



**Haringey** Council

# Transition Policy

*Adult and Housing Services  
and  
Children and Young People's Service*

January 2012

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and  
Children and Young People's Service*

## Document Control

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<b>Version</b> Draft V.5	<b>Status</b> December 2010 Policy	<b>Author</b> Naomi Lowde Strategic Planning and Policy Officer ACCS First Floor 40 Cumberland Rd London N22 7SG
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<b>Intended Recipients:</b> All staff in services providing care for people between 14 – 25 years old.		
<b>Monitoring Arrangements:</b> Through " My Service @18 " planning group		
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## 1. Introduction

The term 'transition' is used to describe the process of moving from childhood into adulthood.

Transition can be defined as “a purposeful, planned process that addresses the medical, psychosocial and educational/vocational needs of adolescents and young adults with chronic physical and medical conditions as they move from child-centred to adult-oriented health care systems.” (Transition: getting it right for young people, DfES & DH, 2006<sup>1</sup>)

## POLICY

Is a formal document outlining the way in which Adult, Culture and Community services and the Children and Young People's Service intend to act during the process of transition.

It is designed to assist the decisions and actions necessary to ensure that the day to day procedure are carried out to achieve the desired outcomes for the young person.

This policy sets out arrangements, roles, responsibilities, and monitoring within transition between Children and Young people's Service and Adult Social Care Services. This policy is based on current local and national guidance and best practice. It provides a framework context, to capture what should happen to achieve clearer and transparent systems and joined up working.

The policy is relevant to the Joint Working Protocols which are written procedures that are agreed by key agencies to ensure that support is delivered effectively to people whose needs cross service boundaries.

This policy has been drawn up in consultation with professional from the Children and Young People's Service, Adult Social Care and Community, voluntary organisations and following a focus discussion group with parents of young people undergoing transition.,

## 2. Scope and Definition

This policy applies to all young people with a disability, who have a statement of special education needs and/ or are supported by the Disabled Children's Team and who are likely to be eligible for support from Adult Services when they reach 18 years old in accordance with Fair Access to Care eligibility criteria.

### Criteria

The London Borough of Haringey Adult Social Critical and Substantial criteria is defined by the Department of Health Prioritising need in the context of Putting People First: A whole system approach to eligibility for adult social care [Eligibility Criteria for Adult Social Care](#) (Appendix 3).

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<sup>1</sup> Based on Blum RW, Garell D, Hadgman CH et al. Transition from child-centred to adult health-care systems for adolescents with chronic conditions. A position paper of the Society for Adolescent Medicine. J Adol Health 1993; 14; 570-6.

This policy applies to all young people

- 14-17 years old who fulfil the eligibility criteria of the Disabled Children's Team and are likely to be eligible for support from Adult Services when they reach 18 in accordance with Fair Access to Care eligibility criteria.
- 18-25 years old who fulfil the Fair Access to Care eligibility criteria of the Adult Services.

These individuals have high /complex needs and will require continual support throughout the transition process. This policy sets out clear expectations that agencies in the Haringey should adhere to in working with the following groups of young people aged 14-25 age group in transition:

- Learning disability
- Physical disability
- Complex health needs
- Sensory impairment
- Emotional/behavioural/ social difficulties
- Mental health needs
- Autistic Spectrum Disorder
- Social and communication disorders

## **2.1. Which staff are covered by the policy**

This policy applies to social workers, education and health workers, and carers in both the Disabled Children's team and the Learning Disabilities partnership. It covers all Haringey Council *Children and Young Peoples Service* and *Adult Services* staff who work with young people who fulfil the eligibility criteria.

### **2.1.1. Eligibility**

As part of the young person's assessment of need during the transition process it is essential for each individual to have an assessment of eligibility. The law affecting children and young people and eligibility criteria differs between Children and Adult Services.

The government has set out an eligibility framework for adults (people aged 18 and over) called Fair Access to Care Services.<sup>2</sup> FACS details a structured eligibility framework, which is used by all local authorities. The process relates to how eligibility criteria is defined through assessment, met through care planning process and monitored through reviewing structures. Assessments are carried out in partnership with the young person using a person centred approach in a setting and using a format that they feel comfortable with, enabling them to influence and to participate in the planning of their future.

