

**Derbyshire County Council
Children Services**

**Specialist and Safeguarding
Disabled Children's Services**

Eligibility Criteria

1. Introduction

A key aim in Derbyshire County Councils plan 2014-2017 is:

“Provide children and young people with additional needs and disabilities access to the support and services they require”

The following document sets out how services, support and related resources are provided by the Specialist Disabled Childrens Social Care Service. This document will guide the work of the service with colleagues, partners, and service users.

This protocol is underpinned by the following principles:

- Safeguarding
- Support should be person centred and tailored to individual need
- Children, young people and their families participation is valued and vital within their own support planning and needs assessment, and also to wider service design
- Children and young people with additional needs should be supported to achieve and participate within their communities
- All young people should have access to universal services where appropriate. However there is recognition that in some instances additional support may be needed.
- The service should have a joined up approach with other agencies and partners. All work should be undertaken collaboratively and in the best interests of the children and young people we support

2. Section One – Context and Legislation

Across Derbyshire, many disabled children, young people and their families are living ‘ordinary lives’ without requiring additional support from Specialist Social Care Services.

However, all families are different, and may need different levels of intervention and support as circumstances change. Disabled children and their families are entitled to ask for an assessment of their needs which will incorporate the carer’s needs. Derbyshire County Council operates within a legislative framework which places upon it several duties.

The principal legislation for care and support services for children, young people and their families is the Children Act, 2004/1989. Under Section 17 of the Children Act, it states that Authorities have a duty to assess young people where:

- He is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development

without the provision for him of services by a local authority under this Part;

- His health or development is likely to be significantly impaired, or further impaired, without the provision for him of such services; or
- He is disabled,

The Act places on local authorities two general duties to children in need:

- To safeguard and promote their welfare
- Promote their upbringing by their families wherever possible.

Derbyshire County Council works to these principles. There are also other relevant pieces of legislation. The Children and Family Act 2014, Part 3 also placed a duty on Local Authorities to:

“Promote the well-being of children or young people in its area who have special educational needs or a disability”

This includes:

- (a) Physical and mental health and emotional well-being;
- (b) Protection from abuse and neglect;
- (c) Control by them over their day-to-day lives;
- (d) Participation in education, training or recreation;
- (e) Social and economic well-being;
- (f) Domestic, family and personal relationships;
- (g) The contribution made by them to society.

This means that young people and families should experience an integrated service. Derbyshire is committed to the above principles and any assessment will cover the above factors.

The following legislation and guidance are also relevant and provide guidance in our day to day work:

- Working Together to Safeguard Children 2015
- Short Breaks Duty Regulations in Section 25 of the Children and Young Persons Act 2008
- Section 20 of the Children Act 1989;
- Chronically Sick and Disabled Persons Act 1970,
- Carer's and Disabled Children Act 2000
- Disability Discrimination Acts (1995 and 2005)
- Equality Act 2010
- Disabled Persons Act 1986;
- Carer's (Recognition and Services) Act 1995;
- United Nations Convention on the Rights of the Child 1989;
- The Human Rights Act 1998,

3. Section Two - Definitions and Eligibility

The general definition of disability used is that in the Equality Act 2010:

'A person has a disability if he/she has a physical or mental impairment and the impairment has a substantial and long-term adverse effect on a person's ability to carry out normal day to day activities'

Research from the Council for Disabled Children suggests that around 7% of children are likely to be disabled, and that approximately 1.2% would be severely disabled.

It is estimated that around 7,854 children aged 5-17 have disabilities within Derbyshire. The majority of disabled children/young people are able to access universal and targeted support without the need of more specialist support. However for families who may need additional support a formal social care assessment can be requested by themselves or a professional. The outcome of any assessment will be based on individual need.

Depending upon the level of need of the young person and their family this assessment may be undertaken by the Early Help Provision or Locality Safeguarding team, however in certain circumstances the case will be held by the Safeguarding and Specialist Disabled Children's Service.

