

**CABINET – 14 SEPTEMBER 2018****WHOLE LIFE DISABILITY STRATEGY****JOINT REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES  
AND THE DIRECTOR OF CHILDREN AND FAMILY SERVICES****PART A****Purpose of the Report**

- 1 The purpose of this report is to seek the Cabinet's approval for the adoption of the County Council's Whole Life Disability Strategy and associated document "Preparing for adulthood – A protocol for young people with special education needs or a disability" which describes how children and young people should be involved in decisions about their care and support.

**Recommendation**

- 2 It is recommended that the Whole Life Disability Strategy and associated protocol for young people with special educational needs or a disability, "Preparing for adulthood", be approved.

**Reasons for Recommendations**

- 3 The Whole Life Disability Strategy will ensure that all disabled people, their families and other stakeholders receive a co-ordinated and proportionate response from Council services to enable them to live a healthy, safe, independent and fulfilling life in their own community.

**Timetable for Decisions (including Scrutiny)**

- 4 The Scrutiny Commission will consider the Whole Life Disability Strategy and associated Preparing for adulthood protocol on the 12 September 2018 and its comments will be reported to the Cabinet.
- 5 The Whole Life Disability Strategy will be presented, for information, to the Health and Wellbeing Board at its meeting on the 27 September 2018 and the Integration Executive on the 2 October 2018.

**Policy Framework and Previous Decisions**

- 6 The Strategy supports the Council's ambitions as established in the Strategic Plan, "Working together for the benefit of everyone: Leicestershire County Council's Strategic Plan 2018-22" which was approved by the County Council in December 2017. The delivery of the Whole Life Disability Strategy will contribute to all five strategic outcomes.

## **Resources Implications**

- 7 The resource requirements to support the implementation of the Whole Life Disability Strategy will be met within existing budget allocations or separately identified through the annual Medium Term Financial Strategy (MTFS) process.
- 8 In Leicestershire, there are estimated to be 36,100 children and young people living with a long standing illness or disability, including Special Educational Needs (SEN) and about 16,816 of them are known to schools and the local authority. The number of children with Education, Health and Care Plans (EHCPs) has risen by nearly 1,000 since 2015, with a total of 3,703 children and young people (aged 0-25yrs) with EHCPs in the County as at March 2018.
- 9 The Children and Family Services Department forecast spend of £67m on the commissioning and provision of services for children and young people with SEN and are funding a growing number of Post 16 students.
- 10 There are around 3,000 disabled people aged under 65 in receipt of support from Adult Social Care. In 2015, the Adults and Communities Department spent approximately £64m on the provision of services for these people - 42% on community based services and 58% on residential accommodation. A total of 81% of physically disabled people had community-based provision compared to only 52% of people with a learning disability.
- 11 The existing MTFS identifies a growth requirement of £600,000 in 2018/19, rising to £2m by 2021/22 to meet the care requirements of an estimated 184 young people who will transition into adult social care services.
- 12 In addition to these care costs, both Departments will outline additional funding requirements for implementing and administering the Preparing for adulthood protocol during the MTFS 2019 planning round.
- 13 The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

## **Circulation under the Local Issues Alert Procedure**

- 14 This report has been circulated to all Members of the County Council via the Members' News in Brief.

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## **PART B**

### **Background**

- 15 Being born with or acquiring a disability can have a major impact on people's life chances and opportunities.
- 16 The Council's aim is to take a whole life approach to ensure that disabled people of any age can live healthy, safe, independent and fulfilling lives in their own communities. By doing so, individuals will have greater employment opportunities, better health and community relationships, and increasing independence and control over what they want to do and how they wish to be supported.
- 17 Living with a disability should not be a barrier to living full independent successful lives. This Strategy sets out how the Council, will work alongside all disabled people of all ages, along with their families and other key stakeholders to make sure that when they are in contact with Council services, they have access to a co-ordinated, proportionate response. This will focus on promoting inclusion, independence and self-reliance to enable people to live their lives, recognising the inequalities that people with disabilities often experience in society
- 18 The Preparing for adulthood protocol has been developed to address the agenda set out in the Care Act 2014 and Children and Families Act 2014. The aims of the protocol are to ensure that young people, and their families, have appropriate information and advice, contact with lead professionals and appropriate support services to enable a smooth transition from children and young people's services to adult services.

