

Education, Children and Young People Committee

December 2022

Summary of submissions to the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill

Introduction

This paper aims to set out the key discussions within the submissions the Committee received in response to its call for views on the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill.

The aim here is not to provide a quantitative analysis of the submissions the Committee received. Rather it is to highlight the key themes to support the Committee's Stage 1 scrutiny of the Bill.

Aim of the Bill

As in previous consultations on the Bill, there was universal agreement about the Bill's aims. One individual's submission said, the Bill is "required as currently there is no support or planning for transitions. Children's needs are not being met and it is a stressful time for parents".

The Scottish Government's submission stated—

"The Scottish Government recognises the importance of good transitions planning in preparing our children and young people for life beyond school, especially disabled young people making the transition into work, further and higher education, and adult services. We also recognise that disabled young people leaving school and transitioning into adult services is a complex area, requiring multi-agency collaboration and co-operation."

The Government's conclusion included a call to work collectively to "ensure that the Bill can be effectively implemented and can deliver on its goals".

A recurring theme in submissions is the need to adequately resource policies that would arise from the National Transition Strategy, the transition planning process, and the services the individual would subsequently access.

Need for improvement

The need to improve support for the transition from school and children's services to further and higher education, employment and the range of adult services is well-recognised and this was reflected in the responses the Committee received.

The submission from ARC Scotland/Scottish Transitions Forum said—

“We believe young people's sense of optimism for the future, desire to live independently and to contribute and progress is overlooked within policy and planning frameworks, including this Bill. Young people who require additional support are too often perceived as a 'problem' which planning, and assessment seeks to resolve through providing generic, risk-averse, and often short-term solutions. Actions taken to improve transitions should better recognise the diversity, optimism, and potential of young disabled people by helping to increase their expectations for the future and equip their communities to embrace and welcome their contribution.”

Respondents to the consultation gave specific examples of some of the barriers young people face.

The British Deaf Association Scotland identified the Deaf Roots & Pride (DRP) Scotland Transitions Project which noted the barriers Deaf young people have in accessing support in higher and further education, in particular support to ensure their communication needs are met.

The Independent Living Fund's submission said, “young people are not asked simple questions (e.g., what is your dream/goal? What is it you love to do?) and person-centred planning is not always available to provide them with encouragement and inspiration to do what they would like to do.” Later the ILF stated that there can be a culture of moving on young people on the basis of dates/age rather than readiness and seeing transitions as an event rather than an ongoing process to secure good outcomes. It also suggested that accessing services can be difficult with “social work assessments using the eligibility criteria of 'critical' need”.

The Royal College of Psychiatrists in Scotland highlighted a number of reasons for a poor transitions process. These included: complexity of needs; lack of adaptiveness to needs; lack of expertise and/or knowledge in delivering transitions; lack of collaboration across teams/services; instability and variation in third sector support; and resources coming to a “cliff edge” when a young person turns 18. It said, “underpinning all this is a lack of a clear understanding of what should be available as a baseline in transitions support and planning regardless of where a young person lives in Scotland.”

National Transition Strategy

The Royal College of Psychiatrists in Scotland said—

“A national strategy has the potential to house a clear understanding of what should, as a minimum, be expected by young people and their families/carers that local health boards, IJBs, and local authorities can be held accountable to. This can also include metrics to judge the success of these processes by, in order to build in performance improvement and outcomes-focused metrics. This currently only exists in some localities.

“A national approach to what metrics should be in place, their measurement and procedures to tackle underperformance should be prioritised as part of any strategy.”

This view was also reflected by ENABLE. Its submission stated—

“A National Transitions Strategy would help embed the importance of transitions support for young people who have a disability across relevant agencies, which in turn should end the current experience of transitions being considered at such a late stage that the window for achieving a positive impact on a young person’s outcomes has been missed.”

ENABLE also stated there should be room for local approaches to reflect local circumstances.

A theme across the responses was that the Government co-produce the Strategy with those directly affected by it. The EHRC suggested that an EQIA should be required during the development and review of a National Transition Strategy.

The National Deaf Children’s Society stated—

“A National Transitions Plan would be helpful in assisting deaf and disabled young people to achieve independent living, but would need to align with a stronger and more strategic approach to planning for services and support for deaf and disabled children and young people throughout their lives. We understand that development of a comprehensive transitions strategy is already in development by the Scottish Government, covering the period from birth to adulthood. Placing a National Transitions Plan within this longer term transitions plan would help avoid an excessive concentration on post-14 transitions to the detriment of ensuring that vital early years and primary to secondary school transition planning is delivered effectively to every deaf child and young person in Scotland.”