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<sup>2</sup> Further details are available on the Council website at the following link:  
[http://www.haringey.gov.uk/index/social\\_care\\_and\\_health/social\\_services-eligibility.htm](http://www.haringey.gov.uk/index/social_care_and_health/social_services-eligibility.htm)  
[www.haringey.gov.uk](http://www.haringey.gov.uk)

The law affecting children and young people and eligibility criteria differs between Children and Adult Services. The government has set out an eligibility framework for adults (people aged 18 and over) called Fair Access to Care Services.<sup>3</sup> The Gloucestershire Judgment in the House of Lords (Section 5 – the legal context, page 8 for more details) ruled that Councils can take their financial position into account when deciding which level of need they will meet. This is currently services for people who are assessed as having Critical or Substantial Needs. This means that Haringey will provide a service to adult users (people aged 18 and over) who are assessed as having Critical or Substantial Needs.

Pathways between the Children and Young people's service and Adult Services have been drawn up which highlight key decision times and supported by a set of written protocols and procedures.

## **2.2. What is not covered by the policy**

This policy does not currently cover transition arrangements for young people who do not meet the eligibility criteria of both Disabled Children's team and Adult Services and who can have their needs met by universal services. These young people will be supported by universal and targeted services, including signposting to appropriate services.

The difference in eligibility criteria between children and adults, planning for transition should start early to manage the different needs and support that children are offered. Young people who do not meet the eligibility criteria of Adult Services may need to seek alternative arrangements for their support once they turn 18 years to meet any needs that are assessed as non-eligible and which would fall outside the Council's statutory responsibility to meet.

## **2.3. Information sharing**

Changes to services may happen at different times as each relevant service has its own system, procedures, drivers and documentation in place. Information sharing therefore is critical to improved co-ordination, joint working and recognition of those families and young people who will need continual support. There is an overarching information sharing protocol between the London borough of Haringey and Haringey Primary Care Trust that this transition policy adheres to. The information sharing protocol was drawn up in accordance with relevant legislation including the Data Protection Act 1998 and the Caldicott Principles.

## **3. Principles**

This policy is based on the following principles:

1. Transition planning should be carried out across partnerships - internal and external. There is also an expectation that young people with disabilities should have access to generic services where appropriate or specialist services if necessary
2. Care planning should involve the young person and their family/carer to help tailor support to the young person's changing needs.
3. Plans should be co-ordinated around the needs of the young person and in consultation with him/her

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<sup>3</sup> Further details are available on the Council website at the following link:  
[http://www.haringey.gov.uk/index/social\\_care\\_and\\_health/social\\_services-eligibility.htm](http://www.haringey.gov.uk/index/social_care_and_health/social_services-eligibility.htm)  
[www.haringey.gov.uk](http://www.haringey.gov.uk)

4. The plans should maximize the young persons health outcomes including emotional, developmental and social health and well being
5. All care plans should be transparent, and communication should be clear and maintained.
6. Young people have a right to services that promote the social and educational/employment potential
7. Young people have a right to services that promote their ability to live independently following from this. In addition to mental health needs, advice on education and employment, sexual and physical matters, welfare right, and housing should be readily available and appropriate referrals made
8. Successful transition planning and programmes are crucially dependent on collaboration between children's and adult services. Well planned transition improves clinical, educational and social outcomes for young people
9. There is a need for robust risk assessment and risk management plan alongside the therapeutic support plan.
10. Adults safeguarding procedure [Protecting adults at risk](#) (hyperlink) and CYPS safeguarding policy and procedures (hyperlink) are to be adhered to at all times
11. Transition planning should be based on informed decision-making and realistic understanding of future provision.
12. All transition planning should be done in compliance with the Equality Act 2010.
13. Transition should be viewed as a procession and not as a single event. This includes adult and young people services working alongside each other for young people with severe and enduring mental health needs to ensure continuity of care.
14. Annual meetings are held for young people, their parents and carers to ensure that information on the transition process is widely available and parents are clear about the process and the services available to support them. In addition an annual Opportunities Fair is held for young people and their families where there is an opportunity to meet a wide range of services available to young adults including information on education, training, employment, leisure and housing services.

#### **4. Aim**

The aim of this policy is to:

1. Enable a smooth transition to adult services for young people with disabilities who are currently supported by the Children and Young People's Service.
2. Incorporate person-centred planning into transition planning, enabling choice and control in planning and developing the individual's future.
3. Clarify the process, roles and responsibilities to enable a co-ordinated and transparent approach and monitored across partners, both an operational and strategic level.

