



The Scottish Parliament
Pàrlamaid na h-Alba

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Scottish Parliament
Edinburgh
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Dear Convener

Response to Committee letter and annexe in regard to the Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill

Firstly, thank you for taking the time to write to me and for outlining the extensive work the Committee undertook to consult on the Transitions Bill. Like you, I want to thank those that contributed for sharing their vast experiences with transitions and commenting on the proposals.

I know and very much welcome the fact that your Committee and the Scottish Government shares my view that something must be done about the transition experiences of young disabled people.

You asked, among other things, that I liaise with the Government and COSLA specifically, to consider what should be done, and the issues highlighted in the letter and annex you sent. I am pleased to say that I have done that, and will set out below, where I think we've got to and respond to your Committee's comments.

The first thing I would say is that my proposal for the *thing, or things*, which must be done is to pass legislation that addresses the shortcomings in current law and improves practice. During my discussion with the Minister, it appeared that the Government's proposed solution is to continue to do what it is currently doing, but to involve me more closely in that. I welcome the invitation to work with the Government in this area. Indeed, I understand the privileged position that that puts me in, and I am grateful for their offer.

However, I remain of the view that a continuation of the current approach cannot be the answer. I and others are concerned about the timeline for developing and introducing the Government strategy which has been in the pipeline for many years. I and others are also concerned about the limitations and effectiveness of a non-statutory strategy. For example, A Fairer Scotland for Disabled People: delivery plan is understood to have had limited impact.

Furthermore, the various other guidance documents and pilots that are ongoing are helpful, and I am happy to offer any support I can in their progress, however, we have taken a guidance and non statutory approach for some years and it hasn't worked.

Against this background, I believe that the best solution available to these young people lies in a combination of both working to improve current practice and to embed strategies, whilst also addressing some of the legislative confusion and gaps including to ensure any strategy introduced would be statutory. This combined approach, I believe, would ensure that approaches to transitions are not only dependent on short term good work or intention but are future proofed.

The Bill, as proposed, is fundamental to this and does it in a variety of ways. It puts a national transitions strategy on a statutory footing, ensuring it cannot, and does not, come and go with Ministers or even Governments, easily, and that it applies consistently across Scotland. Having a Minister with special responsibility over transitions would help ensure that the Scottish Government remains accountable for this often-forgotten area of disabled peoples' lives. The statutory requirement for organisations to work together to improve outcomes for young disabled people will help remove the burden from families and young people who end up being 'Project Managers' in their own lives at a time when they should be planning for, and enthusiastic about, the future, not mired in chasing systems or bureaucracy. And, finally, that having a statutory right to national transitions plan will give every young disabled person a basis on which they can begin to build their future, distinct from a Coordinated Support Plan, which serves a different purpose, and which so far has not delivered consistently for this group of people.

As your Committee notes, and as is almost always the case, if the Bill was passed, resources, as well as practice change, will be needed to implement the Bill effectively. As I said in my own evidence to Committee on the Financial Memorandum (FM) that accompanies the Bill, it is my intention to provide as accurate a picture of the costs as possible. Organisations who would need to implement it must have the resources to deliver it, not least local authorities. It is in this vein and spirit that I have engaged COSLA, and I continue to do so. I am committed to ensuring that the scope of spend, as well as the amount of spend outlined in the FM is as close to an accurate prediction as any good legislation can have at this stage.

Since your Committee's letter, my team and I have worked closely with COSLA and through them, ADES, to do three main things in this regard: to take better account of the views of COSLA and ADES over the amount of staff time required to deliver the transitions plans as proposed; to ensure the cost of that staff time is accurately calculated on the basis of current pay awards; and to ensure that eligibility for the plans is clearer and figures are updated to reflect that. It is worth noting at this point that the number of staff hours required to implement plans should not be zero at present, and so it is not necessarily accurate to consider that the comparative cost would be nothing. Nor is it reasonable to believe that the Bill should not have costs attached. The scale and pace of the challenge to support these young people is huge. This is as much a question of how much will it cost, as it is a question of whether we are prepared to continue to accept the status quo or to spend as we do now but with little expectation of change.

