the arrangements in question.

5:73 The SENCO of the receiving school should be invited to attend the final annual review in primary school of pupils with statements for whom the particular school has been named. It will then be possible for the receiving school to plan a differentiated curriculum response and an appropriate IEP to start at the beginning of the new school year. It will also enable the pupil and the parents to be reassured that an effective and supportive transfer will occur.

The Annual Review in Year 9 and Subsequent Years

9:45 The aim of the annual review in year 9 and subsequent years is to: a. review the young person's statement; b. draw up and subsequently review the Transition Plan

9:46 The annual review of the statement held in year 9 should involve the agencies that may play a major role in the young person's life during the post school years and must involve Careers Wales.

9:47 The annual review of the statement must consider all the same issues as at all other reviews, and the report to the LEA should be in the same format. LEAs must also complete the review process in the same way as for all other annual reviews and within the same timescale.

9:48 The LEA must send Careers Wales a list of all pupils in their area who will require a year 9 review prior to the end of Year 8. The list must include all pupils whether or not they are educated in a school and indicate any schools that the children specified attend. This information will help Careers Wales to plan attendance at Year 9 reviews.

9:49 The head teacher, the local education authority, and Careers Wales should facilitate the transfer of relevant information to ensure that young people receive any necessary specialist help or support during their continuing education and vocational or occupational training after leaving school.

Relevant information should be transferred to the appropriate office of the National Council for Education and Training for Wales as appropriate. For young people with specific disabilities, the role of social services departments will be of particular importance and local authorities have specific duties relating to other legislation. Further detailed information can be found in the National Assembly Handbook of Good Practice for Children with SEN.

9:50 The annual review procedure described above applies with the following additions:

- the head teacher must invite Careers Wales to the review meeting, to enable all options for continuing education, careers and occupational training to be given serious consideration
- the head teacher should ensure that other providers, such as health authorities and trusts, are aware of the annual review and the procedures to be followed in year 9
- the head teacher must invite the social services department to attend the review so that any parallel assessments under the Disabled Persons (Services, Consultation and Representations) Act 1986; the NHS and Community Care Act 1990; and the Chronically Sick and Disabled Persons Act 1970 can contribute to and draw information from the review process
- the head teacher must ensure that a Transition Plan is drawn up in consultation with Careers Wales the head teacher must circulate both the annual review report and the Transition Plan to the young person's parents, all those attending the review meeting and any others the head teacher considers appropriate

The Transition Plan

9:51 The annual review in year 9 and any subsequent annual reviews until the young person leaves school must include drawing up and subsequent review of the Transition Plan. The Transition Plan should draw together information from a range of individuals within and beyond school in order to plan coherently for the young person's transition to adult life. Transition Plans when first drawn up in year 9 are not simply about post-school arrangements, they should also plan for on-going school provision, under the statement of special educational needs as overseen by the LEA.

9:52 All those involved in the process should adhere to the principles that underpin the nature of transition and transition planning and the requirements of the young people and their families. Transition planning should address the comprehensive needs of the child.

9:53 The Head teacher is responsible for overseeing and co-ordinating the delivery of the transition plan. Careers Wales will have the lead role in ensuring the delivery of the elements of the Transition Plan that relate to the young person's transition into further learning or employment.

9:54 All agencies should recognise their respective funding responsibilities as early into the transition planning stage as possible. Joint planning arrangements should identify elements of planned provision and the agencies responsible for funding each of those elements, particularly where there is a recommendation for post-16 provision in a residential establishment. Further detailed advice on the

principles and processes of transition planning are set out in the National Assembly Handbook of Good Practice for Children with SEN.

Student involvement in decision-making during transition

9:55 The views of young people themselves should be sought and recorded wherever possible in any assessment, reassessment or review from year 9 onwards. Representatives from Careers Wales, student counsellors, advocates or advisers, teachers and other school staff, social workers or peer support may be needed to support the young person in this process. Chapter Three of this Code and the National Assembly Handbook of Good Practice for Children with SEN consider in detail the ways in which young people can be helped to participate fully in the this process.

The role of Careers Wales

9:56 Careers Wales is responsible for ensuring the delivery of the elements of the Transition Plan that relate to the young person's transition into further learning or employment. The representative from Careers Wales should ensure that they are aware of all young people with SEN in year 8. A representative from Careers Wales must be invited to the year 9 annual review meeting and must make every effort to attend where the young person is considered mature enough to be able to start discussing further learning and career options. Occasions may arise where Careers Wales is unable to provide a representative. In these circumstances Careers Wales should offer the young person and his parents/guardians a careers guidance interview prior to the Year 9 annual review. the resulting notes of the interview should be made available at the Year 9 annual review meeting to inform development of the Transition Plan. Representatives from Careers Wales should be invited to all subsequent annual reviews, and are expected to attend where appropriate.

9:57 Year 9 review meetings are the start of a process for longer-term decision making. Vocational guidance provided by the school or the representative from Careers Wales should include information on further education and training courses and take fully into account the wishes and feelings of the young person concerned. Careers Wales should assist the young person and their parents to identify the most appropriate post-16 provision, provide counselling and support, and have continuing oversight of, and information on, the young person's choice of provision. Where a need for specialist college provision is identified, Careers Wales has lead responsibility for preparing and submitting applications for placements to NCETW. These processes will need to be carried out in partnership with NCETW, the LEA's SEN officers and those professionals who know the young person well. Involvement of social services departments

9:58 LEAs must seek information from social services departments under section of the Disabled Persons (Services, Consultation and Representation) Act 1986, as to whether a young person with a statement under Part IV of the Education Act 1996 is disabled (and may require services from the local authority when leaving school).

