



Direct Dial/Ext:
e-mail: Ruth.emberley2@kent.gov.uk
Ask for: Ruth Emberley
Date: 9 January 2025

Dear Member

ADULT SOCIAL CARE CABINET COMMITTEE - WEDNESDAY, 15 JANUARY 2025

I am now able to enclose, for consideration at next Wednesday, 15 January 2025 meeting of the Adult Social Care Cabinet Committee, the following report(s) that were unavailable when the agenda was printed.

The report, originally published in the Adult Social Care Cabinet Committee agenda, has been subsequently updated in advance of CYPE Cabinet Committee. To ensure consistency, please find enclosed the updated version of the report - this replaces the version available in the original agenda Adult Social Care agenda pack.

Agenda Item No: 9

24/00109 Transfer of the 18-25 section of the Strengthening Independence Service (SIS) from CYPE to ASC - Key Decision

Yours sincerely

A handwritten signature in black ink, appearing to read 'Ben Watts', is written over a faint circular stamp.

Benjamin Watts
General Counsel

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From: Dan Watkins, Cabinet Member for Adult Social Care and Public Health
Richard Smith, Corporate Director Adult Social Care and Health

To: Adult Social Care Cabinet Committee - 15 January 2025

Subject: Transfer the 18-25 section of the Strengthening Independence Service from the Children Young People and Education Directorate to the Adult Social Care and Health Directorate

Decision no: 24/00109

Key Decision : Yes - It affects more than 2 Electoral Divisions

Classification: Unrestricted

Past Pathway of report: None

Future Pathway of report: Cabinet decision

Electoral Division: All

Is the decision eligible for call-in? Yes

Summary: Transitions involve facilitating young people's move from children's services to adult services and typically occur between ages 18 and 25. The Strengthening Independence Service sits within the Children, Young People and Education Directorate and oversees transitions between 0-25 for those with learning and physical disabilities.

The Director of Adult Social Services at Kent County Council is accountable for assessing local needs and delivering a full range of adult social services. These services support individuals under the provisions of Local Authority Social Services Act 1970 and the law defines an adult as someone aged 18 or over.

The Director of Children's Services at Kent County Council has statutory duties outlined in Section 18 of the Children Act 2004. These duties involve ensuring the delivery of local authority social care functions for children and young people. This includes, but is not limited to, providing services that meet the needs of all children, youth, including the most vulnerable, and their families.

Under the current arrangements the Corporate Director Children, Young People, and Education is overseeing a group falling outside their statutory role.

To address this, the proposal is to transfer the statutory functions delivered by the 18-25 section of the Strengthening Independence Service from the Children, Young People and Education Directorate, to the Adult Social Care and Health Directorate meaning young adults will receive support from adult social care to better support them for independence.

Recommendation(s): The Adult Social Care Cabinet Committee is asked to consider and endorse or make recommendations to Cabinet on the proposed decision as attached in appendix A.

1. Introduction

- 1.1 Transitions is the process of a minor or young person moving into legal adulthood. For individuals with additional needs this can often include multiple services such as social care, health and education. There are at present four pathways for young people with additional needs or vulnerabilities to transition into adulthood whilst still receiving services from KCC:
- The Strengthening Independence Service (SIS) oversees transitions between 18-25 for those with learning and physical disabilities which have been identified as children.
 - Multi-Agency Collaboration
 - Include a Sensory and Young People's Team
 - Young adults requiring an adult service are assessed by ASCH Adults Operations who manage 18-65 services.
 - Young adults previously looked after within the Care Leaving Service (CLS) (18+ services)
 - Young adults (aged 18-25) within the Special Educational Needs (SEND) who have an Education, Health and Care (EHC) Plan and who require more time in education or training to achieve their outcomes
- 1.2 The Strengthening Independence Service (SIS) currently oversees Transitions between 18-25 for those with learning and physical disabilities which have been identified when they are children. However, this means the DCS has responsibility for a cohort of people beyond their legal scope. As of October 2024, the 18-25 section of the Strengthening Independence Service were working with 894 young adults.
- 1.3 It is proposed to transfer the statutory functions delivered by the 18-25 section of the SIS from the Children Young People and Education Directorate to the Adult Social Care and Health Directorate from 1 April 2025. This means the young adult's social care needs will be assessed and supported by ASCH and overseen by the DASS. However, it is important to note there are some statutory duties for this cohort, beyond their social care needs, which will remain within the remit of the DCS and be retained within CYPE which will require close collaborative working with ASCH.
- 1.4 The Care Leavers Service will continue to support young adults, who are also known to the 18-25 SIS, up to age 25, particularly those aged 18 – 21, to transition from being previously looked after to independence. The service will continue to provide a Personal Assistant, from age 18 up until the young adult's 22nd birthday, and who will work with the young adult to provide advice, support