COSLA reiterated its view expressed to the previous committee that it had concerns about the potential for the National Transitions Strategy creating new duties on local authorities. It said—

“The Bill gives significant new powers to Ministers to direct Local Government services and undermines the role of our Member Council Officers and Elected Members. The Bill fails to specify what additional duties will be placed on local authorities and others and legislates for Ministers to decide these new duties after the Bill is enacted through a National Transitions Strategy.”

Content and delivery of transition plans

The ILF said, drawing on its own experience of transition plans that such planning should: be person centred; have sufficient time allocated to it; not be assessments of need, “but be more aspirational and look beyond the critical and substantial”; and start early.

The Royal College of Psychiatrists in Scotland said that plans should take a holistic approach to the young person, which means “plans need to recognise a number of non-clinical/care-related issues, including educational opportunities, living situation and opportunities for social interactions.”

The Royal College of Occupational Therapists said—

“Transitional care is not just about the move to adult services. It is about equipping young people with the skills and knowledge to participate in their communities and live healthy meaningful lives. Transitional care adopts a bio psychosocial approach and includes skill acquisition for independent living, move to further/higher education and the world of work, accessing benefits, health management, community mobility access to leisure and other community facilities etc.”

St Crispin’s Out of School Care Association stated—

“[There appears to be a] focus on further education and employment, which is good but excludes a large number of children with learning disabilities who will not be able to join the workforce. The focus of the bill should be to ensure that the children are safe, nurtured and happy. Therefore, we would worry that once again the voice of our children with the most complex additional needs and the most intense support requirements will not benefit from the overall aims of the bill.”

The Scottish Government’s submission highlighted that transitions for young people are not a single event or destination. It stated—

“Further consideration is required to identify who would be responsible for planning post-school, how is it proposed to make sure that planning is an ongoing process, not a single event, and that plan becomes reality to ensure the needs, outcomes and dreams identified by the young person are met and achieved.”

Administering the plans

The National Carers Organisation’s submission said, “it is essential that young people approaching transition are identified and have access to support and coordination through a single point, such as a Transition Planning Team and that other staff and agencies working with young people have access to their support and expertise.”

Some respondents argued that there would be an additional workload on teachers and social workers in administering the plans.

The NASUWT argued that ASL policy intentions more broadly required more funding to meet expectations and that there are “significant risks that the proposed arrangements to support transition within the Bill will create further burdens on the various players, but particularly on schools”. Its submission stated later—

“The NASUWT would argue that no teacher should be compelled to take on the role of coordinating the transition plans... there are clear implications in terms of additional workload and distraction for teachers from their core role of teaching and learning.

“Whoever ends up coordinating the plan faces a significant addition to their workload, given collaboration and discussion with the child, their family and other agencies, as well as always making children and families aware of their rights around information-sharing, not to mention existing responsibilities around wellbeing and GIRFEC.”

The Royal College of Psychiatrists in Scotland suggested that specific funding would be required to manage plans. Its submission said, “relying on already stretched services to be able to produce individuals who can find the time to take a lead on these wasn’t felt [by the RCPS’ members] to be conducive to consistently delivering positive transitions.”

The National Deaf Children’s Society said that planning may need specialist input, particularly where the needs are “low incidence”. The NDCS also questioned the centrality of local authorities in the planning process – for Deaf people support from the NHS may be more central in their lives.

A theme from submissions was that, for some young people, transition planning should begin earlier than aged 14.

The EHRC’s submission suggested that the Bill could have more detail as to what is included in the transition plan as well as clearly stated review points. The submission from ARC Scotland/Scottish Transitions Forum stated—

“Section 9 of the Bill states “A local authority must ensure each disabled child or young person within the local authority area receives the care and support necessary to meet the needs identified in the child’s or young person’s transitions plan”. This suggests it will be the duty of the Local Authority to provide the care and support written into the plan which will have a substantial impact on Local Authority health and social care budgets and resources.”

Information sharing

Respondents (e.g. Alliance) identified better collaboration between services and improved relationships between professionals as a benefit of the Bill. Sight Scotland argued that, as a third sector provider of care, it is “vital that data and information sharing between health and social care services includes third sector organisations, following principles of data protection”.

