Introduction
Sense Scotland is a leader in the field of communication and innovative support services for people who are marginalised because of challenging behaviour, health care issues and the complexity of their support needs. The organisation offers a range of services for children, young people and adults whose complex support needs are caused by deafblindness or sensory impairment, physical, learning or communication difficulties. Our services are designed to provide continuity across age groups and we work closely with families and colleagues from health, education, social work and housing.

We welcome the opportunity to comment on the proposed Post-16 Bill. Our comments are to do with the lack of provision made in the bill for young people with complex support needs - an area that we would hope to have seen covered by proposals on widening access and on data sharing.

Widening access

The bill’s proposals on widening access are designed to improve opportunities for under-represented socio-economic groups to attend higher education institutions. Widening access should also be considered within the context of Further Education (FE) - more specifically including measures to improve provision for young people with complex support needs leaving school.

For some years, this has been regarded as a problem to be addressed by improving transition planning, through joint inter-agency working, single child’s plan arrangements, better data sharing and other matters of process. While changes in working practices are welcome and will help, they do not address what young people with complex support needs will do with their lives once they leave school.

Sense Scotland continues to receive referrals for young people who will be leaving school at 16, not because they are ‘ready to move on’, but because the school is not able to continue to support them.

Since the late 1990s there has been a progressive dilution of provision for young people with complex support needs leaving school. In part, this has been caused both by extending the definition for complex support needs and by financial cuts:
Extending the definition of complex support needs. The original remit for the Beattie Committee\(^1\) was to improve post-school provision for 1% of school leavers, those young people considered to have complex support needs (CSN). During the lifetime of the Committee that remit soon became 20%, to include those not in employment, education or training (or NEET, later to become More Choices more Chances). More recently, the Doran Review\(^2\) was set up to address concerns on education and care arrangements for children and young people with complex support needs, including transition arrangements. One recommendation was to consider provision for the 16-24 year olds who faced fewer and fewer post-school opportunities. The Scottish Government responded positively but, in doing so, once again extended the scope of CSN to include looked after children, among others. Scottish Government’s response also included a commitment to address provision for CSN within the forthcoming Children & Young People’s Bill. We are concerned that that bill will focus on inter-agency arrangements, concentrating on process rather than improving provision post-school. It would be helpful if the Post-16 Bill could include, under widening access, positive proposals for changes to improve the lives of young people with complex support needs.

Financial cuts. The financial cake has been cut into ever smaller pieces to cover a wider range of needs - and compounding this effect has been the impact of budget cuts resulting in a reduction in the size of that financial cake. Irrespective of the reason for the cuts imposed – relating to budgets available to, and allocated by, local authorities and colleges, and delivered through, for example, changes to eligibility criteria and resource allocation arrangements? – the net result is that young people with complex support needs leaving school have fewer opportunities to live the lives they would want to lead. Post-school provision is one area which could do a lot to improve life chances.

In our response to the Scottish Government consultation on reforming post-16 education *Putting learners at the centre* we expressed frustration that so few of the consultation questions were of direct relevance to the people we support and their families. Where funding cuts of £75m took place in the FE sector these were partly compensated for by a later £15m injection; however none of that compensation applied to the people we support. This is despite Scottish Government itself having acknowledged the problems of securing appropriate provision for young people with complex support needs\(^3\).


\(^3\) Further Education and Complex Needs: Views of Children and Young People www.scotland.gov.uk/Publications/2006/03/03103843/0
The draft Bill is an opportunity to include, under widening access (in FE), measures such as:

- Extending current pathways to allow opportunities for third sector organisations to provide integrated arrangements for young people with complex support needs. Pathways should offer integrated support, and planning finalised before the young person leaves school. It would cover transport, care and accommodation together with learning opportunities.

- Courses that have meaning in the lives of young people with complex support needs. Too often college courses are not designed around their needs, and/or in many cases they are not allowed to attend courses that are of interest them, often on the basis of spurious grounds of ‘health and safety’.

- A requirement on Skills Development Scotland (SDS) that they show how they have improved the life chances for young people with complex support needs.

- Encouraging participation of third sector organisations through Education funding routes, to provide accredited learning opportunities, resulting in awards for the learners. For example, through its Training and Learning Centre Sense Scotland adapts and delivers awards within the recognised ASDAN scheme – enabling young people with complex support needs to continue the learning begun in schools, and to further develop portfolios of evidence. At present these service users are not funded through Education to take up these opportunities, even though recent evidence shows that learning disabled people have been disproportionately disadvantaged by the reduction in FE college places.

**Data sharing**

Where data is shared about people it is reasonable for them to expect some advantage to come out of that process. Where the state is the one engaging in data sharing, as it would be in this case, it is imperative that data sharing has positive outcomes for them. At present it is difficult to see what is ‘in it’ for young people with complex support needs to have data shared about their post-school experiences. By including specific commitments to improve their life chances the draft Bill would go some way to assuaging the fear of young people’s families and carers that data sharing is not an exercise in sponsored state surveillance, but an initiative to track improvements in provision.

We would urge the government to take the opportunity of developing the Post-16 Bill to include specific measures on provision for young people with complex support needs. These could be included as elements of widening access and of data sharing.

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4 *Putting learners at the centre* refers to implementing 16+ Learning Choices “for our most vulnerable young people” but consideration given to young people with complex support needs is minimal.

Equality Impact Assessment

Finally, we note that no Equality Impact Assessment has been included for consideration although both Financial and Policy Memoranda are provided.