Our discussions with COSLA are ongoing and, from my perspective, are productive. I hope to be able to provide the Committee with an updated FM in the coming weeks. I'm sorry that it is not provided with this fuller and broader response to the Committee, but I assure you my team and colleagues in COSLA are working at pace to make the necessary amendments to the FM. I thought it better to provide you this response within your deadline of the 16th without the updated FM, rather than to delay this reply, or share the FM when it is incomplete. I reiterate, though, that the updated FM will be with you shortly (and by the time we return from recess) and I thank you for agreeing that was ok.

Lastly, Convenor, I want to end my preamble with this: my Bill was created by disabled people for disabled people, who all have a stake in how this would be implemented and with

valuable lived experience of what it is like to have a poor transitions experience. It was developed through consultation with parents, carers, legal guardians, disabled young people, organisations representing disabled young people, schools, and many more, to ensure it is comprehensive and well-founded, and to ensure it is ready to be rolled out once the legislation passes the Parliamentary process. I honestly believe, as do many who responded to the consultations in sessions 5 and 6 of the Scottish Parliament, that we must act now if we are to give the next generation of young disabled people a fighting chance at a decent future. We cannot afford to lose the potential of any more disabled people because of poor transitions planning. It is for that reason that I am hugely sceptical about simply relying on current approaches. We do not really have time to wait and see whether the approach that relies on guidance and/or best practice, refreshed as it may be, or, as the Angela Morgan Review noted, relies on the good intentions of many. Successive strategies based on the current legislative landscape have failed to deliver the scale or pace of change needed. It is time to recognise that and act.

I want to reassure the Committee that I will work with the Scottish Government on any and all areas necessary to ensure the outcomes for young disabled people are improved, both within the scope and passage of this Bill so that, if it is passed, it does what it is intended to do, and to work with them on matters out with it, or indeed on other non-legislative approaches. But, for the reasons set out above in short, and in the following pages in detail, I still believe we need statutory changes to make this work to deliver an approach to transitions that disabled children and young people, their families, and those that support them, can all have faith in.

I will now go through the substantive points in the letter and the annexe that you sent on behalf of the Committee, and I hope what follows provides the answers you seek. As always, I would be happy to discuss further any, or all, of it.

(i) Conferring duties onto public bodies under a National Transitions Strategy with limited Parliamentary oversight

The Bill introduces duties that are subject to Parliamentary oversight and scrutiny.

Firstly, the reporting duties conferred on the responsible Minister and in particular, the duty to report to Parliament, progress on the strategy provide a level of scrutiny as yet not given in this field. However, the current approach by the Government, to produce a strategy, does not do this. My Bill offers stronger scrutiny in that regard.

In addition, several sections of the Bill require regulations to set out requirements of the various bodies that will have responsibilities, which as the Committee will know, require parliamentary scrutiny and/or oversight. These include those at Sections 8, 10, 12 and 16 of the Bill.

It is worth noting that the Parliamentary oversight of Section 8 is confirmed in Section 18 ('Subordinate legislation') of the legislation. Section 18 confirms that any new duties introduced by regulations under Section 8 will be subject to the Affirmative Procedure. The Committee will be aware that the requirement to use the Affirmative Procedure means that any regulations introduced under Section 8 must be approved by the Scottish Parliament before they can come into force.

Furthermore, all of the points raised by the Delegated Powers and Law Reform Committee in Session 5 in relation to Parliamentary oversight and consultation were fully addressed, and reflected, in the wording of the Bill I introduced in Session 6.

Lastly, any Committee of Parliament or indeed any Member of Parliament, will under my Bill, be able to hold the Minister with responsibility for Transitions to account, as per the reporting responsibility set out above, and by using the usual parliamentary processes. They will also, of course, be able to hold Ministers responsible for covering the other bodies which have a role to play to account in this way also.