#### **5. Roles and responsibilities**

The implementation of this policy is jointly owned by those involved in the transition process. There are many agencies involved in supporting a young person at transition and so it is important that all roles and responsibilities are clearly understood by all.

Services for supporting disabled young people and adults tend to be spread over a number of services and agencies, each working to different priorities, budgets, timeframes and to an extent legislation.

The emphasis throughout is the need for joined-up working to safeguard and promote the welfare of the client

### **5.1. Governance and sign-off of the policy:**

Persons responsible:

- Deputy Director, Adult and community Services
- Deputy Director, Children Services (CYPS)
- My Service at 18 – the joint strategic transition planning group between the Children and Young People’s Service and the Adults Learning Disability Partnership.

The above roles will also have responsibility to:

- Ensure that their respective Directorate/agencies meet its transition related duties.
- Ensure the performance of the policy is monitored and reviewed.

### **5.2. The implementation of the Policy:**

Persons responsible:

#### 1. Managers

It is the responsibility of managers to ensure that operational staff are aware of this policy and have received appropriate training to enable them to implement it efficiently. Managers also have the responsibility of auditing its implementation.

#### 2. All staff

It is the responsibility of staff to:

- implement this policy
- attend any relevant identified training

## **6. The Legal Context**

This policy is aligned with the priorities and outcomes with the following key strategic documents:

### **[Every Child Matters, Change for Children](#)**

The policy and associated protocols promotes the outcomes for children as stated in *Every Child Matters, Change for Children* 2005 and enshrined in the 2004 Children Act. They are that children will:

- Be healthy;
- Stay safe;
- Enjoy and achieve;
- Make a positive contribution;
- Achieve economic well being.

## [Our Health, Our Care, Our Say](#)

The outcomes for adults are in line with those stated in the 2006 Government White Paper, *Our Health, Our Care, Our Say*. They are:

- Improved health and well-being
- Improved quality of life
- Making a positive contribution
- Increased choice and control
- Freedom from discrimination and harassment
- Economic wellbeing
- Maintaining personal dignity and respect.

### **6.1. National Context**

There is no legislated document on transition in the UK, though there is a long history of guidance from various departments, agencies and non-departmental public bodies, such as the Department of Health (DH) and Department for Education and Skills (DFES). References to the following links are observed and provide a basis for this policy and related practice; however they will not and cannot be treated as authoritative interpretations of the law.

The policy also recognises the following national documents:

1. [Disabled Persons \(Services and Consultation and Representation\) Act 1986, S8](#)
2. [The Children Act 1989](#)
3. [NHS and Community Care Act 1990, S47](#)
4. [The Transition Support Programme](#)
5. [A Transition Guide for all Services \(DH, 2007\)](#)
6. [Transition: getting it right for young people, \(DH, 2006\)](#)
7. [Special Educational Needs – Code of Practice \(DfES, 2001\)](#)
8. [SEN – code of practice 2002](#)
9. [The Gloucestershire Judgment](#)
10. [Equality Act 2010](#)
11. [Putting People First](#)
12. [Carers \(Recognition and Services\) Act 1995](#)
13. [National Service Framework for Mental Health 1999](#)
14. [The Framework for Assessment of Children in Need and their Families 2000](#)
15. [Carers and Disabled Children Act 2000](#)
16. [The Children Act 2004](#)
17. [The Carers \(Equal Opportunities\) Act 2004](#)
18. [The Common Assessment Framework 2005.](#)
19. [Autism Strategy 2009](#)
20. [Mental Capacity Act 2005](#)
21. [Mental Capacity Act Deprivation of Liberty Safeguards](#)
22. [Working Together to Safeguard Children 2010](#)
23. [Prioritising need in the context of \*Putting People First\*. A whole system approach to eligibility for social care](#)

Further details can be found in Appendix A.

## 6.2. Local Context

The following section lists the links that set the local context relevant to the policy.

1. [Transition Children to Adults \(A Review by the Haringey Council Overview and Scrutiny Committee, March 2010\)](#)
2. [Priorities of Haringey's Sustainable Community Strategy 2007-2016](#)
3. [Haringey Council Priority A Healthy, Caring Haringey](#)
4. [Well-being Strategic Framework](#) Outcomes and Objectives (Objectives 1, 3, and 4)

Further details can be found in Appendix B.

## 7. Equalities and diversity

This Policy and its implementation must be compliant with [Haringey Council's Equal Opportunities Policy 2008](#) and the [Equality Act 2010](#) from its implementation on 1 October 2010.