3.1. Safeguarding and Specialist Disabled Children's Service

The following support services come under the remit of the Safeguarding and Specialist Disabled Children's Service:

- Specialist Social work team – comprising of Community Care Workers and Social workers
- Paediatric Occupational Therapists
- Specialist Outreach Support (Outback/Getaway)
- Domiciliary Care provision
- Specialist Overnight Short breaks
- Specialist residential Provision

The service can be accessed by self-referral from families or through referral from a professional. This would be done by calling Starting Point for self-referral or electronically for professionals. The team also receives internal referrals from Locality teams where a step up and transfer is appropriate.

The Safeguarding and specialist disabled children's service will co-ordinate an assessment of need for a child or young person who has a **substantial, enduring, and permanent** impairment or condition. If resulting from this impairment, the child is limited or prevented from undertaking activities appropriate to their daily living.

This includes:

A significant, permanent and enduring physical disability which leads to dependence on aids and adaptations

Many children and young people who have physical disabilities will not need any additional support. However if a young person needs aids/adaptations to support them in their daily lives and are currently limited by this then they would be supported by the service.

Example: Annie is a 6 year old girl with cerebral palsy who lives at home with her family. Annie is not mobile and uses a wheelchair to move around. Mum is her main carer and has not needed support until recently. However Annie is currently lifted up the stairs and this is proving more difficult every day with Annie growing and her weight gaining. Mum also feels isolated in her caring role. Mum has difficulty getting Annie out of the home and so they both spend a lot of time in the home. Therefore an assessment by the team would be undertaken for Aids and Adaptations in the home, to make sure mum does not hurt herself in caring for Annie. Also an assessment will be done for any support the family may need in their caring role going forward as Annie grows older and whether Annie needs any support to be able to access the community as do her peers.

A severe/significant global learning disability

At 31 March 2013 24,686 children in England were identified as being Children in Need and having a disability associated with learning. This represents 0.22% of the

total child population in England (DFE) Currently in Derbyshire the rate is 2.67% therefore slightly higher than the national average. (Public health)

A learning disability is defined as:

“The presence of: A significantly reduced ability to understand new or complex information, to learn new skills (impaired intelligence), with; a reduced ability to cope independently (impaired social functioning); which started before adulthood, with a lasting effect on development” “Valuing People” 2001

For young people with a severe learning disability this has a profound impact upon their ability to function as would their peers. This may mean they need constant supervision and care to ensure their safety and wellbeing

Example: “Justin is an 8 year old child. He lives with his grandparents. Justin has continence issues, and needs support with his personal care. He is also struggling with verbal communication and only has limited language. He becomes very frustrated when he cannot be understood and he has started to lash out. He is isolated within school and does not have a friendship group. An assessment would be undertaken by the team assessing the support Justin may need with communication, toileting and social interaction. An assessment would also be undertaken looking at the impact of caring upon his grandparents and support needed going forward.

A diagnosis of autism, or those who are in the process of being diagnosed by a medical professional, who also display challenging behaviours that require significant multi agency involvement

Around 700,000 people in the UK are on the autism spectrum. Together with their families they make up around 2.8 million people whose lives are touched by autism every single day (autistic society)

Autism can be defined as” is a lifelong, developmental disability that affects how a person communicates with and relates to other people, and how they experience the world around them” (Autistic society)

Autism is a very complex spectrum; there are some links with sensory sensitivity and learning disability. However some autistic individuals may have above average intelligence but have difficulty understanding and processing language, social situations. Many have a very literal understanding of language, and think people always mean exactly what they say. The world can seem a very unpredictable and confusing place to autistic people, who often prefer to have a daily routine so that they know what is going to happen every day. This provides unique and complex challenges to the children themselves but also to their families and carer's. This may result in involvement of a range of agencies and professionals to provide support.

This could include (Paediatricians, CAMHs, behavior support services, psychologists, and speech and language professionals)

Some autistic young people may display challenging behavior. This could include:

- Self-injurious behavior (head banging, biting, scratching, hair pulling)
- PICA (eating objects)
- Physical behavior towards others (Biting, pulling, slapping, spitting)
- Smearing (excrement or food)
- It needs to be noted that ADHD is not an autistic spectrum disorder.