Contrary to this, the current strategy proposed by the Government does not include such oversight. My Bill provides additional Parliamentary Scrutiny to Transitions than there is just now, which is very little.

(ii) Minister with special responsibility: legislative competence and limiting the scope of accountability

Legislative Competency

The Committee has requested my response to the concerns of the Scottish Government that section 6 of the Bill would be outside the legislative competence of the Parliament.

The purpose of this Bill is, effectively, a consequence of sections 47 and 49 of the Scotland Act 1998 and is not intended to modify them. If, and when, the First Minister chooses to appoint Ministers, as per the powers conferred on them under the 1998 Act, then this Bill requires special responsibility to be assigned to one of those Ministers. In the highly unlikely instance that the First Minister chooses not to create Ministers, then section 6 of the Bill would not take effect. I am open to amending section 6 to provide clarity over its intended effect.

Limiting the scope of accountability

I would like to acknowledge another point raised by the Scottish Government and ARC in relation to the broad remit of transitions, and how selecting one Minister to be accountable may be unwise. I disagree with their position. While it is the case that transitions is relevant to a range of Government portfolios, one individual alone must be assigned responsibility to ensure there is accountability, and to ensure it is implemented as effectively as possible. In fact, the lack of accountability over transitions may be why transitions strategies have been so ineffective and under-implemented to date. It is not unusual for a subject area for which a Minister has overall control, also crosses over with another area of policy. This is likely the case for all Ministerial roles and should not be a reason to not appoint a Minister with overall control. Indeed, something of the complexity and cross cutting nature of transition would like benefit from one overall lead. At an individual level, the cross-policy work is stressful when there is no lead and has led to people falling through the cracks. The same could be said of a National Ministerial approach. A responsible Minister could help mitigate that.

Special responsibility provides the accountability that organisations like the Royal College of Occupational Therapists, The Health and Social Care Alliance Scotland and the Scottish Commission for People with Learning Disabilities have all commended the Bill for. I would like to reiterate what I said to the Committee before: I believe nothing sharpens a Minister's mind more than them having to stand up in the Chamber and speak to something on which they have led.

I would also argue that young disabled people and their families feel forgotten and invisible, a theme consistent across the evidence in both session 5 and 6. Assigning responsibility to a Minister could provide that much needed leadership and show of recognition and support families are crying out for.

With section 6 being within legislative competence, and the need for accountability in transitions, it is my view that this provision remains a vital component of this Bill.

(iii) How the Bill will achieve its aims of improving transitions without specific measures to address wider issues

This Bill is designed to address specific gaps in legislation and clear the complexity where legislation does exist in this space. It would effectively tidy the law up and confer legal rights where gaps leave people with nowhere to turn. The key aims of this Bill are (1) the requirement of the Government to introduce a National Transitions Strategy, (2) the requirement of a statutory transitions plan, (3) the requirement for a Minister to be appointed with special responsibility over transitions, and (4) the requirement for the relevant organisations to work together to support the desired outcomes of disabled young people.

My Bill does not intend to introduce new organisations or services.

There is, undoubtedly, a myriad of practice concerns, that go far beyond the scope of this bill. For example, this bill does not seek to address the significant shortcomings in social care, create the enlightened employers prepared to give young disabled people a job or solve already existing issues of complex requirements that need addressed in classrooms. Nor does it though, deny that all of that needs addressed. As the committee will well know though, the route to addressing wider systemic concerns is rarely a Members' Bill and would in fact be out with the scope of the bill before committee. To be clear, these concerns exist, they worry me deeply as I believe they do the committee, but my bill does not and cannot seek to sort the entire system. In the immediate term I gently suggest that that could be partly addressed in the upcoming ASN inquiry the committee is about to undertake and which I look forward to engaging with.

The Scottish Government has of course indicated a plan to introduce a National Transitions Strategy, which I and many others welcome. But it will not be on a statutory footing. My bill seeks to build on that good intention by ensuring it has statutory backing and is implemented with the support of legislation, building on, not removing, and strengthening, the approach.