and information to make sure the care leaver is ready to leave care and live independently if their disability doesn't preclude this.

- 1.5 The Special Educational Needs and Disabilities (SEND) service will continue to maintain Education, Health, and Care Plans (EHCP) for young adults, aged 18 – 25, who require longer to consolidate their education and training, are making measurable progress and to achieve their outcomes and transition into adulthood. The SEND service will maintain the EHCP's for this cohort, as appropriate, and will review the plan and needs of the young person via the Annual Review process. In most cases this will also require close collaboration with ASCH.
- 1.6 The changes will align with the Making A Difference Everyday Adult Social Care vision in Kent which sets KCC's direction of travel to support people to live as full and safe a life as possible and make informed choices. This reflects the core purpose of supporting people to lead the lives they want to live, and in a place they call home, by putting people at the heart of everything we do.
- 1.7 In addition, this change ensures alignment with the DASS' statutory obligations, providing greater oversight and promotes a more holistic approach to young adult well-being as they transition from children's to adult social care better preparing them for adulthood.
- 1.8 The proposals will result in greater consistency in adult experiences across KCC against all aspects of intervention. The transfer of service will ensure the DASS has greater oversight of all adult experiences supporting enhanced equality, inclusion, equity and application of social value. Furthermore, the transfer of service will align our practices with the updated Care Quality Commission (CQC) regulations which place a significant emphasis on the quality statement concerning safe systems, pathways and transitions. The function of safety and continuity of care is now a priority throughout people's care journey and it is essential practices are aligned with the updated regulations to ensure the highest quality of care is provided to those we serve.
- 1.9 Staff moving between directorates are engaged and, although this won't materially change the service, external partners will be engaged to make them aware. People who draw on care and support will be engaged and/or consulted with, should there be any proposals to make changes to the service in the future.

2. Key Considerations

- 2.1 There are a number of issues these proposals will address including:
- 2.2 **Shifting the balance of responsibility for decision making from parents to the young adult** : When a child in Kent becomes an adult, the relationship with the council changes significantly. Parents previously made decisions, but at 16, young people gain legal rights and can make their own choices about social care and their future. At 18 individuals became legal adults which materially changes the balance of responsibility.

- 2.3 **Transition Gap:** Young adults in Kent with a learning disability or physical disability identified in childhood currently transition into adult social care at the age of 26, because between the ages of 18-25 years these young adults are currently supported by the Strengthening Independence Team.
- 2.4 However, this is not the case for all other young adults requiring assessment and/or support from adult services. Examples of this include children in Care, without an identified learning or physical disability who experience mental ill-health or children with autism who, upon turning 18 may be eligible for a Care Act assessment and support to meet any eligible social care needs. For some care leavers their needs may develop as a result of childhood trauma, young adult life experiences or progressive conditions materialising within early adult life. There are currently 2000+ care leavers in Kent.
- 2.5 There are approximately 21,000 children and young people with an EHCP, but with only around 600 of those being open to children's services. The remaining 20,000 plus EHCPs are monitored and reviewed by universal services and community resources and who may also make referrals to either CYPE or ASCH for a child and young adult aged 0-25 (strengthening independence service and leaving care), where 18-25 year old individuals would be picked up by ASCH.
- 2.6 There are also those young adults who may not have been in receipt of an EHCP and present at the age of 18 having previously been supported by other health services such as Child and Adolescent Mental Health Teams.
- 2.7 The differing routes and ages of transition can create a disparity of experience for young people, particularly in the identification of those young adults, the timely planning for that transition and the development of the appropriate community resources to meet their needs in alignment with the co-produced strategy 'Making a Difference Every Day'. The move of the Strengthening Independence 18-25 team to ASCH allows for further work on the streamlining our transition offer to address these disparities for this particular cohort..
- 2.8 **Improved Oversight:** The DASS will have oversight and assurance on the impact of social care on people's lives through the lens of equity of access, experience and outcomes for adults who draw on care and support and unpaid carers, and alignment to key legal and policy drivers.
- 2.9 Implementation plans have been developed to transfer the personnel and systems across the directorates and will ensure the transfer seamlessly integrates with the strategic objectives of the council and both CYPE and ASCH. Young adults who draw on care and support will not see or feel a difference and service continuity will be maintained with plans developed to minimise disruption to service delivery.

