

Organisation:

Salvesen Mindroom Centre

Questions

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 – it is much needed. Salvesen Mindroom Centre has over 20 years of experience in supporting families of children and young people living with learning difficulties – many of whom meet the definition of disability. We have provided one-to-one support to young people, and to employers, to enable access to meaningful work-placements and to support young people to manage transitions from school as well as creating an interactive digital workbook to support transitions planning. Our response to the Bill is therefore rooted in our direct knowledge and experience of the challenges of transition to adulthood.

We do believe, however, that the Bill can only meet the aims if local authorities and other Public Bodies are resourced and held accountable. Ideally, local transitions teams should be established in each local authority and ring-fence funded by the Scottish Government.

A strategy and plan alone will not ensure the most dignified adult life for disabled young people, and these tools need to dovetail with adult support services to ensure continuity and the greatest degree of independence, or appropriate support, that can be achieved.

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::

Yes, legal enforcement is required – there is already legislation (Additional Support for Learning (Scotland) Act 2004 as amended) that makes provision for transition from school, but this is not being well-observed and put into practice. Therefore, a renewed and specific legislative focus is required.

A potential unexpected consequence is that adhering to a plan might limit what a young person can choose to do – if a young person changes their mind or chooses an outcome that isn't in the plan, can they demand the support they need to follow an alternative path? Will it put unnecessary restrictions on what a young person can choose to do?

There is a risk the adherence to producing a plan could deny the young person agency. What if a young person simply doesn't want a plan? Can a young person with capacity turn down the opportunity to have a plan or disengage from a plan already in place?

There is the potential for family conflict in families where the parents don't want to engage with the planning process, or their views are at odds with their child.

There is the potential for Transitions Plans to become formulaic and to become an administrative exercise rather than person-centred.

A great risk would be in cases where the plan to raise hopes and expectations but there is no way for the plan to be delivered in practice.

Scottish Government guidance should be explicit about the factors that must be considered in drawing up a plan – reliance on a general assessment of need is too vague. Any assessment of need must place the views of the young person and their own aspirations at the centre.

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::

Yes, a strategy is needed, and there must be a Minister responsible for promoting it.

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::

Yes, it has to be local authorities who prepare and manage plans. They should explain how the plans are managed and prepared and set minimum standards. It will be important that the young people do not, as currently often happens, fall between the provision of services to children and young people, and adult services. The process of preparing the plan should not be too short (e.g. not simply a one-off meeting with a guidance teacher) and should involve a process of review with the young person. Plans should be strengths-based, focussing on the abilities and potential of each young person, while also identifying any support needed for the young person to fulfil their potential. Additionally, there should be a mechanism for quality control of the plans.

It will be important to establish how a young person can demand a plan, and the relevant timescales: requests for a plan should be met with a timetable for the plan to be produced well in advance of age 16.

Dispute resolution needs to cover the ability to request a plan, as well as to dispute what's in it.

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

Please enter your comments in the box provided::

To ensure plans are realisable, especially where they are designed to lead to employment, the Scottish Government should set up a transitions fund to support employers and Further and Higher education establishments to offer opportunities eg incentives to make adaptations to the workplace and to provide enhanced student support services. The Strategy provides an opportunity to make a Corporate Social Responsibility requirement on employers to offer work experience. (This could be linked to size of organisation). This could create an enhanced role for Developing the Young Workforce (DYW), which would require funding.

Guidance teachers/social workers need capacity and skills to undertake transitions planning – therefore funding will be required to train and increase the workforce. It is likely that this would place extra burden on for example, Skills Development Scotland, and funding would be required to support this.

The short-term funding impact on budgets will, however, have a long term saving if disabled young people are given the opportunity to contribute to society. For example, in reducing economic inactivity and improved mental health and wellbeing. It is here that third sector organisations, such as ours, can make a significant difference as it is most often the voluntary sector that bridges the gaps in publicly funded services or provides specialist support to marginalised groups to access life-changing support and services. It is not enough to create new legal rights – these also must be accompanied by information, advice, advocacy and support to ensure that all those entitled can access services and exercise their rights. Therefore, we urge the Scottish Government to also provide funding to charities with relevant expertise in supporting good transitions to adulthood for disabled young people.

6 Is there anything else you'd like the Committee to know about the Bill? Do you have any comments on how the Bill will affect (for better or worse) the rights and quality of life of the people covered by the Bill?

Please enter your comments in the box provided::

We fully support the Bill and encourage the Scottish Government to ensure that in practice it matches with its aspirations and fits with the Principles of Good Transitions (Scottish Transitions Forum).

A further consideration should be given to how transitions planning will interact with the role created by Guardianship/Power of Attorney to ensure that the views of young people remain central.

Ideally, there should be a system in place to review the effectiveness of transitions plans so that each individual has a plan that meets their needs on an ongoing basis.

If the Bill achieves its aims, we believe it will make a significant positive difference to the quality of life of many disabled young people, and to wider Scottish society. As noted in previous answers, the rights contained in the Bill must become fully realisable through funded delivery systems, skilled staff and a framework of accountability.