



## Preparing for Adulthood

In this fact sheet, we have set out the following:

1. What the law and guidance say on preparing for adulthood
2. What to consider and further support

### **(1) What does the law say?**

#### **(a) General overview**

[The Children and Families Act 2014](#) sets out a range of duties towards young people preparing for adulthood. These include the provision of information, advice and support, working together to achieve outcomes, and to review provision. In addition, [Section 19](#) of the Act sets out that Local Authorities must have regard to:

- the views, wishes and feelings of children and their parents, and young people;
- the importance of them participating as fully as possible in decision-making and providing the information and support to enable them to do so; and
- supporting children and young people's development and helping them to achieve the best possible educational and other outcomes.

[The Care Act](#) focuses on individual wellbeing with an emphasis on outcomes and person-centred practice.

Chapter 8 of the [SEND Code of Practice 2015](#) provides statutory guidance including the following:

*Preparing for adulthood means preparing for:*

- *higher education and/or employment – this includes exploring different employment options, such as support for becoming self-employed and help from supported employment agencies*
- *independent living – this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living*
- *participating in society, including having friends and supportive relationships, and participating in, and contributing to, the local community*
- *being as healthy as possible in adult life*

*High aspirations are crucial to success – discussions about longer term goals should start early and ideally well before Year 9 (age 13-14) at school. They should focus on the child or young person's strengths and capabilities and the outcomes they want to achieve.*



*Local authorities must place children, young people and families at the centre of their planning, and work with them to develop co-ordinated approaches to securing better outcomes, as should clinical commissioning groups (CCGs).*

**(b) From year 9 onwards:**

The SEND Code of Practice states:

- *High aspirations about employment, independent living and community participation should be developed through the curriculum and extra-curricular provision. Schools should seek partnerships with employment services, businesses, housing agencies, disability organisations and arts and sports groups, to help children understand what is available to them as they get older, and what it is possible for them to achieve.*
- *In relation to EHCPs Local authorities must ensure that the EHC plan review at Year 9, and every review thereafter, includes a focus on preparing for adulthood. It can be helpful for EHC plan reviews before Year 9 to have this focus too. Planning must be centred around the individual and explore the child or young person's aspirations and abilities, what they want to be able to do when they leave post-16 education or training and the support they need to achieve their ambition. Local authorities should ensure that children and young people have the support they need (for example, advocates) to participate fully in this planning and make decisions. Transition planning must be built into the revised EHC plan and should result in clear outcomes being agreed that are ambitious and stretching and which will prepare young people for adulthood.*

In addition, anyone aged 14 or over who is on their GP's learning disability register can have a free annual health check once a year. You can ask to go on this register if you think that you have a learning disability.

**(c) Post 16:**

Support during this time should include access to:

- Independent Careers Advice - maintained schools and pupil referral units have a duty to ensure pupils have independent careers guidance.
- High Quality Study programmes - all students over 16 should follow a coherent study programme which enables them to achieve the best possible outcome in adult life.
- Pathways to employment – to include access to work-based learning such as apprenticeships, traineeships and supported internships

Young people with EHC plans should have access to packages of support across five-day weeks which should include a full package of provision and support across education, health and care and include activities such as volunteering or work experience.

When a young person reaches the end of compulsory school age (A child ceases to be of compulsory school age on the last Friday in June in the academic year in which he reaches the age of 16 or if he reaches 16 after the last Friday in June but before the start of the



new school year), the following rights to make requests and decisions under the Act will apply directly to them rather than their parents:

- the right to request an assessment for an EHC plan (which they can do at any time up to their 25th birthday)
- the right to make representations about the content of their EHC plan
- the right to request that a particular institution is named in their EHC plan
- the right to request a Personal Budget and direct payments for elements of an EHC plan
- the right to appeal to the First-tier Tribunal (SEN and Disability) about decisions concerning their EHC plan

Parents, or other family members, can continue to support young people in making decisions, or act on their behalf, provided that the young person is happy for them to do so, and it is likely that parents will remain closely involved in the great majority of cases.

#### **A quick note on mental capacity:**

These are rights subject to the young person having capacity to make the decision applying the principles under the [Mental Capacity Act 2005](#). The five key principles under the Mental Capacity Act are:

- It should be assumed that everyone can make their own decisions unless it is proved otherwise
- A person should have all the help and support possible to make and communicate their own decision before anyone concludes that they lack capacity to make their own decision
- A person should not be treated as lacking capacity just because they make an unwise decision
- Actions or decisions carried out on behalf of someone who lacks capacity must be in their best interests
- Actions or decisions carried out on behalf of someone who lacks capacity should limit their rights and freedom of action as little as possible

#### **(d) Aged 18 and over**

Under the [Care Act](#), local authorities must carry out transition assessments for adult care and support where there is significant benefit to a young person or their carer in doing so and they are likely to have needs for care and support after turning 18. Transition assessments must involve the young person and anyone else they want to involve in the assessment. They must also include the outcomes, views and wishes that matter to the young person – much of which will already be set out in their EHC plan. Transition assessments for adult care and support must consider:

- current needs for care and support
- whether the young person is likely to have needs for care and support after they turn 18, and
- if so, what those needs are likely to be and which are likely to be eligible needs.



Local Authorities must put in place a statutory care and support plan for young people with eligible needs for adult care and support. [The SEND Code of Practice](#) makes clear that under no circumstances should young people find themselves suddenly without care and support as they make the transition to adult services.

## **(e) Aged 19 – 25**

Some young people with special educational needs may need more time to finish their education or training and should continue to receive the extra help they need. An EHC needs assessment can be requested at any time up to the young person's 25th birthday.

An EHC plan can be stopped at any time if the local authority considers it is no longer needed. If the local authority is considering whether to stop a plan, an important factor is whether the young person has achieved the educational outcomes set out in their plan.

An EHC plan can't carry on into higher education. However, universities still have a duty to identify students who need additional support and put that support in place. Some young people may be able to get a Disabled Students' Allowance to fund specific assistance or equipment that they need.

## **2. What to consider and further support:**

- Have you discussed with your child/young person what they would like to do in the future? What aspirations do they have for jobs/independent living and socially?
- Are you aware of which professionals are working with your child/young person?
- Are you aware what resources and services are available?

### **Further support:**

For more information, contact the following services:

- The Approaching Adulthood Team who can be contacted on 01344 354466 or [https://bracknellforest.fsd.org.uk/kb5/bracknell/directory/service.page?id=4JzuXvxSse0&familychannel=6\\_5](https://bracknellforest.fsd.org.uk/kb5/bracknell/directory/service.page?id=4JzuXvxSse0&familychannel=6_5)
- Elevate Hub: <http://bracknellforest.elevateme.org.uk/>
- Information, Advice and Support Service: <https://www.bracknellforestiass.co.uk/> 01344354011 for impartial information, advice and support.