I would also suggest that if the Government is not already looking at measures to address wider issues, it should do so urgently, because at the very least, if it aims to introduce a Strategy of its own, even without a legislative basis, it will be ineffective without broader action. Arguably, both the Government's and my proposals to address the issue of transitions rely on that same wider transformation. My request, as part of the Strategy, is that there is a statutory transitions plan that every disabled child and young person is entitled to following from it. This is an easy addition to the Government's present plan, whatever that will look like, and reflects the possible joint and complimentary approach of us both. Lastly, aim 4 of my bill, is simply intended to guide the relevant organisations clarity on what to do and to work together to provide the support that disabled children and young people need in transitions. If the Government is serious about introducing a viable National Transitions Strategy, this is an area that it will need to introduce new measures to ensure and so my Bill again helps with that.

(iv) Conduct detailed analysis of how the provisions within the Bill interact with existing provisions.

It is important to consider the scope of this bill again here. It does not seek to remove, or indeed add to the support plans that are in place to support the additional needs of young people with ASN as they progress through school. It therefore does not seek to replace CSPs, or Childs Plans. My bill is intended to provide clarity on when a transitions plan for some of those pupils should be considered, and how it should be implemented.

There is no provision at present for a plan that is for a) disabled pupils, or b) that supports them specifically with their transition, as distinct from any ongoing support they may have to meet their ASN.

Where a CSP is in place, they provide a different role, and are not specifically focussed on transitions. Nor are they specifically focused on disabled people. CSPs are also widely underused. All children who have ASN and who additionally are disabled to the extent that it has a significant impact on their life, arguably should have one for their ongoing support. My Bill does not undermine or replace this mechanism. Although I would point out at this point that their underuse suggests the committee might like to consider their role, purpose and implementation more closely in its wider ASN inquiry. My Bill intends to add a plan for transitions, which could be built on a CSP. In addition, my Bill may help encourage the use of CSPs for young disabled people throughout their education as well, as a helpful unintended consequence of the statutory need to provide a plan for transitions.

(v) Set out how the provisions will be fully implemented, given other legislative provisions have been under-utilised.

As above, there is no other legislative provision that is specifically focused on the group of people the Bill seeks to support, at their point of transitions.

There is, however, some practice in place. This practice is piecemeal, under-performing in terms of outcomes for disabled people, places undue weight on the good intentions of good people, is over-reliant on people project managing various systems and services, and is on unclear, if at all, legislative footing. So, I would reiterate that the status quo is insufficient, which I know your committee has recognised. I believe that legislation drives practice and at present, both practice and legislation in this space is not delivering.

As outlined, filling the legislative gap is part of the answer, and my Bill does that. In addition, there are mechanisms in my Bill that seek to give it the best chance of succeeding on implementation.

Section 16 of the Bill will ensure there is a process of measuring progress in implementing the National Transitions Strategy, with the Scottish Ministers being responsible for it. That is the iterative process by which the progress of implementing the Bill's provisions will be assessed, which is different to other under-utilised provisions.

The National Transitions Strategy being on a statutory footing ensures this procedure under the Bill is respected and observed and is less reliant on good will or intentions of various governments.

Beyond ministerial accountability and the strategy being on a statutory footing, the Bill also includes mechanisms for Parliament to scrutinise progress on the Bill, via the reporting requirements in section 3(2).

Responsibilities over the practical operation of transitions are conferred on various authorities, bringing together key players in the delivery of effective transitions on local level in clear and thus accountable ways.

The clear delegation of responsibilities in this Bill should ensure it is easier to follow, compared to other provisions that have been implemented and that do not have clear legislative direction. This Bill sets out a clear path toward implementing an effective National Transitions Strategy, with the Scottish Government held accountable for its success.

(vi) Address concerns relating to content of plans.

Who owns the plan?

Plans are not owned, they are adopted and improved. They are codeveloped, and while the plan is most relevant to the young person, its continued development relies upon the young person, their parents, or carers, as well as the local authority and relevant organisations. The Bill confers duties on bodies to collaborate to do this.

