The [Royal College of Occupational Therapists](https://www.rcot.co.uk/) (RCOT) is the professional body for occupational therapy, representing over 33,500 occupational therapists across the UK. Occupational therapists in Scotland work in the NHS, Local Authority social care services, in education, housing, prisons, care homes, voluntary and independent sectors, and vocational and employment rehabilitation services.

Occupational therapists help disabled children and young people to lead full and happy lives by enabling them to participate in activities (occupations) that are important to them; to realise their potential by developing skills and resilience to access education and carry out activities of daily living; and to participate as valued members of society regardless of physical, learning and mental health needs.

Occupational therapists play a vital role in supporting disabled children and young people as they make the transition towards adulthood as they:

* Work across health, education, employment, social care and other sectors;
* Address both physical and mental health;
* Work across the lifespan;
* Adopt a strengths-based approach that fosters self-management and independence; and
* Take an anticipatory, person-centred approach to meet a young person’s immediate and longer term needs.

Thank you for the opportunity to comment on the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill. Responses to the consultation questions are provided below.

**Do you agree with the overall aims of the Bill? If so, do you think the Bill can meet these aims?**

RCOT welcomes the call to improve opportunities and outcomes for disabled children and young people as they grow up. Better planning and support to enable a successful transition to adulthood is important for disabled children and young people’s experiences, life chances and their future use of health and social care services.

Members have identified a need for greater consistency to ensure disabled children and young people can access effective and timely transition support and services across the country. Members are concerned that there is a lack of clarity regarding eligibility for services and regional inequity in service provision. Some local authorities include children in their integrated services offer (under the Public Bodies (Joint Working) (Scotland) Act 2014) while in other areas integrated services are provided only for adults. Addressing inconsistencies in the application of existing legislation regarding integrated services, ensuring the incorporation of the UN Convention on the Rights of the Child and ensuring that current obligations to implement Coordinated Support Plans (Child and Young People (Scotland) Act 2014) are being met might be a more effective means of improving outcomes and opportunities for disabled young people than introducing a new law.

**Is changing the law the only way to do what the Bill is trying to do? Would the Bill (as it is currently written) have any unexpected or unforeseen effects?**

Whilst RCOT agrees with the need to improve opportunities, services and support for young people as they transition to adulthood, we are not convinced that introducing a new law is the best way to achieve this. The legal process for establishing a new law and making changes to it is lengthy, so service improvements would not be seen for some time. There is also a risk that resources will focus on demonstrating compliance with the law, rather than improving services for disabled children and young people.

An alternative approach might be to develop Guidance for transition support that includes principles and examples of good practice. Guidance is often practical and therefore more useful, helping services to identify and implement service improvements. Guidance is typically developed in collaboration with stakeholders (including people with lived experience) and can be reviewed and updated more quickly than laws. This ensures that it remains relevant and reflects the contemporary context.

**The Bill would require the Scottish Government to introduce a National Transitions Strategy (sections 1 to 6 of the Bill). Do you agree with introducing a strategy, and a Scottish minister to be in charge of it?**

RCOT supports the recommendation for a National Transitions Strategy. This should be a dynamic document, developed in collaboration with stakeholders including young people, parents/carers and representatives from health, education, social care, employment, professional bodies and others. Occupational therapists would make a key contribution to the development, implementation and review of a National Transitions Strategy.

Members agree that ensuring accountability for implementing a National Transitions Strategy is essential. The individual or body with responsibility for leading the plan should take a holistic view; currently transition planning tends to be led by education which means that opportunities for considering health, social care and employment needs may be missed.

**The Bill places a duty on local councils to prepare and implement transition plans for each disabled child and young person within their local authority (sections 7 to 13 of the Bill). They would also have to explain how plans were going to be prepared and managed and what would happen if there was a disagreement about what was in a plan or how it was working. Do you agree with these proposals?**

Members agree that there is a need for greater consistency and accountability for the preparation and management of transition plans for disabled children and young people. Clarity regarding the process and timeline for preparing and implementing transitions plans is welcomed. Placing the views of the young person at the centre of the transition plan is critical.

Councils should also be reminded of their anticipatory duty to plan for the population needs of disabled young people. Members are concerned that there is a lack of forward planning to ensure that services are available to meet the growing demand for transition support. As a result, there may be delays in disabled young people being able to access opportunities and to lead the full and happy lives to which they are entitled. This also impacts on the opportunities to be enable young people to be active citizens of Scotland.

**What financial impact do you think the Bill may have, either on the Scottish Government, local councils or other bodies?**

The proposed Bill has significant financial implications which may not have been fully identified. Members highlight that individuals’ experience of the transition to adulthood is often negatively impacted by a lack of knowledge, planning and resources. Going forwards it is important to consider the needs of individuals and the support they require, in line with the national framework for self directed support which is currently being developed, This evolving framework highlights the importance of all assessments starting with a good conversation and not a budget.

There is a need for training to ensure organisations and individuals have the knowledge and skills to support disabled young people at this key life stage. Resources to prepare and deliver this training (to which occupational therapist can contribute) need to be factored into the financial impact review.

Occupational therapists have the knowledge and expertise to support disabled young people as they make the transition to adulthood, but the number of occupational therapists working with young people at this important life stage is limited. With their unique skill set, occupational therapists are well positioned to help disabled young people develop independence skills, participate as valued members of the community and access employment and further/higher education by identifying reasonable adjustments. Additional investment in occupational therapy will be required to ensure disabled young people can access this vital service to improve their life opportunities and outcomes.

**Is there anything else you’d like the Committee to know about the Bill? Do you have any comments on how the Bill will affect (for better or worse) the rights and quality of life of the people covered by the Bill?**

RCOT welcomes the focus on improving services, opportunities and outcomes for disabled children and young people as they make the transition from childhood to adulthood. Disabled young people have a right to expect timely services that meet their needs at this critical life stage, and occupational therapists have skills and expertise to help facilitate this.

For further information on this submission, please contact:

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