

## Social Care

Where a child or young person has been assessed as having social care needs in relation to their SEN or disabilities, social care teams:

- Must secure social care provision under the Chronically Sick and Disabled Personas Act (CSDPA) 1970 which has been assessed as being necessary to support a child or young person's SEN and which is specified in their EHC Plan
- Should provide early years providers, schools and colleges with a contact for social care advice on children and young people with SEN and disabilities
- Must undertake reviews of children and young people with EHC Plans where there are social care needs
- Should make sure that for looked after children and care leavers the arrangements for assessing and meeting their needs across education, health and social care are coordinated effectively within the process of care and pathway planning, in order to avoid duplication and delay, to include in particular liaising with the Virtual School Head (VSH) for looked after children.

For social care provision specified in the plan, existing duties on social care services to assess and provide for the needs of disabled children and young people under the Children Act 1989 continue to apply.

Where the local authority decides it is necessary to make provision for a disabled child or young person under 18 pursuant to Section 2 of the Chronically Sick and Disabled Person Act (CSDPA) 1970, the local authority must identify which provision is made under section 2 of the CSDPA.

The local authority must specify that provision in section H1 of the EHC plan. It must secure that provision because under Section 2 of the CSDPA there is a duty to provide the services assessed by the local authority as being needed.

Where the young person is over 18, the care element of the EHC plan will usually be provided by adult services.

Under the Care Act 2014, local authorities must meet eligible needs set out in an adult care and support plan. Local authorities should explain how the adult care and support system works, and support young people in making the transition to adult services.

Local authorities should have in place arrangements to ensure that young people with social care needs have every opportunity to lead as independent a life as possible and that they are not disadvantaged by the move from children's to adult services.

However, where it will benefit a young person with an EHC plan, local authorities have the power to continue to provide children's services past a young person's 18th birthday for as long as is deemed necessary. This will enable the move to adult services to take place at a time that avoids other key changes in the young person's life such as the move from special school sixth form to college.

The Care Act 2014 requires local authorities to ensure there is no gap in support while an individual makes the transition from children's to adult services on or after their 18th birthday.

Children's services must be maintained until a decision on adult provision is reached and where it is agreed that adult services will be provided, children's services must continue until the adult support begins.

Young people will also be able to request an assessment for adult care in advance of their 18th birthday so they can plan ahead knowing what support will be received.

See Chapter 8 for further details on young adults over 18 with social care needs, and Chapter 10 for further details on children and young people with social care needs.

[Extract taken from the SEND Code of Practice 0 - 25 years January 2015 (3.49, 9.137 - 9.140)]

Contact **Telford and Wrekin SENDIASS** for information, advice and support:

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