

## **Background and Legislation**

For most young people, being able to choose what they want to do when they finish school is an automatic assumption. Young people are offered advice and support, about options available to them, by family and professionals, but ultimately the decision is up to them.

For disabled young people, however, this is not always the expectation. Disabled young people have historically had decisions made about their future without being asked what it is they want to do, or with such limited choice available that they are simply expected to use existing support which offers limited options.

In the past, families have found the move from children's services to adult services a complex and confusing process. Parents have described it as 'a cliff edge', when their child is no longer eligible for support from the teams that they have grown up with and families find themselves dealing with new teams, legislation and thresholds for services.

There are several pieces of legislation that have a great influence on the support of young people with a special need or disability as they prepare for adulthood.

- Part 3 of The Children and Family Act 2014 – which focuses on Special Educational Need and Disability. It introduces a new system to support those with Special Educational Needs and Disabilities (SEND). At the heart of these changes is a commitment to ensuring that children, young people and their families are at the centre of decision-making so that they achieve better outcomes.
- Part 1 of The Care Act 2014 which focuses on the care and support of adults with these needs.
- The Autism Act 2015
- The Equality Act 2010 particularly around reasonable adjustments to ensure equal health outcomes for all.
- The Mental Capacity Act 2005

Links for this legislation can be found in the Further Information section of this planner and further details are available on the Bexley Local Offer:

<https://www.bexleylocaloffer.uk/Services/5528>

### **The SEND legislation aims to:**

- develop better and more effective working between Education, Health and Social Care
- develop better and more effective working between children's and adult teams working with the young person.
- ensure the young person is central to the planning for their future
- enable the young person to work with all agencies and their parents/carers to co-produce their plan

A Code of Practice has been developed to support professionals implement the legislation.

There is also a Parent Guide to the Code of Practice (See Further Information section for the web address).