

Essex County Council
Schools, Children & Families Directorate
PO Box 297, County Hall
Chelmsford, Essex
CM1 1YS

PRIVATE & CONFIDENTIAL

Ms Pat Smith
What Do They Know Website

Our ref: ECC-005879-10

Your ref: N/a

Date: 13 August 2010

Dear xxxxxxxxx

Your Freedom of Information Request:

I am pleased to enclose the following information, which I believe satisfies your request.

You requested the following information:

Q1. Have there been any cases involving Essex County Council where either the Apprenticeship, Children, Skills and Learners Act or the Disability Discrimination Act has been used against Essex County Council in pursuance of the type of case below? How many times was it used successfully?

A1. There have been no cases.

As the recent Autism Act of 2009 just covers adults with autism, and provision for children and young people was only taken out of this act because a promise was made to cover their needs under the Apprenticeship, Children, Skills and Learners Act, could you please answer the following:

Re: A 16 year old boy with a diagnosis of high-functioning autism, who is a vulnerable young person. He has been refused services from Essex County Council. His mother has asked for a social worker to be allocated to him. She has asked if funding can be found for him to have some recreational activities, as he is currently virtually house-bound. His mother needs to see a social worker so that she can talk about his more long-term employment and / or benefits and housing needs. He was refused access to a social worker on the grounds that: "he has not got moderate to severe learning disabilities." He is, however, a vulnerable person, with a statement of special educational needs.

Q2. Does the Apprenticeship, Children, Skills and Learners Act cover his ongoing predicament?

A2. The Apprenticeship, Children's Skills and Learners Act largely relates to studying, training and apprenticeships and therefore does not appear to be relevant in this case given the young person appears to be

seeking a personal budget to integrate into the community and it is not being suggested he is asking for training or education.

Q3. If not, please suggest what else this desperate mother can do.

A3. With reference to 'if funding can be found for him to have some recreational activities' the Essex Short Break Programme is for disabled children (0 to 19th birthday) who live within the administrative boundaries of Essex County Council and the Essex's definition of disability is the same as the World Health Organisation. This is *'a child or young person who has substantial difficulty, either permanent or temporary, in achieving his or her full potential in areas of personal or social development, emotional or physical health, family life, schooling, further education/ training or employment'*.

Within the Essex Short Break Programme, there are a range of opportunities for recreational activities that do not require an assessment from the Children with Disabilities Social Care Teams. Children, young people with disabilities (as defined above) and their families can contact the services directly.

An example of such opportunities is the Out and About Trust who enable children and young people with disabilities to participate in their chosen leisure activity giving them opportunities to join in activities of their choice and the family a break from their routine caring responsibilities. Young people and their families can made enquiries directly to the Out and About Trust. Other examples include the different clubs organised across the county including those specialising in creative arts and the developing befriending services whose aims are to support young people having friends and joining in ordinary community activities. There are also the holidays over night stays, based on outdoor type activities and whilst, in the event of over subscription, preference may be given to young people who have the greatest challenges of being able to experience such activities, there is a variety of opportunities.

Some Short Break opportunities do require an assessment from the Children with Disabilities Social Care Teams. These include: family based day and over night Shared Care; Social Care residential overnight stays; family weekends away and the child with disability is looked after at home; direct payments; more frequent and regular carer support at home.

There is the Aiming High for Disabled Children Summer Newsletter and the website www.essexinfo.net/ahdc. Both have information about the short break opportunities.

The newsletter is posted with the Parent Partnership Newsletter to every family who has a child supported through School Action Plus or who has a Statement of Special Educational Needs. It is also circulated quite

widely including through: Families Acting for Change Essex; the Essex Forum for Support Groups; Schools; Children Centres; Extended Services Co-ordinators.

Q4. Do children / young people / adults with autism STILL not fit ANY ECC criteria for assistance? They still fall between "learning difficulties" and "mental health". Where does autism fit? Please suggest the criteria under which those with autism CAN get the vital help that they and their carers desperately need.

A4. Essex County Council is committed to providing support for children and young people with autism. The authority promotes autism friendly schools; additional resources are allocated for training and support in the early years sector, and in key stages 1,2,3,4. The Local Authority retains a central advisory support service; all staff are qualified in autistic spectrum disorders. Children & Young People (C&YP) with a diagnosis of autism and a statement of Special Educational Needs are provided with appropriate additional resources to support their inclusion in main stream schools, or are allocated appropriate specialist provision. Developing additional provision for CY&P with autism through enhanced bases is a development priority for the authority

Social Care Teams in Essex also provide support to C&YP who are the autistic spectrum. Carefully consideration is given to determine which is the most appropriate social care team to provide intervention and support. The Children with Disabilities Team (CWD) support CY&P who are on the autistic spectrum and who also have a moderate, or greater, Learning Disability.

Families seeking support for a child on the autistic spectrum who do not meet the criteria for intervention and support from the CWD team may refer to Childrens Social Care via the Initial Response Team who make a decision based on the ECC Guidance for Threshold of Need and Intervention Criteria for Childrens Services.

You may reuse all or part of this information free of charge in any format or medium. You must reuse it accurately and not in a misleading context.

Please contact me if you would like further advice or assistance about your request or your right to access information held by Essex County Council.

If you are not satisfied with my response to your request, please let me know. If I am unable to resolve the issue immediately, I will explain our complaints procedure. If, after following our complaints procedure, you are still not satisfied, you are entitled to ask the Information Commissioner to review our decision. You can contact him at Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF, telephone 01625 545700.

Yours sincerely

Kim Acreman

Information Access Officer
Schools, Children and Families

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For Information Governance information: <http://intranet/infogov>