9:59 Multi-agency input at year 9 is important for all young people with SEN. Under the Children Act 1989 and the NHS and Community Care Act 1990, social services departments are required to arrange a multi-disciplinary assessment and provide care plans for children and adults with

significant special needs – which may include the provision of further education facilities. Social services departments should ensure that a social worker attends the year 9 annual review meeting and contributes to the formation of the Transition Plan where a young person is subject to a care order, accommodated by the local authority or is a ‘child in need’. Involvement of health services

9:60 Health professionals involved in the management and care of the young person should provide advice towards transition plans in writing and, wherever possible, should attend the annual review meeting in year 9. They should advise on the services that are likely to be required and should discuss arrangements for transfer to adult secondary health care services with the young person, their parents and their GP. They should facilitate any referrals and transfers of records, which may be necessary, subject to the informed consent of the young person and parents, and should liaise with Careers Wales as appropriate.

Annual reviews from year 10

9:61 The school remains responsible for convening annual review meetings until such time as the pupil leaves school. Some pupils with statements of special educational needs will remain in school after the age of 16. LEAs remain responsible for such pupils until they are 19. There will be occasions where the natural completion of an academic year or completion of a particular course would take a pupil with a statement beyond their 19th birthday. Where pupils remain on a school roll beyond 16 LEAs are required in those situations to maintain statements until the end of the academic year in which the 19th birthday falls

9:62 Whatever the intended future destination of the young person, the annual review has an additional significance as the young person approaches the age of 16. A representative from Careers Wales should attend the review in year 11 in order to ensure that the Transition Plan is updated appropriately. In the young person’s final year of school, the National Assembly has a separate duty under section 140 of the Learning and Skills Act 2000, for ensuring that an assessment of their needs on leaving school is undertaken and the provision identified. This duty will be carried out by Careers Wales as part of its contract with the National Assembly. Every effort should be made to link the Year 11 annual review of the statement and to consider the Transition Plan together with this assessment so that a holistic approach is maintained. Where post 16 provision has already been identified it is good practice for the head teacher to invite a representative from the provider to the review meeting.

Transfer of information

9:63 Local Authorities should seek the agreement of students and parents to the transfer of information (including statements) from school to the continuing education sector or other provision, and explain the importance of such information and the desirability of the transfer.

9:64 The Head teacher should ensure that where a young person has a statement of special educational needs, a copy of the statement together with a copy of the most recent annual review, and the Transition Plan, is passed to the social services department and any post 16 provider that the young person will be attending, in sufficient time for appropriate support to be put in place. Where a

decision might need to be taken about the placement of a student in a specialist college, a copy of the Transition Plan should be sent to the appropriate office of NCETW.

Students without statements but with special educational needs

9:65 In some instances, a student approaching the age of 16 may have special educational needs which do not call for a statement, but which are likely to require some support if they go on to further education or training. To ensure that these students are able to make decisions, and to facilitate their successful transition, it is important that they have appropriate help and guidance. This might include the provision of school/college link courses or work placements and should involve the different local agencies concerned.

9:66 Careers Wales provides careers advice and guidance for people of all ages. It has a particular focus on supporting disadvantaged young people or those likely to underachieve, including those with SEN but without statements. Careers Wales should provide schools with information which will help these students make successful transitions to post-school education, training or work, including details of local and national voluntary organisations. Schools should consult as appropriate with Careers Wales and other services to ensure that detailed information is transferred to post-16 providers with the young person's consent and in sufficient time for the post-16 provider to put necessary support in place.

9:67 Schools, in consultation with the representative from Careers Wales, may wish to draw up Transition Plans to support this process, whether the young person remains at school post 16 or moves to alternative provision. There will need to be close collaboration with LEA staff and other professionals involved with the young person, so as to provide an appropriate Transition Plan. To aid this process it would be good practice for the head teacher, in consultation with the representative from Careers Wales, to provide health and social service professionals with a list of pupils at year 9 with SEN who do not have statements but for whom the school considers it appropriate for a transition plan to be prepared.

Children subject to a care order or accommodated by a local authority

9:68 Under the provisions of the Children (Leaving Care) Act 2001 every eligible young person looked after by a local authority on their 16th birthday, including those with SEN, will have a pathway plan. This plan will build on the care and personal education plans, mapping out a pathway to independence, including education, training and employment. The local authority will also be required to appoint a personal adviser for each of these young people. The adviser must work with the young person, Careers Wales and others to devise the pathway plan and ensure its implementation.

9:69 It is important that the personal adviser ensures that the young person is fully aware of the local authority's responsibilities towards them and to agree with the social services department, other agencies and the young person the services to be delivered. Where a young person has been looked after in a foster care or residential placement or attended a residential school outside their own local authority area, the young person's personal adviser for the responsible authority together with the LEA should seek to ensure liaison between all relevant LEAs, and social services departments. It

will also be essential that the local Careers Wales company (i.e. local to the residential placement) maintains close contact with the young person's home Careers Service. Careers Wales should ensure that relevant records relating to information, advice and guidance given on learning and career opportunities are made available to the home Careers Service. The responsible authority is the local authority that is looking after the young person or, in the case of a young person who has left care, the authority that last looked after them.