The ICO’s submission noted that the provisions of the Bill would require information sharing of “[special category data](#)” which is personal data that needs more protection

because it is sensitive, e.g. data concerning health. This means that organisations sharing data will need to have both a lawful basis for processing under both [Article 6](#) and [Article 9](#) of UK GDPR. The ICO stated—

“The more prescriptive the legislation, the easier it may be for those organisations to identify a UK GDPR Article 6 lawful basis and Article 9 condition for processing personal data. In particular, any provisions around data sharing would benefit from being as clear as possible. This will help those involved to identify a gateway to share information as the child/young person interacts with different services and support relevant bodies. Importantly, it may also help bodies comply with the Data Minimisation principle. Given the risks involved in both inadequate data sharing and excessive data sharing, it may be useful to produce accompanying guidance for relevant bodies based upon the ICO’s Statutory Code of Practice. The ICO Scotland Office would be happy to be consulted on such guidance.”

Identification and definitions

The EHRC’s submission argued that the Bill should “clarify the process for identifying children and young people eligible for a plan” to ensure consistency. The National Autism Society Scotland’s submission welcomed the use of an “Equality Act compliant definition of disability” but asked for references to “diagnosis” in the Bill to be removed and “clear and concise guidelines are provided on who exactly would qualify for a transition plan”.

The EIS’s submission stated—

“Too often, only those with the highest level of need or the most visible disabilities are captured by stretched support systems – the Bill must go further in ensuring support for students with ‘hidden’ disabilities, for example those who are neurodivergent or who have diabetes.”

The submission from the ILF supported the use of the definition in the Equality Act 2010, but argued that it would cover a greater number of people than is envisaged in the Financial Memorandum as it would include, “young people with autism, mental health challenges, visual and hearing impairments, and long-term health conditions, as well as physical and learning disabilities and others.” The ILF also questioned how disabled children and young people who have little or no interaction with statutory services would be identified.

The NASUWT noted that the Bill may create statutory duties to support children and young people who have not disclosed their disability or who do not self-identify as disabled, but nonetheless fall under the definition of disability under the 2010 Act. The British Deaf Association Scotland noted that “the Deaf community do not see themselves as being disabled but as a linguistic and cultural minority” but whose needs should be considered in the Bill.

Lead Scotland said “this bill seeks to make a transition plan mandatory for many young people who are not currently eligible for social care support.” It raised concerns about the subsequent impact on social care budgets and services.

The Royal College of Psychiatrists in Scotland suggested that the 2010 Act definition would limit “the Bill’s scope and, in the case of mental ill health conditions, fails to recognise those:

- with mild to moderate mental ill health
- those going through a mental health crisis
- those with fluctuating support needs.”

The Law Society (and others) suggested that the definition of a child and young person could be clarified. It said—

“We note that section 19 defines a child as a person under 18 years of age, and a young person as a person aged 18 to 26 years. We would suggest that the Bill must take into account the fact that a person over 16 years of age is treated as an adult for many legal purposes, including the Adults with Incapacity (Scotland) Act 2000 (“the 2000 Act”). The Bill should address the fact that once a “child” turns 16, they are considered an adult for purposes including the 2000 Act and thus to specific extent subject to both the child and adult regimes.”

Involvement in developing one’s own plan

The Law Society’s submission stated—

“There should be a presumption in favour of all children, young people and adults having the ability to express a view. This presumption should only be rebutted with evidence to the contrary.”

The EHRC’s submission agreed with the Law Society and said that disabled children and young people with the capacity to do so should have “the agency to make the same decisions and offer their views as their non-disabled counterparts” and that this should include the choice not to have a transitions plan.

Given the plans may continue until the young person reaches 26, the National Deaf Children’s Society suggested there should be more clarity on the role of parents.

The EHRC suggested that the right to independent advocacy should form part of the Bill. The Law Society said—

“Where there are disputes about transitions plans, a form of redress and remedy should be available, alongside the ability to challenge the local authority in an identified forum as a last resort. Whilst Section 13 would allow Scottish Ministers to make arrangements for dispute resolution by regulations, we would suggest that a clear and robust mechanism for dispute resolution is essential if the Bill is to achieve its aims.”

Interaction with existing policy or legislation

Issues with transitions is a live and active area of policy development. The Scottish Transitions Forum which has developed the [seven principles of good transitions](#). Note that here transitions are intended to cover a wider range of children and young

people than does the Bill. Following on from this, the STF developed a draft framework, Principles into Practice, to deliver improved transition planning and support. The Scottish Government is funding a Principles into Practice trial across ten local authorities in Scotland over a two year period and is due to be completed in March 2023.