### **Partnership Strategy Development**

- 19 A key recommendation early in the review process was for the Council not to work in isolation, but to develop the Strategy with partners and to seek to establish integrated service pathways for disabled people in Leicestershire. Thus, the scope was widened to the Leicester, Leicestershire and Rutland sub-region and included the relevant local authorities and health partners, from the Clinical Commissioning Groups, Leicestershire Partnership NHS Trust and University Hospitals of Leicester. A Partnership Officer Board with representatives from across the partnership was established, chaired by the Chief Executive of Leicestershire County Council.
- 20 As part of the process in January 2017, the Council commissioned Peopletoo, an independent organisation, to review the Council's provision for disabled people and to support the development and implementation of a Whole Life Disability Strategy. Peopletoo conducted a significant consultation exercise between January and May 2017 (details of which are given in paragraphs 40 to 44 below) which culminated in an engagement report to the Partnership Officer Board in June 2017 and to the Integration Executive (the senior officers supporting work of the Health and Wellbeing Board) in July 2017. The key findings were largely drawn from direct dialogue with disabled people, parents, and carers, backed up by the findings from engagement with a broad section of professionals from voluntary, community, private and statutory sector organisations that directly provide and/or commission services for disabled people.

- 21 Following this, Peopletoo conducted a series of interviews with key officers and practitioners within the partnership organisations throughout June and July 2017 which culminated in a series of workshops. The aim of the workshops was to build on the findings from the engagement work with disabled people and professionals working in the field and, in relating these directly to the priorities of the partner organisations, develop strands of work that could be taken forward to implementation.
- 22 The workshops were completed and the results of these were collated into a draft Whole Life Disability Strategy which was presented to the Partnership Officer Board on 7 November 2017.

### **Engagement of Partnership Agencies in the Strategy Development**

- 23 One of the main challenges in developing the Partnership Strategy was ensuring that partners engaged with the development activity in terms of making officers available for discussions and providing data. Similarly, it was a challenge to ensure that partners continued to commit to the end goal of a single Whole Life Disability Strategy and action plan, despite their other organisational pressures and drivers.
- 25 Following the presentation of the draft Strategy in November 2017, the Council attempted to gain a firm commitment formally by writing to partners reaffirming the need for both organisational commitment and a financial commitment to enact change. However, this was unsuccessful. It has therefore been determined that it is not possible to develop a cross sector, Leicester, Leicestershire and Rutland (LLR) wide Strategy at this time.
- 26 Notwithstanding the failure of partners to commit, all departments of the Council support the Whole Life Disability approach and the adoption of the Strategy document as a standalone County Council document is therefore sought.

### **Leicestershire County Council Whole Life Disability Strategy**

- 27 The process of developing the Strategy identified the key concerns that disabled people have around the support they receive. These were as a result of an extensive engagement exercise with a wide range of disabled people and their parents/carers across Leicestershire. Individuals and groups had taken the time to engage with the process and provided a valuable insight.
- 28 The overarching theme emerging from the Strategy is to ensure a person-centred approach to promoting the independence of all disabled people.
- 29 Although each of the priorities that have emerged from the Strategy were based on the views of disabled people speaking about their experiences across a number of health and social care providers, the County Council recognises it has a significant impact on that experience. Furthermore, it is clear that the improvements that disabled people and their parents and carers want to see are aligned with 'Working together for the benefit of everyone: Leicestershire County Council's Strategic Plan 2018-22' for example, having the opportunities and support to take control of their health and wellbeing, keeping people safe, and enabling thriving and integrated communities.