Local authorities have a legal duty to challenge discrimination and prejudice, and to work with partners to improve equality of opportunity, particularly for those who are most disadvantaged. Understanding the needs and the differences in younger people with disabilities as their transition to adulthood is vital to making the best decisions and best use of resources.

### Review of processes

All transition processes must be reviewed to ensure compliance with the Equality Act 2010 across the nine protected characteristics\* of:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion and belief
- Sex
- Sexual orientation

### Information

Information must be given in a format that they can understand as be part of the young person's transition process.

### Disability

To give appropriate support, all users should be provided with information in a format that they understand. For example people with learning disabilities should be supported to make decisions about care they will be given. Many individuals who might have considerable cognitive impairment can make meaningful decisions if the options are explained to them appropriately, clearly explaining the advantages and disadvantages of each option.

### Community languages

Young People who need it must be provided with information in community languages either through an interpreter or in written form.

## **Summary of actions to ensure Equality**

Review transition processes to ensure compliance with Equality Act

Ensure information about transition is available in appropriate formats

## **Equalities Impact Assessments (EIA)**

This policy has undergone an EIA screening process.

### **8. Audit**

*My Service at 18* will be responsible for auditing the policy. The strategic group comprises wide representatives from statutory and voluntary services, parents and providers.

The group reports to *The Disabilities Forum*, the Children's Trust and to the Learning Disability Partnership Board and the Well Being Stream Board, which links to Haringey Strategic Partnership.

Regular audits of the transition service will be made to ensure quality and continuous service improvement. The auditing will evaluate users experience and outcomes; and determine ways to improve or remove issues or gaps. This process will help ensure care is being appropriately sought and recorded. The results from audits will be reported to, the relevant Partnership Boards and the Well Being Stream Board.

### **Elements of transition which will be audited:**

- Record of the change in services offered and the decisions made (who made them, were they suggested by staff or requested by user)
- Record of assessments particularly those in transition which meets the standards of good practice required to promote continuity of care (see [CAMHS to Adult Transition, Self Assessment Checklist](#) for guidance on Self Assessment Checklist)
- What method of information dissemination was used
- What extra support the user needed to plan transition services (e.g. advocate/carer)
- Signed off by both staff and user (or carer on behalf of user)

### **9. Training**

All staff should be advised of the policy. Transition will be emphasised in relevant training. This will help implement of the policy and guide staff and carers to plan continual and consistent care to individual needs. Joint training should be undertaken where possible.

### **10. Review**

The policy will be reviewed annually (or sooner if new legislation, codes of practice or national standards are introduced) to ensure that the care provided to individuals achieves the desired outcomes.

Throughout the year, the Assistant Directors and senior managers of *Children Social Care* and *Adult Social Care Services* will be responsible for the monitoring

the effectiveness of the policy. This will help contribute to the process, efficiency and effectiveness of the annual review.

Senior Managers involved from both Directorates will be responsible for signposting reasons to bring the review date forward. Such reasons might be new legislation, codes of practice or national standards; or increased problems (according to indicators and targets) brought to both the Adult Services and Children Service's Divisional Management Meeting (DMM).

The policy will be reviewed by each Directorate's DMM and reported to each Directorate's Equalities Board in Spring 2012.

**Review date:** Spring 2012

## 11. Appendices

### Appendix 1: The legal context extended

There is a web of law, regulation and guidance affecting practice. The key points are outlined here, with hyperlinks to websites for further information.

#### Appendix 1A: National Context

1. [Disabled Persons \(Services and Consultation and Representation\) Act 1986, S8](#)

Where an assessment of a disabled person is being undertaken under s.4 of this act, the assessment must take into account the carer's willingness and ability to continue to care.

2. [The Children Act 1989](#)

Section 17 of the Children Act 1989 places a duty on local authorities to safeguard and promote the welfare of children in need and to promote the upbringing of children by their families, so far as this is consistent with their welfare duty to the child, by providing an appropriate range and level of services. A child in need is one who is disabled, or unlikely either to achieve a reasonable standard of health or whose health or development will suffer unless services are provided.

Section 47 of the Children Act 1989 requires Local Authorities to make enquiries if they have reason to believe a child has suffered, or is at risk of suffering "significant harm." If evidence is found a multi disciplinary case conference may be called, and the child's name placed on the Child Protection Register under one or more of four categories – Physical Harm, Sexual Abuse, Emotional Abuse and Neglect.

