

# Transition to Adulthood – Further Education and Support

The transition to adulthood for young people with disabilities and special educational needs can feel like a cliff edge for families.

## Education and Training

It is important to remember that an EHCP can last until age 25 if you can evidence a need for ongoing education. This can include further education as well as apprenticeships.

If the Local Authority ceases to maintain the EHCP, this can be appealed at Tribunal. The right of appeal will pass to the young person when they turn 16 years old unless they lack mental capacity to conduct legal proceedings then a parent can appeal on their behalf.

## Mental Capacity

At the age of 16, the young person's understanding of the legal process and decision making needs to be considered. If there is a concern, they can have a professional assessment, and the parents can make the decisions.

*“Empowering me with knowledge has helped me as well to feel better and not so lost.”*

## Are you or your young person getting the support that you are entitled to?

If you believe that the provision in your EHCP is not being delivered or that you are in the incorrect placement for your needs there are statutory processes that we can follow to ensure that you are getting the correct support.

## Social Care

Support from social care may be required to achieve independence.

Social care assessments can be requested from Social Services, which should be done before the age of 18. Any social care should then be recorded in sections D and H of the EHCP.

## Health Issues

It is important to keep sections C and G of the EHCP updated with health issues and the provisions required to support these. If these are complex, consider applying for Continuing Health Care which treating medical professionals can advise about.

## Glossary

**Annual Review/Interim Review** – the requirement for an EHCP to be reviewed by the Local Authority and school at least once per year

**Cease to Maintain** – A notice sent to you by the Local Authority to advise you of their decision to stop maintaining your EHCP

**CHC** – Continuing Health Care provision

**Continuing Health Care** - Some people with long-term complex health needs qualify for free social care arranged and funded solely by the NHS.

**CSD** – Children’s Services Department

**EHCP** – Education, Health and Care Plan

**LGSCO** – Local Government and Social Care Ombudsman

**Local Authority** - an organisation that is officially responsible for all the public services and facilities in a region. E.g. Hampshire County Council

**Mental Capacity** – the ability to make decisions. It is decision and time specific

**SAR** – Subject Access Request is the process by which you can apply for disclosure of yours or your child’s personal data under the Data Protection Act

**SEN Code of Practice** - This is the statutory guidance that supports Part 3 of the Children and Families Act 2014. It tells local authorities, early years settings, schools, colleges, health and social care providers and others what they must and should do to identify, assess and provide for children and young people with SEN or disabilities

**SEND Tribunal** – First Tier Tribunal in Special Educational Needs and Disability. The Tribunal hears appeals from parents of children with SEN, and young people with SEN, about EHC needs assessments and EHC plans. The Tribunal also hears claims of disability discrimination

**Statutory assessment / EHC needs assessment** – the process by which the Local Authority assess your child’s special educational needs in accordance with the Children and Families Act 2014 to determine if they need to issue an EHCP

**Working Document** – The draft of your child or Young Person’s EHCP setting out amendments you want to be made using the SEND Tribunal key system

## What next?

If you need any more information please contact a member of our Special Educational Needs team for assistance on 01962 844 544 or email [main@shentons.co.uk](mailto:main@shentons.co.uk)