3. Background

- 3.1 The proposed decision supports priority 4 within [Framing Kent's Future - Our Council Strategy 2022-2026](#), with the commitment to '*support the most vulnerable children and families in our county, ensuring social work practice supports manageable caseloads, reflective learning, joined up safeguarding and*

effective corporate parenting arrangements', and explicitly to: "Act as a good Corporate Parent for those children in the care of KCC and improve support for young people as they transition into adulthood, whilst also improving support for those who transition into the adult social care system."

- 3.2 Transitions is part of [Securing Kents Future - Budget Recovery Strategy](#) and this proposal supports the objectives for:

Preparing for adulthood/transition: Working across both ASCH and CYPE to optimise support for people between the ages of 14-25 as they transition from children to adult services, promoting independence in adult life. Working age people with learning disabilities are now living longer through better long-term management of medical needs, but this increases the need to promote independence earlier so long-term needs can continue to be met at reasonable cost to the council. Joint working with NHS partners will be critical given costs of support are incurred by both the NHS and social care.

- 3.3 Concurrently with this proposed change, the council is developing a wider vision for the Kent wide transition system including:

- We are committed to delivering a seamless transition for all young people with an identified need, regardless of their location or need.
- Our shared transitions framework will support us to work together with parents, carers and young people across teams and directorates. It will also foster collaborative work with external partners including Health, Education, Voluntary Sector Community Organisations, Housing providers, District and Borough councils.
- We will create a culture of accountability, integrity, and purpose in KCC, and encourage professionals to strive for continuous improvement.
- We will work with young people to understand their ambitions for the future and shape their transition to support their aspirations. Planning conversations will begin at 14 years old for all young people where a potential need in adulthood may be identified. .
- We will give parents and carers information, advice and support to understand what transition may mean for the future, in time to adapt to these changes.
- We will support young people, parents and carers to connect with their communities, to ensure they are linked with the support and services it delivers.
- We will support staff to work in a cohesive approach, enabling them through technology and systems to work efficiently and with compassion.

4. Options considered and dismissed, and associated risk

- 4.1 There is the option to maintain the 18-25 SIS service within CYPE; however, this will continue to mean the DCS oversees a group falling outside their statutory role and the DASS will not have streamlined oversight of a cohort of people who will draw on KCC's care and support.
- 4.2 Alternatively, the possibility of a matrix management approach was considered which would enable CYPE to retain the 18-25 SIS service and introduce additional reporting lines into ASCH. This option was not taken forward as it would require additional roles to be created to make a matrix-management

approach feasible, which would not add financial value or create efficiencies to the same or greater extent than the proposal to transfer the 18-25 SIS service from CYPE to ASCH.

5. Financial Implications

- 5.1 The budget for the statutory functions delivered by the 18-25 section of the Strengthening Independence Service will transfer from the CYPE Directorate to the ASCH Directorate. The budget to be transferred will include the 25-26 budget for 18-25 services, agreed as part of the Budget at County Council in February 2025, including budgets for both placement/support costs and related staffing budgets. The indicative total budget to be transferred, at the time of writing this report, will be approximately £59m, comprising £56m for package costs and £3m for staffing (based on indicative budgets for 25-26).