There is another related pilot underway on a digital tool, Compass. This is intended to support children, young people and their families to understand their rights and how to exercise them; it also is a forum to allow for feedback to the local authority anonymously about individuals' experiences to improve local processes.

The submission from ARC Scotland/Scottish Transitions Forum stated—

“Principles into Practice offers local partners, for the first time, practical guidance, and evaluation measures to improve the planning and delivery of support for young people (aged 14-25 years) who require additional support as they make the transition to young adult life. It will benefit young people with learning disabilities, autism, physical disabilities, sensory impairments, complex health conditions, mental health difficulties, young carers and those who are care experienced, including young people with experience of secure care or young offender institutions. ...

“In April 2023, Principles into Practice and Compass will be made freely available to all young people with additional needs, their parents and carers, and all Local Authorities in Scotland. We believe this will address the many practical challenges experienced at a local level associated with implementing policy, including improving the provision of transition plans for all who need them.”

The ILF, which is involved in the STF, said that Principles into Practice “provides a solid basis for any statutory scheme to build upon”. It continued,

“There seems to be genuine commitment and energy to work towards improving transition and already has the buy in of up to 15 local authorities who have noted a desire to pilot the “7 principles of good transition”, which have been created by co-production with all relevant parties. If successful, partners will develop a good practice model ahead of the Bill. We need to be careful to avoid reducing the current momentum by the prospect of a Bill on the horizon, which might have the potential to mandate people to do something different in a few years' time. Adopting the good practice model would offer a meaningful, workable and ready to use way of moving the transitions agenda forward.”

The NASUWT suggested that there could be challenges “marrying up current practice within schools and local authorities to support children and young people and the framework identified to meet the aims of the Bill” – particularly the approach in schools to identify and support additional support needs, rather than to focus on the disability as defined by the 2010 Act.

Respondents (e.g. EHRC and NASUWT) argued that there should be clarity around how Transition Plans would interact with Co-ordinated Support Plans (CSPs) for

those that have them. It also argued that an alternative approach would have been to amend the ASL Act to meet the aims of the Bill.

The National Carers Organisations' submission suggested that proposals should either work in tandem with existing plans (ie CPSs or Child Plans) or replace them. The Health and Social Care Alliance suggested that one transition plan could remove the need for several care or service plans across different service providers.

The EIS noted the duties under the ASL Act on local authorities to engage with other agencies about the provision for a child or young person who is leaving school education. This duty is framed as a request for information from those agencies and the duty is qualified by the words "if any" in relation to the agencies the education authority may seek information from.

The National Carers Organisations referred to the statutory guidance on the ASL Act which says that "it is anticipated that the transitional duties will certainly apply to all those children and young people with additional support needs [including those] arising from a disability within the meaning of the Equality Act 2010". ([p96 of the guidance](#))

The Royal College of Psychiatrists in Scotland said that there are transition plans within mental health services – the Transition Care Plans (TCPs) in CAMHS and that the Bill would be in addition to this process. It also highlighted that the policy landscape is changing and that the Committee take account of the potential for changes to structures envisaged under the National Care Service and the Learning Disability, Autism and Neurodiversity Bill.

The ILF noted that Standard 10 of the [Self-Directed Support Framework](#) "sets out the core components of early planning for transitions ... this has particular importance for young people with additional support needs who are making the transition to young adult lives".

The British Deaf Association Scotland highlighted that the [BSL National Plan 2017 - 2023](#) covers school education and post-school education.

The SPSO noted its role considering complaints and highlighted the work it is currently undertaking to co-design a complaints process with children and young people and the risk of a fragmentary system of dispute resolution or complaint handling. It said—

"All the organisations listed in section 4 of the draft bill and Scottish Ministers themselves are under SPSO's complaints handling jurisdiction. This means we can take complaints about them made by services users and those representing them. ... It is not clear how or whether these proposed new systems will interact with those existing powers.

"As the complaints standards body for the public sector, we are increasingly concerned that complaints or dispute provisions are regularly being included on the face of draft legislation without apparent evaluation of the impact on the existing redress landscape and with much of the detail being left for 'regulation'."

Skills Development Scotland runs the Careers Information, Advice and Guidance service as well as administering Scottish apprenticeships. Its submission highlighted two elements of the recent [Career Review](#), which were:

- For all career services across the ecosystem to adopt the social model of disability and embed shared standards of accessibility; meaning that all services focus on removing barriers from their services rather than mitigating them so that disabled people are included.
- Career services across the ecosystem should understand and embed the Principles of Good Transitions for young people with additional support needs, considering that key transition points may happen at different times for some.