3. [NHS and Community Care Act 1990, S47](#)

If, during the Section 47(1) assessment the person is identified as being 'disabled' \*, that person has additional rights as set out in Section 47(2). This requires local authorities to make a decision as to the services required under Section 4 of the Disabled Persons (Services and Consultation and Representation) Act 1986.

4. [The Transition Support Programme](#)

The Transition Support Programme is a three year national government programme, running between 2008 and 2011. It was developed to support work on improving practice on all aspects of the transition to adulthood for disabled young people and their families. It is part of a wider government programme called Aiming High for Disabled Children (AHDC), which is transforming local services in England for all disabled children, young people and their families.

5. [A Transition Guide for all Services](#) (DH, 2007)

This document provides good practice guidance on the roles, responsibilities and duties for all service providers working with disabled young people (including those with complex health needs) through their transition to adulthood. The content in the guide is drawn from a wide range of contributors and does not necessarily reflect the views of either the Council for Disabled

Children, the Department for Children, Schools and Families or the Department of Health, however, it aims to provide a comprehensive map of the requirements, expectations and current good practice on transition at local level.

**6. [Transition: getting it right for young people, \(DH, 2006\)](#)**

This good practice guide aims to show that the handover should be planned and managed as a process, for which the term “transition” is more appropriate. The guide suggests how this can best be accomplished in the context of the evidence base and suggests a definition of transition as follows.

**7. [Special Educational Needs – Code of Practice \(DfES, 2001\)](#)**

This document sets out guidance on policies and procedures aimed at enabling pupils with special educational needs (SEN) to reach their full potential, to be included fully in their school communities and make a successful transition to adulthood. It highlights the importance of informing and involving young people on the options available to them and what they would like considered.

**8. [SEN – code of practice 2002](#)**

The SEN Code of Practice provides practical advice to Local Education Authorities, maintained schools, early education settings and others on carrying out their statutory duties to identify, assess and make provision for children’s special educational needs.

The Code sets out guidance on policies and procedures aimed at enabling pupils with special educational needs (SEN) to reach their full potential and how to make a successful transition to adulthood.

**9. [The Gloucestershire Judgment](#)**

In September 1994 Gloucestershire withdrew or reduced home care services from about 1500 service users claiming that lack of government funding was the reason behind the changes. A number of elderly disabled people challenged the decision by way of judicial review.

The Gloucestershire Judgment does not give authorities a Licence to take decisions on the basis of resources alone. Authorities must take account of all other relevant factors. Pressure on resources cannot be used as an excuse for taking arbitrary or unreasonable decisions.

It was confirmed in the course of the judicial review cases that an authority cannot arbitrarily change the services which it is arranging for a disabled person merely because its own resource position has changed. It needs to reconsider what needs it will meet (ie what its eligibility criteria will be), and reassess the individual against those redefined needs. Once a local authority has decided that it is necessary, in order to meet the needs of a disabled person, for it to arrange a service listed in section 2, then it is under a duty to arrange it.

**10. [Equality Act 2010](#)**

The Equality Act harmonises and in some cases extends existing discrimination law covering the *'protected characteristics'* defined next below:

## **Age**

Where this is referred to, it refers to a person belonging to a particular age (for example, 32 year olds) or range of ages (for example, 18 - 30 year olds).

## **Disability**

A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

## **Gender reassignment**

The process of transitioning from one gender to another.

## **Marriage and civil partnership**

Marriage is defined as a 'union between a man and a woman'. Same-sex couples can have their relationships legally recognised as 'civil partnerships'. Civil partners must be treated the same as married couples on a range of legal matters.

## **Pregnancy and maternity**

Pregnancy is the condition of being pregnant. Maternity refers to the period of 26 weeks after the birth, which reflects the period of a woman's ordinary maternity leave entitlement in the employment context.

## **Race**

Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins.

## **Religion and belief**

Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (for example, Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

## **Sex**

A man or a woman.

## **Sexual orientation**

Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.

Further information about the protected characteristics is available on the [Office of Public Sector Information website](#).

The Act also addresses the impact of recent case law which is generally seen as having weakened discrimination protection, and harmonises provisions defining indirect discrimination.

### **11. [Putting People First](#): a shared vision and commitment to the transformation of adult social care (DH 2007)**

This agreement announced the personalisation of social care, extending universal services and promoting the take-up of personal budgets for social care users. [Personalisation](#) means that every person who receives support, whether provided by statutory services or funded by themselves, will have choice and control over the shape of that support in all care settings.