What type of information will a plan include?

Section 10 of the Bill outlines the content of a plan. Section 10(1) stipulates that a statement of the child's needs before their 16th birthday, or after depending on when they were diagnosed, up until their 26th birthday, or later if regulations prescribe such. Additionally, details of the care and support that is required to be in place in order to address these needs will also be included. Section 10(2) provides that plans must also include any information that the Scottish Ministers consider necessary, as well as the form of a transitions plan. This is drafted in this way to take account of the fact that plans could be complex and setting out the entire contents in legislation may be unreasonable.

How will the planning process put the young person at the centre?

Section 7 of the Bill provides that the young person will be expected to provide their views in the formulation of a transitions plan, and it is absolutely necessary that these views are respected. I echo the evidence provided by disabled young people to the Committee, that their views have been undervalued and disrespected. This Bill is intended to empower those young people to construct the transitions plan that will allow them to achieve their dreams.

The Bill will place young disabled people at the heart of the transition planning process. This is reflected in the following provisions in the Bill:

- Disabled children and young people will be consulted about the National Transitions Strategy: Section 2(3)
- Young people will have to agree to their transitions plan; Section 7(2) and (3)
- Local authorities must have regard to the views of disabled children and young people in preparing their transitions plans; Section 11(1)
- Local authorities must use inclusive communication when preparing transitions plans; Section 11(4)
- Local authorities must consult disabled children and young people when reviewing their transitions plans; Section 12(3)

How can a plan meaningfully cover the period between the young person being aged 16-26, given potential changes of aspirations in that time?

A person's transitions plan is designed to ensure their experience of life can be as similar to others' as is possible. That also means ensuring disabled people are able to change their minds, and to change the trajectory of their lives. Disabled peoples' lives are already restricted because of their condition, but I hope this Bill can put the power back into the individual's hands, and with some additional planning, there can be room to manoeuvre. Indeed, that is why the Bill sets out that the time period of the life of a plan is up until age 26, it is intended that it can be changed to reflect ongoing changes in aspirations. I would also point out that the same concern could be levied at the current approach. By Bill at least attempts to address this by being in place and flexible over a longer period of time.

How can the education focus in planning be reduced?

Unlike the current situation which is limited as outlined, where any route to a plan does exist, it is education focussed. The Bill I have proposed includes provisions in Section 12(1) placing a duty on local authorities to “appoint an officer of the local authority to manage and to co-ordinate the transitions plan”. The appointment of a local authority officer may include a teacher, but is not limited to that. As such, any disabled young person that continues to work on their plan beyond an education setting should be allocated a local authority officer that reflects that.

Furthermore, sections throughout this Bill (namely sections 1, 4 and 8) seek to confer duties on not only educational institutions, but also on other organisations that the Scottish Ministers may deem relevant, and that is to provide a multi-agency approach, which ensures the transitions plan is not overly education focused.

How can this Bill work given the ongoing discrimination and structural inequalities that exist? Can the plan be on an opt-in basis?

Discrimination and inequality are no excuse not to act. It is because of this discrimination and inequality that we need to change the current system. The Bill is designed to provide that local authorities and the Scottish Government see past discrimination and inequality, and recognise the voice of disabled young people, where they are best suited to convey what they want their lives to look like. In fact, by focussing on disabled people as a group of people with a protected characteristic, the Bill seeks to provide an avenue to address their inequality by taking an active approach to mitigating it.

(vii) Concerns with fixed ages for a plan. Explore possibility of incorporating flexibility into future transitions planning.

I recognise the need for flexibility when it comes to transitions, as some may be ready to kickstart their transitions at one age, whereas others are ready to do so at another. Transitions must be person-centred. We have chosen the age of 14 as it was the age at which people felt transitions planning must start. It is also the point at which the career support from Skills Development Scotland begins its enhanced support for those who require it most, recognising the importance of one to one, more intensive support at that point offers a greater opportunity to encourage young people and their parents/carers to consider earlier the full range of post-school options.