The Health and Social Care Alliance Scotland suggested that the Bill ought to include explicit references to rights under the UNCRC (UN Convention on the Rights of the Child) and UNCRPD (UN Convention on the Rights of Persons with Disabilities) and ensure that accountability mechanisms are in place to ensure rights are realised. The EHRC suggested that an EQIA should be undertaken on the Bill as soon as possible, as well as a requirement to undertake an EQIA during the development and review of a National Transition Strategy.

A legislative gap?

A number of respondents agreed that a statutory duty to develop transitions plans is required to achieve better and more consistent outcomes (e.g. Guide Dogs Scotland, RCOT). Partners in Advocacy said—

“Through our experience, a change in the law is the most effective way to improve outcomes for disabled children and young people in the transition to adulthood. A change in law will help protect and uphold the rights of young people and help ensure authorities introduce a transitions plan for each disabled child and young person. When agencies and stakeholders are held accountable by law for their actions and input, change happens.”

The Bill would extend the planning period up to 26 years of age whereas the ASL Act covers children and young people at school. Iain Nisbet, a solicitor who specialises in education law stated—

“The legal duties in place at the moment are all about the transition stages before the pupil leaves school. So, the proposals in this Bill do go beyond what the existing law states. Having a transitions plan which extends beyond the school leaving date would undoubtedly be of benefit to disabled school leavers. On balance then, legislative change is required to meet the aims of the Bill.”

However, COSLA’s submission suggested that there is significant legislation already in place. The ILF argued that—

“While supporting the intentions behind these proposals, we do not believe changing the law is the only way to do what the Bill is trying to do. All of the suggested duties for local authorities already exist, albeit in separate pieces of

legislation across, in particular, in education and social work legislation. These duties are currently not being implemented in a manner that assists young disabled people as the existing legislation intended.”

Implementation gap

A theme of a number of submissions both from individuals and organisations is that there is a gap between policy intention and delivery. Some highlighted resources and/or culture as a barrier to implementation (e.g. Sight Scotland). The ILF’s submission stated—

“In our experience, professionals at all levels and in all sectors share the deep concern about the poor experiences of young disabled people, young people with additional support needs and their families and there is an overwhelming willingness to address this. That said, there are significant barriers to be overcome in relation to resourcing, differing practice across geographical and professional areas of work, including organisational cultures, systemic change, lack of data and the complexity of the existing policy framework as it applies to young disabled people. The Bill cannot in itself solve all of these problems.”

East Lothian Council argued that there is a need to understand why current policies and practices are not being implemented. It said, “if local authorities are struggling to meet these principles due to lack of resources, funding or staffing issues, then introducing new legislation will not solve such issues.” ELC argued that overcoming these barriers could “help to support the implementation of legislation, policies and guidance already in place.”

Some respondents highlighted the variability of implementation of CSPs, which is also a statutory plan. The NASUWT suggested considering the factors behind this to ensure that any duty to develop Transition Plans is not also applied patchily.

The submission from ARC Scotland/Scottish Transitions Forum said, that while supporting the intentions of the Bill—

“We believe the Scottish Government’s resources would be better deployed in clarifying, simplifying, and supporting the full implementation of its existing policy framework to the benefit of all Scotland’s young disabled people.”

Opportunities and support services

The ILF’s submission was concerned that the Bill does not explicitly address how young people’s entitlement to additional support would be extended; it said, “plans are in themselves worthless if they cannot be implemented due to lack of resources”. Scottish Autism stated that planning “will only lead to meaningful outcomes if there are opportunities to transition to - whether in education, training, employment, or support services that are accessible to people with a range of needs.” The National Carers Organisations’ submission stated—

“It is important to recognise that the actual cost of successful transitions is the cost of delivery support and ... planning alone will not deliver good outcomes

for disabled young people, their families and their unpaid carers. Some individuals and unpaid carers may not want local authorities to prepare and oversee transitions plans. Further detail is needed on how the individual needs of children, their families and unpaid carers will be met in these situations.”

The National Autism Society Scotland’s submission said—

“Any strategy which places a duty on local authorities to plan for a young autistic person’s transition into adulthood will only be as effective as the quality of services, support and education or training options currently available in a local authority area. Autistic people and their families continually tell our charity that, very often, the support services are simply not available, particularly in rural or isolated parts of Scotland.”