**12. [Carers \(Recognition and Services\) Act 1995](#)**

This act of Parliament was promised in the Carers Strategy (1999) and made some important changes to assessment and services for carers. This Act gives carers the right to ask for an assessment of their own needs to help them to continue to care, irrespective of whether the person they are caring for has had or is having their own needs assessment. The assessment is available to any carer who provides or is intending to provide regular and substantial care (this is not clearly defined). The Carers and Disabled Act 2000 also allows, for the first time, Social Service Departments to provide services directly to carers, although whether or not you receive a service is up to the Social Services.

**13. [National Service Framework for Mental Health 1999](#)**

Standard 6, caring for carers, outlines the roles and responsibilities of Social Services, GPs, Primary Care Teams and others with regards to assessing and meeting carers' needs including young carers.

**14. [The Framework for Assessment of Children in Need and their Families 2000](#)**

This guidance describes the framework which was developed to provide a systematic way of analysing, understanding and recording what is happening to children and young people within their families and the wider context of the community in which they live.. It sets out Government expectations of how the framework will be used. In addition, it takes account of relevant legislation at the time of publication, but is particularly informed by the requirements of the Children Act 1989, which provides a comprehensive framework for the care and protection of children.

**15. [Carers and Disabled Children Act 2000](#) Section 1. (1) If an individual aged 16 or over ("the carer") -**

- provides or intends to provide a substantial amount of care on a regular basis for another individual aged 18 or over ("the person cared for")
- asks a local authority to carry out an assessment of his ability to provide and to continue to provide care for the person cared for, the local authority must carry out such an assessment if it is satisfied that the person cared for is someone for whom it may provide or arrange for the provision of community care services.

**16. [The Children Act 2004](#) – which established the five Every Child Matters Outcomes**

The Children Act 2004 followed from the green paper “Every Child Matters“ (2003) and sets new targets for every child to:

- Be healthy
- Stay safe
- Enjoy and achieve
- Make a positive contribution
- Achieve economic wellbeing

These are the five national Every Child Matters outcomes. The Act has established Children Trusts, Children’s Centres, Extended Schools, The Common Assessment Framework and the Lead Professional. A new Local

Authority Directorate amalgamates children's social care, education, connexions, the youth service and early years.

**17. [The Carers \(Equal Opportunities\) Act 2004](#)**

First, the Act requires local authorities to inform carers, in certain circumstances, that they may be entitled to an assessment under the 1995 and 2000 Acts. Second, when undertaking a carer's assessment, the local authority must consider whether the carer works, undertakes any form of education, training or leisure activity, or wishes to do any of those things. Third, the Act provides for co-operation between local authorities and other bodies in relation to the planning and provision of services that are relevant to carers.

**18. [The Common Assessment Framework 2005](#)**

The CAF is a key part of delivering frontline services that are integrated, and are focused around the needs of children and young people. The CAF is a standardised approach to conducting assessments of children's additional needs and deciding how these should be met. It can be used by practitioners across children's services in England.

**19. [Mental Capacity Act 2005](#)**

The implementation of the Mental Capacity Act 2005 has implications for circumstances where a parent may lack capacity. A person is assumed to have capacity, unless proven otherwise. Assessments around capacity are situation-specific, and staff are charged with ensuring that every effort is made to provide information and support in ways that can best be understood before a person is deemed to lack capacity in a particular area. Alongside the Act is an extensive Code of Practice.

**20. [Mental Capacity Act Deprivation of Liberty Safeguards \(DOLS\)](#)**

The deprivation of liberty safeguards which came into force in April 2009 were introduced into the Mental Capacity Act 2005 by the [Mental Health Act 2007](#). The safeguards provide a framework for approving the deprivation of liberty for people who lack the capacity to consent to treatment or care in either a hospital or care home that, in their own best interests, can only be provided in circumstances that amount to a deprivation of liberty.

The safeguards legislation contains detailed requirements about when and how deprivation of liberty may be authorised. It provides for an assessment process that must be undertaken before deprivation of liberty may be authorised and detailed arrangements for renewing and challenging the authorisation of deprivation of liberty. DOLS strengthens the protection of a very vulnerable group of people, and tackle human rights incompatibilities, by introducing deprivation of liberty safeguards for people who lack capacity to decide about their care or treatment, and who are deprived of their liberty to protect them from harm, but who are not covered by the Mental Health Act 1983 safeguards.