We extended until 26 to recognise the additional time disabled people may need to get to a positive destination. We drew on other legislation (including for Care Experienced young people) to arrive at the age of 26.

(viii) Who would be entitled to a plan, how would they be identified and who will identify them?

Our Bill expressly seeks to support a group of people with the protected characteristic of being disabled as defined in the Equality Act i.e., having an impairment or condition that has a substantial impact on daily life. This specifically refers to disabled people, as distinct from the wider ASN categories.

I think some of the confusion has also come because people are conflating approaches/plans to address the wider and overall additional support needs a pupil (including a disabled pupil) may have through their school journey; with our Bill's intention to ensure a plan is in place to help young disabled people specifically at the point when they leave school, when they transition from school. That is not to say that all school support is not crucial. It is but that is not the focus of this bill. There is an obvious and urgent need to

address the wider ASN of pupils, including disabled pupils, and I hope that the committee and government in the upcoming ASN inquiry can do this, I will work with them to do so.

However, when we look at employment, economic activity, educational outcomes and more, disabled people perform below others. Their discrimination and inequality are well documented. First the Disability Discrimination Act and then the Equality Act recognised this and sought to address it. My Bill provides a mechanism to help, in one finite area, to do this.

I appreciate concern that asking teachers to make a judgement on which of the young people they identify as having an ASN, are 'disabled'. However, there is obvious judgment of a sort required in the current system. Just now, the population of people who might access ASN support don't need a diagnosis (a good thing), so teachers, parents, pupils, and other relevant parties are making judgements on who to provide additional support to already. My argument is that too few pupils are then identified for support and that this is largely disadvantaging disabled people and that even fewer get the support they need at the point of transition.

We are working with COSLA to amend our costings on the basis this and of the best available data, including census data and our FM will set out clearly how we do that.

I acknowledge that a reliance on judgement of sorts is imperfect, but all definitions of disability where diagnoses are not used (and they are rightly not at present) are thus. We are not unique in this challenge, and it is my view that the Equality Act definition gets us closest, as I think it represents the most likely number of people that teachers, families and pupils will reasonably conclude need a plan.

(ix) Outline how the provisions in the Bill improve the positions of parents, carers, and legal guardians, given the availability of services and resources presents barriers.

Previous strategies have failed because there has been no effective accountability, with parents, carers, and legal guardians having to step in and project manage transitions to ensure the young person has the best possible chance. This Bill alleviates the pressure that parents, etc, have had placed on them, and ensures the Scottish Government, local authorities and the relevant organisations play their part in providing transitions. It links everything together, and I see it as them simply having to do what they should always have been doing, but now with a clearer focus and a helpfully clearer legislative basis.

Having a plan that recognises the needs of young disabled people also empowers them and their carers as it is a tool they can use to advocate for what they need. It provides an external validation of a young person's requirements and alleviates the burden of having to continually fight, from parents and young people themselves.

(x) Comment on whether the Bill, as drafted, will address issues raised to the Committee in evidence on communication and advocacy support.

I accept the view of the Law Society of Scotland regarding the language used in section 7(5) of the Bill, and I will introduce an amendment to the Bill to address that – one that removes the term "lack capacity" and replacing it with "unable to express a view".

I agree with the Partners in Advocacy Scotland's concern that 'not all young people have positive relationships with the name professionals in their lives'. The Bill provides mechanisms through guidance, to set out dispute resolution, including the person who is involved in developing the plan. I think this in part addresses their point.

I do, however, take the point about advocacy. I agree with the views of Partners in Advocacy Scotland and the National Autistic Society Scotland, that there should be advocacy services provided, in any event, to disabled children and young people. Advocacy and communication issues relating to transitions are not unique to the provisions of this Bill, so, regardless of the strategy that is pursued, the Scottish Government must ensure advocacy services are provided to disabled young people and their family.