6. Legal implications

- 6.1 The Director of Adult Social Services (DASS) at Kent County Council (KCC) is accountable for assessing local needs and delivering a full range of adult social services. These services support individuals under the provisions of Local Authority Social Services Act 1970 and the law defines an adult as someone aged 18 or over.
- 6.2 The Director of Children's Services (DCS) at KCC has statutory duties outlined in Section 18 of the Children Act 2004. These duties involve ensuring the delivery of local authority social care functions for children and young people. This includes, but is not limited to, providing services that meet the needs of all children, youth, including the most vulnerable, and their families.
- 6.3 Under the current arrangements the Corporate Director Children, Young People, and Education (DCS) is overseeing a group falling outside their statutory role.
- 6.4 If these changes are not implemented, the Corporate Director for Children, Young People, and Education (DCS) will continue to oversee a group falling outside their statutory role, and the DASS will continue to face a gap in oversight regarding the assessed needs and well-being of young adults aged 18-25 falling under their remit.

7. Equalities implications

- 7.1 An Equality Impact Assessment (EqIA) has been undertaken and is appended to this report.
- 7.2 Given this is an internal change, the EqIA demonstrates that there should not be any impacts on the cohort of people who will draw on KCC's care and support.
- 7.3 The EqIA will continue to be reviewed as the project continues.

8. Data Protection Implications

- 8.1 An initial Data Protection Impact Assessment (DPIA) screening has been carried out and submitted which determined, in line with KCC's DPIA policy and the requirements of the UK GDPR, a DPIA is required. A full DPIA will be taken forward as part of the ongoing programme of work as the transfer progresses.

9. Governance

- 9.1 If the proposals are agreed, the Corporate Director Adult Social Care and Health and the Corporate Director Children, Young People and Education will have delegated authority to transfer the statutory functions delivered by the 18-25 section of the Strengthening Independence Service between the CYPE and the ASCH Directorates.
- 9.2 The Corporate Director Adult Social Care and Health will inherit delegated authority for oversight of these statutory functions from 1 April 2025.

10. Conclusions

- 10.1 The Director of Adult Social Services (DASS) at Kent County Council (KCC) is accountable for assessing local needs and delivering a full range of adult social services. These services support individuals under the provisions of Local Authority Social Services Act 1970 and the law defines an adult as someone aged 18 or over.
- 10.2 The Director of Children's Services (DCS) at KCC has statutory duties outlined in Section 18 of the Children Act 2004. These duties involve ensuring the delivery of local authority social care functions for children and young people. This includes, but is not limited to, providing services that meet the needs of all children, youth, including the most vulnerable, and their families.
- 10.3 Under the current arrangements the Corporate Director Children, Young People, and Education (DCS) is overseeing a group falling outside their statutory role. To address this and provide the DASS with better oversight of the needs of people who draw on our care and support, along with preparing people for adulthood, it is proposed to transfer the statutory functions delivered by the 18-25 section of the Strengthening Independence Service from the Children Young People and Education Directorate to the Adult Social Care and Health Directorate.

Recommendation(s): The Adult Social Care Cabinet Committee is asked to consider and endorse or make recommendations to Cabinet on the proposed decision as attached as appendix A.

11. Background Documents

[The Care Act 2014](#) and related adult social care legislation
[ADASS Roadmap](#)
[Mental Capacity Act 2005: DoLS Safeguards](#)
[Think Local Act Personal strategic priorities](#)
[House of Lords report "A Gloriously Ordinary Life"](#)

Kent County Council's strategic priorities "[Securing Kent's Future](#)" and "[Framing Kent's Future](#)"
Adult Social Care's co-produced strategy "[Making a Difference Every Day](#)"

12. Appendices

- Appendix A – Proposed Record Of Decision
- Appendix B – EqIA
- Appendix C – DPIA Screening Tool Outcome

13. Contact details

Report Author: Alyson Wagget Assistant Director Thanet South Kent Coastal 3000 412483 alyson.wagget@kent.gov.uk	Lead Director: Mark Albiston, Director of Adult Social Care and Health 03000 417578 mark.albiston@kent.gov.uk
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