

Response ID ANON-YVHP-28DB-Q

Submitted to **Support for Disabled Young People**
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About you

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I would like my response to be published in its entirety

3 What is your name?

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4 What is your email address?

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5 Are you responding as an individual or on behalf of an organisation?

Organisation

Organisation:

Scottish Association of Social Work

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::

The Scottish Association of Social Work (SASW) – part of BASW UK – is the professional association for social work and social workers. We promote a fairer society and the best possible social work services for all people who may need them, whilst also securing the wellbeing of social workers. Many of our members include social work practitioners supporting and protecting children and adults with disabilities.

Key points in our submission:

1. SASW supports the intentions of this Bill.
2. The quality of transitions for all young people need to improve to comply with UNCRC and our existing SDS principles and framework.
3. People with disability and people who are care experienced are very likely to have increased needs for transitional support.
4. Support must be suitable for the individual and take account of intersections of inequalities.
5. Additional resource will be necessary to deliver the proposed statutory requirement, develop the workforce and support commissioning from the Third Sector.
6. Unacceptable inconsistencies across Scotland must be mitigated to deliver a national expectation.

SASW supports the overall aims of the Bill and its intention to improve outcomes for children and young people with a disability in the transition to adulthood. Whilst supporting the intentions in this Bill, it raises questions for us around the effectiveness of our existing legislation for Self-Directed Support (SDS) given that our SDS framework should be able to deliver robust and positive transition across any life stage or event. We suggest that great care is taken if creating additional legislation as a remedy where the existing (very good) guidance and legislation has not been successfully implemented.

The transitional stage between child and adulthood, and the bridging between children's services into adult services, can be an extremely complex time. This period in life brings the desire for independence and the gain of greater choice and responsibility which can be particularly challenging for young people with a disability. To add to this, many children and young people feel at a loss or abandoned when children's services stop supporting them. Insufficient communication between children and adult services, inconsistency in thresholds for service and levels of support and a lack of clarity about where responsibility lies can be key contributing factors to this.

Whilst SASW believes this Bill is a positive step towards addressing some of these complex challenges, we wish to reinforce the multi-dimensionality of transitions to adult life, as well as the extent to which this issue affects other vulnerable groups; most significantly young people who are care experienced. As was evidenced in Scotland's Independent Care Review, it is known that relative to their peers, young people leaving care tend to have lower levels of educational attainment, be unemployed, live in unstable and poor-quality housing or be homeless, be young parents, have mental health problems, have relatively high levels of drug use, and are over-represented in prison (Hannon et al, 2010). These poorer outcomes are related to their pre-care experiences and intensified by instability, placement movement and disruption while in care (Stein, 2005). Further, care leavers are expected to become independent and self-sufficient much earlier than their non-care experienced peers, thus accelerating their transition to adulthood. Some care leavers cope well, but many find the path to independence precarious, warranting the need for additional support.

SASW suggests that the remit of this Bill be extended to include other vulnerable children and young people who have social work involvement, to ensure their transition to independent living improved. Doing so will better integrate the recommendations within "The Promise", as well as give better effect to the UNCRC as Scotland moves towards nationwide incorporation. Poverty and inequalities including race, gender and sexuality must inform transition planning.

SASW wishes to reinforce how emotionally challenging this period in a young person's life can be, with many conflicting pressures and changes. Sexual maturity brings significant changes in personal and family relationships which need to be fully recognised in transition planning.

Different disabilities impact differently on individuals. People with learning disability will have different needs to someone with a physical disability, a developmental disability, or a disability due to a chronic illness. It is important that the uniform provisions within this Bill reflects this diverse range of needs and enables and promote individuals to achieve the principles underpinning the SDS legislation of informed choice, participation, dignity and collaboration.

With respect to the social work workforce, it is important to consider the knowledge and skillset around transitions that are necessary if practitioners are to work effectively and confidently. Specialist teams for children with a disability only work with those with the most complex needs so there are many young people supported by a wide range of social work services who may not have had the opportunities to acquire or maintain these skills. Therefore, some young people are under-supported due to their transitioning to adults' services and having a disability. Resource will be required to ensure professionals are provided with appropriate and relevant professional development to ensure that children and young people receive the best possible support.