### **Preparing for adulthood protocol**

- 30 The Whole Life Disability Strategy takes an all age approach to supporting people who have a disability and aims to support people throughout the stages of their lives. However, it is recognised that certain life stages and transitions between them create more challenges for disabled people and their families.
- 31 One such life stage is the transition from childhood to adulthood. This is sometimes a difficult transition for people without disabilities but for disabled young people there is an added complexity due to the challenges of accessing and establishing new and different support services, and of understanding the opportunities and options available to them.
- 32 The Children and Families Act 2014 introduced a new Special Educational Needs and Disabilities (SEND) system and extended the age range for education support to 0-25 years, as such significantly more post-16 pupils are now being supported. At the heart of the changes is a commitment to ensure that children, young people and their families are at the centre of decision making in order that they achieve better outcomes. The majority of children and young people with SEND can be successful with support from their schools, family and the community. Some young people will require additional support to meet their needs.
- 33 The Care Act 2014 places a duty on local authorities to conduct transition assessments for children, children's carers and young carers where there is a likely need for care and support after the child in question turns 18 and a transition assessment would be of 'significant benefit'.
- 34 However, the timing of this assessment will depend on when it is of significant benefit to the young person or carer. This will generally be at the point when their needs for care and support as an adult can be predicted reasonably confidently, but will also depend on a range of other factors.
- 35 There are three groups of people who have a right to a transition assessment:
- Young people, under 18, with care and support needs who are approaching transition to adulthood;
  - Young carers, under 18, who are themselves preparing for adulthood;
  - Adult carers of a young person who is preparing for adulthood.
- 36 Early identification and assessments that build on a person's strengths and what they do well, gives local authorities an opportunity to put in place enabling services that will help young people to become more independent as they move into adulthood.
- 37 The Preparing for adulthood protocol (Appendix B) sets out how services will work together to support young people with SEND to prepare for adult life.
- 38 The protocol has been developed jointly between the Children and Family Services and Adults and Communities Departments and outlines how children and young people should be involved in decision making, careers advice, the Local Offer, Post-16 programmes and funding arrangements. Partners have been engaged in the development of the protocol and pathway that sets out clearly what needs to happen at each stage with the young person.

## **Consultations**

- 39 Peopletoo conducted a significant consultation exercise between January and May 2017 with disabled people, parents, and carers, including engagement with a broad section of professionals from voluntary, community, private and statutory sector organisations that directly provide and/or commission services for disabled people.
- 40 This included extensive engagement undertaken by Peopletoo and officers in the development and preparation of the Strategy document with feedback from over 1,000 people, including 15 existing service user groups across Leicestershire and Leicester. Peopletoo and officers also organised workshops for parent and carer groups and disabled workers groups. The engagement with disabled people was all carried out through face to face contact, often using card systems to ensure understanding, backed up by 'easy read' documents to help people assimilate the messages.
- 41 Professionals across LLR partners were also engaged through a series of meetings with senior officers and workshops were held with 146 practitioners being invited. Whilst partners did engage in a number of the consultation events and provided valuable feedback, the commitment from those organisations at a senior decision-making level was inconsistent.
- 42 The consultation document which resulted is framed on the themes and responses from disabled people and their families. These themes were broad but included:
- Disabled people desire greater independence
  - Disabled people and parents/carers find it difficult to navigate health and social care systems
  - Disabled people and parents/carers experience difficult transitions, mainly from children to adult service.
- 43 Further engagement has also been undertaken with partners, educational institutions and the Parent Carer Forum to develop the Preparing for adulthood protocol and further engagement will take place to co-produce the implementation plans which will support the delivery of the Strategy.

## **Relevant Impact Assessments**

### **Equality and Human Rights Implications**

- 44 An Equality and Human Rights Impact Assessment (EHRIA) screening exercise was conducted and concluded that the Strategy is focused on improving life chances for disabled people by promoting greater access to employment, better health and community relationships and increasing independence and control over what they want to do and how they are supported. It is anticipated that as the impact on protected groups will be positive a full EHRIA is not required at this stage.

## **List of Appendices**

- Appendix A– Whole Life Disability Strategy

- Appendix B – Preparing for adulthood – A protocol for young people with special educational needs or a disability

### **Background Papers**

- Leicestershire County Council Strategic Plan 2018-22 - <https://www.leicestershire.gov.uk/about-the-council/council-plans/the-strategic-plan>
- Medium Term Financial Strategy 2018 - <https://www.leicestershire.gov.uk/about-the-council/council-spending/medium-term-financial-strategy-mtfs>

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