**21. [Working Together to Safeguard Children 2010](#)**

This document (2010) sets out how individuals and organisations should work together to safeguard and promote the welfare of children. It replaces the previous version of the guidance, [Working Together to Safeguard Children \(2006\)](#).

The guidance provides a national framework within which agencies and professionals at local level – individually and jointly – draw up and agree on their own ways of working together to safeguard and promote the welfare of children.

**22. [Prioritising need in the context of \*Putting People First\*. A whole system approach to eligibility for social care](#)**

This guidance is issued under section 7(1) of the Local Authority Social Services Act 1970 and replaces Fair access to care services - guidance on eligibility criteria for adult social care which was issued in 2003. The aim of the revised guidance is to support fairness, transparency and consistency of application and to reflect the increased focus on personalisation and prevention as set out in *Putting People First*.

**23. [Autism Act and Autism Strategy 2009](#)**

Arrangements for the design and delivery of a new national strategy for adults with autistic spectrum

## Appendix 1B: Local Context

The following section lists the local context relevant to the policy.

### 1. [Transition Children to Adults \(A Review by the Haringey Council Overview and Scrutiny Committee, March 2010\)](#)

In March 2010 Haringey Council's Overview and Scrutiny Committee conducted an in-depth review on transition services, and identified key strengths in service delivery and offered a series of recommendations to be undertaken with current resource allocations. Among the 19 recommendations particularly relevant are:

#### Recommendation 8

Children and Young People's Services should ensure that improved and efficient working exists between departments ensuring joint team training, meetings and better sharing/use of data.

#### Recommendation 13

The panel recommends that in accordance with the transition protocol there should be an integrated approach to minimise duplication of assessment activities together with closer working and better sharing of information between services. This would streamline services and reduce the level of duplication, ensuring greater utilisation of scarce resources.

The policy will help take forward the above recommendations, the need to have a more co-ordinated and transparent approach.

\*For all 19 recommendations, see Appendices – pg. 13-15.

### 2. Priorities of Haringey's [Sustainable Community Strategy 2007-2016](#)

Haringey will:

- have healthier people with a better quality of life
- be people and customer focused

### 3. Haringey Council Priority [A Healthy, Caring Haringey](#)

Tackling health inequalities. Promoting independent living: enabling people to remain independent, have choice and control over their lives, whilst protecting the vulnerable.

### 4. Relevant [Well-being Strategic Framework](#) Outcomes and Objectives

No.	User Outcomes	Haringey Objectives
1	Improved health and emotional well-being	To promote healthy living and reduce health inequalities in Haringey
3	Making a positive contribution	To encourage opportunities for active living including getting involved, influencing decisions and volunteering
4	Increased choice and control	To enable people to live independently, exercising choice and control over their lives

- [CAMHS to Adult Transition, Self Assessment Checklist](#)
- [The Bookshelf Annotated Bibliography](#)
- [A Literature Review for Informed Practice](#)

### Appendix 3

The London Borough of Haringey Adult Social Critical and Substantial criteria is defined by the Department of Health Prioritising need in the context of Putting People First: A whole system approach to eligibility for adult social

Critical is

- life is, or will be, threatened; and/or
- significant health problems have developed or will develop; and/or
- there is, or will be, little or no choice and control over vital aspects of the immediate environment; and/or
- serious abuse or neglect has occurred or will occur; and/or
- there is, or will be, an inability to carry out vital personal care or domestic routines; and/or
- vital involvement in work, education or learning cannot or will not be sustained; and/or
- vital social support systems and relationships cannot or will not be sustained; and/or
- vital family and other social roles and responsibilities cannot or will not be undertaken.

Substantial is

- there is, or will be, only partial choice and control over the immediate environment; and/or
- abuse or neglect has occurred or will occur; and/or
- there is, or will be, an inability to carry out the majority of personal care or domestic routines; and/or
- involvement in many aspects of work, education or learning cannot or will not be sustained; and/or
- the majority of social support systems and relationships cannot or will not be sustained; and/or
- the majority of family and other social roles and responsibilities cannot or will not be undertaken.

Health Care needs where the young person has significant continuing care health needs [Continuing Health Care](#).

The guidance makes clear that the NHS has a clear responsibility to arrange and fund services to meet the needs of people who require continuing health care.