Example: Lewis is a 10 year old living with his family, including siblings. Lewis has autism and learning disabilities. He loves bikes. He likes to have rigid routines. This includes all daily tasks. He becomes very agitated when his strict routine is disrupted. This can include him banging his head on walls and biting his hands. He also displays physical violence towards his family. This means that the family rarely goes out of the home. His siblings say they love him but are often scared by his outbursts. His parents have little sleep as he is often up in the night. The team would carry out an assessment of the needs of the whole family including Lewis, his parents, brothers and sisters. This would include helping Lewis with his routines and transitions, behavior management, opportunities for his siblings to have quality time with their parents and also opportunities for Lewis to gain social interactions. They would also assess Lewis's safety and whether adaptations were needed to make the home environment safer. The team would also liaise with other professionals to ensure a joined up approach was undertaken in supporting Lewis and his family.

A significant sensory impairment

The term sensory impairment encompasses visual loss (including blindness and partial sight), hearing loss (including the whole range) and multisensory impairment (which means having a diagnosed visual and hearing impairment with at least a mild loss in each modality or deaf blindness). (Schools network)

Support for children with a significant sensory (hearing and/or sight) impairment will usually be provided by the Community Sensory Service. They undertake a range of interventions including:

- assess child, young person, family and carer's needs
- provide specialist equipment
- support transition to adulthood
- provide family support to prevent breakdown
- Advice/referral as required to the Welfare Rights Service/Benefits checks (including Disability Living Allowance)
- Completing the work required under the Education Act on behalf of Social Care where the pupil has a sensory impairment.

Where there is a need for statutory Social Care input; this will be in conjunction with the Disabled Children's Service

Example: Greg is a 14 year old who is deafblind. He is living with his family and they provide all aspects of his care. He has limited communication but can communicate by physical movements and some sounds. He is a sociable young person who would like more opportunity to go into the community. The sensory team will carry out an assessment of specific aids and adaptations that may be useful to support Greg, and what support he may need to access community facilities. They will also look at options for optimizing his independence going forward.

Children/young people experiencing complex health care needs, which may result in a physical or learning disability

In reference to complex health care needs this means individuals whose health needs cannot be met by universal services. They will require specialist health input and potentially continuing health care. The health needs may be as a result of congenital conditions, Long-term deteriorating conditions, and Life-limiting conditions.

In terms of life limiting conditions this is described as, "Life limiting conditions is an umbrella term used to describe illnesses or diseases with no reasonable hope of a cure that will ultimately be fatal." (Fraser et al 2001)

Example: Laura is a 16 year old young person, who lives with her dad. Laura has a diagnosis of Rett's Syndrome. Laura's condition is progressive and she needs around the clock support and care. Laura is now fed through a gastrostomy tube; her dad has been fully trained to do this. Laura also now has issues with her breathing, and is hospitalized and put on oxygen frequently. Laura also suffers from complex seizures that can often require hospitalization. Laura's dad is her full time carer. Laura attends some afterschool activities but she is finding this more difficult as her condition makes her very tired. Dad is voicing that he is very tired and would like a break. He is also concerned on how he is going to cope with Laura's progression. The team would do an assessment of Laura's needs and also those of her dad as her main carer. This would encompass her health needs, and her social needs. The assessment would also look at the longer term and liaise with adult care on what support they may be providing in the future. The assessment would also discuss the prognosis for Laura and how both Laura and her dad can be supported.

The service will usually hold the case for the groups of young people detailed above but may also provide advice and discussion to colleagues in Early Help settings and other Social Care Teams for these groups of young people.

4. Clarification on other groups of young people

4.1. Mental Ill Health

Children and young people with symptoms and/or a diagnosis of mental ill health conditions are typically eligible for a service from CAMHS. These children have entitlement to a Social Care assessment by locality Specialist and Safeguarding Teams if threshold for children in need is met (he is unlikely to achieve or maintain, or to have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him of services by a local authority)

Those children and young people who have moderate and severe learning disabilities, and are experiencing mental health problems and who are registered with a Derbyshire GP, are eligible for an assessment by a worker from the Learning Disability CAMHS Services. These multi-disciplinary services offer a range of psychological and psychiatric interventions depending upon the outcome of the assessment. They also offer training and support for parents, carers and professionals. The service works closely with CAMH's colleagues.

If you have any queries about this document then please seek clarification from the Disabled Children's Service on 01629 537600, alternatively 01629 531780.