This Bill does however provide the need to observe the views of the young person, where they can. Young people need to be taken seriously, and we need to change the tone of discussions where we realise that disabled people, of all ages, are just as capable of knowing what they want as anyone else at their age. My Bill introduces an effective structure that means planning starts early, and that nothing falls through the cracks, so I would hope that this means there is less of a rush to 'give disabled people what they need' rather than what they want. Additionally, if enough time is taken to start planning, that planning can include contacting the disabled young peoples' desired next destination, such as universities, colleges, and employers, and finding out for sure if the goals, of the disabled young person is achievable. Following my plan outlined in this Bill, there will be far more time to conduct due diligence on prospective destinations, which also provides more time for things to go wrong, and for solutions to be found.

Attitudes need to change, and while they will not change overnight, this Bill will set the standard as to the level of respect and weight that the views of the young person are due when undergoing transitions. This Bill aims to set the statutory basis on which disabled children and young people are able to articulate their own views, and for as long as this remains non-statutory, the existing attitudes that override the needs and views of disabled young people will continue. I would hope that any communication barriers, whether in terms of language or aids, are provided and that efforts are made to ensure individuals are able to express their situation in any event, whether this Bill becomes law, or not.

(xi) Respond to findings relating to the management of transitions plans.

I recognise the differing views on who manages a plan. Firstly, I think the person themselves will want to have a pivotal role in developing it, shaping it, including in it what matters to them. The ongoing work from the Government on the Compass initiative has potential to support the young person in this role.

In terms of the professional and systemic management of the plan, too often young people and their families are expected to be 'Project Managers'. As you have noted in your letter to me, there is "no clear person to take the lead on transitions, leading to parents and young people having to advocate for themselves". This, is, as recognised in the evidence on the Bill stressful at a time where all energies should be on imagining the future for the young person.

For that reason, the Bill seeks to address this by identifying that, at school, the professional best place and most likely to know the young person best is a teacher, likely a Guidance Teacher. After school, it is likely that this role could be taken on variety of professionals. Depending on the support the young person needs. In my view, it is most likely to be a Social Worker, but could be another person. The bill recognises that flexibility in who it is will likely be helpful and is drafted to take account of that.

We have worked closely with COSLA and ADES to discuss this and as set out later in this response, we are working on taking account of this in the FM that accompanies the bill.

(xii) Responsibility to facilitate communication and coordinate highly complex transitions cannot fall to parents, carers, and young people. Respond.

I agree, this responsibility cannot fall solely to parents, carers, and young people. That is the reason for this Bill. When I held by Transitions sessions in the summer of 2022, I constantly heard how parents, carers, and disabled people are sick of project managing their own lives, particularly in terms of transitions. That is what makes this Bill essential. It ensures the relevant organisations work together, and that there is a Minister that is held accountable for when things go wrong. Having the National Transitions Strategy and statutory transitions plan that my Bill aims to provide means parents, carers, and disabled young people have a start, and that they can spend more time focusing on aspirations, and less time trying to do the jobs of authorities.

- (xiii) Provide updated figures, considering Financial Memorandum/COSLA calculations disparities.**
- (xiv) Engage with the Government on calculations, given the requirement of a Financial Resolution.**

As noted above, we are working with COSLA on figures and will have them for the committee very soon. We have undertaken to clarify the numbers of people who will get a plan, the number of hours and amount of work involved in developing one and the cost of staff time to do so and work is ongoing to produce these figures and update the FM.

Conclusion

In conclusion, Convenor, I would like to thank you and your committee for the work you have done on this Bill. I am committed to finding a workable way forward because, as your committee have agreed, the status quo is not satisfactory. My solution proposed is the Bill in front of you, for reasons previously outlined, and further expanded here. At this moment in time, the Government appear to want to engage in good faith, and I am grateful, but their approach is still heavily reliant on the current one, which is not working. I remain open to the possibility of discussing options further to this letter, both with the Government and the committee. In the meantime, I strongly urge the committee to consider the value of statutory change, be it with the Bill as drafted, amended or some other mechanism in statute that you might propose. Getting this right for young disabled people is my motivation and giving them a fighting chance at a future, is my goal, one, I believe, we all share.

Yours sincerely

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