Scottish Autism argued for a regulatory body to ensure local authorities deliver on duties. It said—

“We do have some concerns that the Bill does not specify how services will be held accountable for delivery. This risks aspirations of the legislation being implemented in an inconsistent manner, or constituting another policy that does not achieve the desired outcomes.”

Both NASUWT and EHRC argued for better data on the long-term outcomes for disabled young people, e.g. understanding how employers and others had made reasonable adjustments. Skills Development Scotland said—

“It would be important to consider differentiation in the needs of those with Additional Support Needs (ASN), ensuring that there is a focus on those whose conditions, experiences or circumstances lead them to have the greatest need. Any monitoring of experiences and outcomes of transitions should be able to be disaggregated by specific need, e.g. learning disability, autism, social and emotional needs.”

Minister in charge of transitions

Transitions covers the responsibilities of several directorates of the Scottish Government and ministerial portfolios.

A number of submissions (e.g, ENABLE, National Deaf Children’s Society) stated that having a specific minister would improve policy focus and accountability.

The Scottish Government’s submission argued that the provision in Section 6 falls outside of the competence of the Scottish Parliament.

Financial Memorandum

A key driver of costs will be how the definition of a disability is interpreted, which is discussed above, and therefore how many plans there are likely to be at one time. The submission from ARC Scotland/Scottish Transitions Forum provided analysis of data on pupils with additional support needs; this said—

“Currently in secondary school there is potentially 71,568 young people (i.e., 2/3rds of the total number of young people with additional support needs we estimate fall under [the 2010 Act definition of disability] as an approximation from diagnostic labelling within the data) who may be eligible for the proposed planning in this Bill whilst at school, in addition to all the young people aged 18 -26 not included in these numbers.”

COSLA’s submission for the current call for views focused on the FM. COSLA’s submission indicated a cost of delivery estimate of over £9.5m from the first year of implementation – significantly higher than the estimates in the FM. It stated—

“There are a number of assumptions regarding demand and implementation that underpin the figures and calculations presented in the Financial Memorandum (FM), some of which we believe result in an underestimation of the likely costs.”

And later it said—

“In conclusion, the annual local authority costs presented in the FM are inaccurate and will actually be far higher than those quoted on page 15 “Summary of Costs; £894K, rising to £4.47M in Year 10”. If these are to be meaningful and useful plans, significant additional investment will be required.”

COSLA also questioned the assumption that a transitions plan would take an average of 4 hours per annum to administer. East Lothian Council’s submission stated—

“Costings have been suggested related to attending transition meetings only, however, meetings alone will not achieve the Bill’s aim of improving outcomes for disabled children and young people in the transition to adulthood. Implementing the plan is what will make a difference and this requires significantly more time and resources than is outlined in the financial memorandum. This would likely include phone calls and visits to all those involved, information gathering, provision of support and advice, referrals to other agencies, liaising with partner agencies, monitoring progress of plans, supporting during a crisis, etc. None of this can realistically be carried out in the 1 hour preparation for the meeting and 1 hour follow-up.”

The submission from ARC Scotland/Scottish Transitions Forum noted that the FM does not address the costs of implementation in section 9. It also stated—

“The financial memorandum appears to focus solely on young disabled people who are not yet in education, employment and training (NEET). There seems to be an assumption that once in a positive destination these young people will stay there. However, we know young people move in and out of employment, education and training, particularly in the initial stages of their work life, and so are likely to need to move into and out of the transition planning systems suggested in the Bill. We also know for transition planning to be successful it needs to be supported within a wellbeing and rights-based framework, as many young people enter positive destinations only to fail

within a few months because their wellbeing has not been supported effectively.”

Lead Scotland said—

“We accept the intention of the Bill is not to provide new provision or fund provision. However, it is only logical that if more young disabled people are getting proper transition planning than before, and have a plan that requires support, where previously these young people wouldn't have had a plan or support on leaving school, then there is going to be a higher demand for services and provision. It is the funding of this provision that is raising concerns for us. And if strict eligibility criteria from local authorities means these young people can't access the social care funding they need to move forward with their chosen plan, whether that be support to access volunteering, training, college, university or employment, then they are left with a meaningless plan.”

Some respondents (e.g. Partners in Advocacy) suggested that the Bill, if implemented effectively, could realise financial savings in the long term.

**Ned Sharratt, Senior Researcher (Education, Culture), SPICe Research
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