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::

SASW supports legislative change in relation to this issue, in particular a statutory right to a transitions plan, to ensure that each young person has their individual needs recognised and to decrease the risk of a gap between services. However, legislation in itself will not automatically lead to improved understanding or practice. An implementation approach will be required to look at the guidance and support structures that will be required, changes to processes, systems and leadership if we are to deliver a significant cultural change in the way young people are supported as they take on adulthood.

SASW wishes to highlight the risk of provision of support becoming a postcode lottery due to unacceptable inconsistency in eligibility and thresholds for services between local authority areas. Provision of opportunities for young people with a disability (and as we suggest other vulnerable groups) to contribute to their community, socialise and live more independently will differ greatly in Edinburgh, in comparison to more rural areas such as the Borders. This is due to cuts to local resourcing issues and, often, lack of availability of third sector organisations who can provide a suitable support service as well as differences in good, accessible public transport links.

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::

SASW supports the idea of a National Transitions Strategy. Any strategy must ensure all relevant stakeholders are included and foster the understanding that everyone has their own unique and important role to play. Different sectors must work together and take a holistic approach to ensure that young people experience equal opportunities. Health and social care, housing, social work, and education must all work collaboratively to ensure the best outcomes for children and young people and understanding of the barriers and difficulties they face. However, as outlined above, it is important that the uniform provisions within this Bill reflect the diverse range of needs that come with this vulnerable group, and that the strategy is flexible in response.

SASW supports the appointment of a Minister with responsibility for this, to highlight the need for improvements, be held accountable and advocate appropriately for change where required.

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::

In short, yes. The language in this question around this duty, however, perhaps risks losing the connection to the principles of SDS; choice, participation dignity and collaboration. Whilst it is important that public bodies are accountable for transition plan, the quality and inclusive nature of these plans should be paramount. Clarity is required as to what extent the responsibility for the assessment and delivery of transition plans falls to individual social work practitioners. There are often disagreements between the person, their loved one, the social worker, services and the local authority. The professional social worker, often finds themselves caught between what their assessment recommends and gate-keeping what can be resourced. We commented on this in our response to the consultation on the incorporation of UNCRC. Issues of professional and corporate decision making will need to be explored and whistle-blowing protected where disagreements cannot be resolved. If a social worker has concerns about the content of or progress of a plan, they need to be empowered and supported to challenge their employer on this without fear of reprisal.

Transitions across local authority boundaries and the flexibility of services to be able to deliver to young people choosing to move are also an area of concern; as they are for all age groups. As it stands, this inconsistency undermines any notion of 'national' provision where all young people are entitled to and can receive the same quality of service and support.

Once again, we feel the measures in this Bill should apply to all children and young people in receipt of any social work support, as well as young people with disabilities.

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::

The financial impact of this Bill will be significant and local authorities must be adequately resourced to carry this work out. Additional statutory duties need to be properly resourced, and the necessary training and support provided to the workforce SASW wishes to stress that, given the already overwhelming financial strain placed on local authorities, appropriate funding must be put in place to support any new statutory duties. This will ensure that frontline workers supporting vulnerable young people are able to do their job to the best of their ability, and that the young people get the support they deserve. Resource commitment must therefore be made for:

- any new statutory duty for transition planning
- appropriate training and support for all agencies and professionals with responsibility for assessing and delivering transition plans, and
- appropriate funding for commission of third sector agencies supporting 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::

Evaluation

1 Was this Call for Views submission tool easy to use?

Easy to use

Why did you feel it was, or was not, easy to use?:

2 Were the questions easy to understand?

Easy to understand

Why do you feel the questions were, or were not, easy to understand?:

3 Do you think this Call for Views submission tool provides a good way for you to get involved in the work of Parliament?

Yes

Please explain the reasons for your answer?:

4 Would you use this Call for Views submission tool again in future to engage with the Scottish Parliament if there was a topic you were interested in?

Yes

Please explain the reasons for your answer?: