



Using a needs-led eligibility framework to provide services to disabled children and their families

About this briefing

It is challenging for local authorities to fulfil their legal obligations in relation to disabled children and their families as these are set out in several overlapping pieces of legislation. Furthermore, whilst the current legal framework places a statutory duty on local authorities to assess the needs of disabled children and provide services to meet those needs, the law does not specify a format for assessment. As a result, approaches and assessment models vary: a situation which is further complicated by a lack of clarity about when it is lawful to use eligibility criteria within the assessment process.

This often leads to confusion for families of disabled children who are requesting support from a local authority. It also causes difficulties for professionals, who are required to interpret different eligibility criteria for a range of assessments and services in an often fragmented and uncoordinated system (Broach and Clements, 2020). This is concerning, given that access to the right support requires effective identification of the child's needs to ensure the level and timing of services is appropriate for both the child and their family (Holmes and McDermid, 2011).

In 2023, following the Independent Review of Children's Social Care, a [Law Commission Review](#) was set up by the Department for Education, tasked with reviewing 'the patchwork of legislation that currently governs social care for children' to 'improve the law on social care for disabled children' (Law Commission, 2023). However, it will be several years before the review concludes and proposed revisions to the law are enacted. In the meantime, it is important to focus on developing greater clarity about how local authorities can act **within the law** to provide timely and effective support for disabled children.

In 2021, the [Council for Disabled Children](#) began to work collaboratively with 13 local areas as part of the [Delivering Better Outcomes Together](#) programme funded by the Department for Education. The group explored how they might, within the scope of the current legislation, develop:

- > A needs-led eligibility framework to guide assessment and decision-making within children's social care in participating local areas.
- > Transparent, and accessible local area pathways into the right provision and support at the right time for disabled children and their families.

This briefing reports on this work and provides information about how a needs-led framework for assessment within children's social care can inform a lawful and transparent needs-led approach to assessing and providing services for disabled children and their families. Written for practice leaders in local authorities who have strategic responsibility for services provided to disabled children and their families, it explores:

- > The statutory duties and responsibilities of local authorities in relation to assessing the needs of disabled children and their families, applying eligibility criteria, and providing services to meet those needs.
- > The challenges and barriers faced by disabled children and families when requesting support to meet their needs.
- > The benefits of adopting a strengths-based and needs-led approach to assessing the needs of disabled children and families within children's social care.
- > The key features of a needs-led eligibility framework and how this can inform a lawful and transparent approach to providing services for disabled children and their families.

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The legal framework for disabled children and young people

The relationship between the duties in the *Children Act 1989* and the *Chronically Sick and Disabled Person's Act 1970* must be understood to appreciate why disabled children are treated differently by the law than other groups of children regarded as 'in need' (Clements and Thompson, 2011).

Children Act 1989

Local authorities have statutory duties to assess the needs of and provide services to disabled children, who are children 'in need' under section 17 (10) (c) of the [Children Act 1989](#). Parents are also entitled to assessments of their own needs as carers.

Specific duties and powers in schedule 2 of the *Children Act 1989* require local authorities to provide a range of services to give disabled children the opportunity to live fulfilling lives. This includes:

- > Making direct payments to the family 'equivalent to the reasonable cost of securing a service' for a disabled child (section 17A 3A (a) *Children Act 1989*).
- > Providing short break services to support parents to continue caring (schedule 2 part 1 paragraph 60 *Children Act 1989*).

The *Children Act 1989* does not specify which services the local authority should provide or what appropriate level of services means. Local authorities, therefore, have a considerable amount of discretion in deciding what they should do to support disabled children and their families. However, once a local authority has accepted that a child's needs are 'eligible' for support, then support must be given.

Eligibility criteria cannot be used to decide which children to assess as this would be unlawful. However, when providing services (after an assessment), local authorities can take account of their own resources and apply what they deem to be rational and fair eligibility criteria.

Chronically Sick and Disabled Person's Act 1970

Section 2 of the [Chronically Sick and Disabled Person's Act 1970](#) requires local authorities to provide an extensive list of resources or services for disabled children and families. It also creates the right for disabled children to receive services from the local authority where it accepts that it is necessary to do so to meet the child's needs. For example, providing short break services.

If an assessment of a child or young person's needs concludes that support is necessary, then a judgment should be made as to whether the provision required to meet these needs is in the list of services required under section 2 of the *Chronically Sick and Disabled Person's Act 1970*. If so, this will mean there is a specifically enforceable duty to provide this service at the level necessary to meet the identified need.

It is important to note that neither the *Children Act 1989* nor the *Chronically Sick and Disabled Person's Act 1970* require a child or young person to have a medical diagnosis of disability to be considered disabled.

The box on the following page summarises the key principles that local authorities must take account of in relation to the interaction between the *Children Act 1989* and the *Chronically Sick and Disabled Person's Act 1970*.

Acting lawfully when assessing the needs of disabled children and young people

- > All disabled children are ‘in need’ under section 17 of the *Children Act 1989*.
- > If an assessment of a child or young person’s needs concludes that support is necessary, then a judgment should be made as to whether the ‘provision’ required to meet these needs is in the list of services in section 2 of the *Chronically Sick and Disabled Person’s Act 1970*.
- > If so, this will mean there is a specifically enforceable duty to provide it at the level necessary to meet the identified need.
- > There is also a duty to assess whether the parent(s) have needs for support.

In 2014, the *Children and Families Act 2014* became law and brought in wide-ranging reforms to existing child welfare and family law some of which relate to disabled children and young people, and their families.

Children and Families Act 2014

Part 3 of the *Children and Families Act 2014* introduces a requirement for joint planning and commissioning of services (special educational needs, health and social care) for all children and young people with special educational needs under the age of 25, and their families. It also strengthens the rights of parent carers of disabled children and young people to have an assessment of their needs as set out in the *Children Act 1989* (section 17ZD (9)).

Under the Act, local authorities in England are required to set out their ‘local offer’ information about provision they expect to be available across education, health, and social care for children and young people in their area who have special educational needs or are disabled. They must also develop eligibility criteria explaining how decisions are made about which services will be provided when assessing the needs of disabled children and their families. The Act also requires local authorities to publish the eligibility criteria that they use in guiding decisions about access to services in the local offer.

Using eligibility criteria

Many families report difficulties in getting accurate information about which services may be available in their local area and the eligibility criteria that apply (Council for Disabled Children, 2016).

When assessing the needs of disabled children and young people, the local authority must decide whether support is necessary and whether the ‘provision’ to meet these needs is in the list of services in section 2 of the *Chronically Sick and Disabled Person’s Act 1970*. This decision must be based on eligibility criteria – ‘a scale that explains to the authority’s staff which needs they should prioritise when deciding what support should be provided’ (Bahri et al., 2020, p.19).

Local eligibility criteria should guide decision-making during the assessment process about whose needs to prioritise and which services can be offered as well as help the local authority explain their decision to families (Bahri, 2020). However, local authorities must consider requirements of the *Chronically Sick and Disabled Persons Act 1970* and the *Children Act 1989* when applying eligibility criteria. **This means that local authorities cannot apply eligibility criteria for access to services without assessing the needs of disabled children and families first.**

Eligibility criteria should, therefore, only support decision-making about what services might be appropriate **after** the child or young person’s needs are assessed (Broach and Clements, 2021). The box on the following page explains this in more detail.

Misapplication of eligibility criteria

In 2009, a case was brought against the London Borough of Islington after it introduced new eligibility criteria which reduced the support provided to a child with a disability and their family from 24 hours a week to a maximum of 12 hours of weekly support (Black and Queen's Bench Division (Administrative Court), 2009).

The court found that the local authority had approached the assessment of the child in the wrong order, by using eligibility criteria as a rigid tool to assess the child's needs in the first instance and only then subsequently completing a full (core) assessment (Broach, 2021).

Below is a summary of why the judgment found the new criteria to be unlawful:

'To have one set of eligibility criteria, potentially covering support provided by different statutory provisions which involved a duty as well as those which conferred a discretion, was not acceptable. The local authority needed to articulate clearly that the eligibility criteria had no place in relation to s.20(1) of the 1989 Act, to reconsider what form of eligibility criteria could properly be used in relation to s.2 of the 1970 Act and then differentiate the criteria from those which were used in relation to s.17 and s.20(4) of the 1989 Act.'

(Broach, 2021).

A recent research study exploring the use of eligibility criteria in 149 English local authorities found misapplication of eligibility criteria to be common (Bahri et al., 2020). In the study over 40% of the local authorities had eligibility criteria that were 'either inaccessible or so unfit for purpose as to be incapable of constituting 'lawful' eligibility criteria' (Bahri et al., 2020, p.5). The research team were also unable to identify if eligibility criteria were used when assessing the needs of disabled children and young people in 23 local authorities (15% of the total).

Furthermore, 41% of local authorities used policies that discriminated against children with autism by refusing to undertake an assessment of needs if the child or young person did not have a formal diagnosis. This is unlawful and the research team highlighted the importance of local authorities avoiding 'blanket exclusions about what support can and can't be provided' (Bahri et al., 2020, p. 19).

Assessing the needs of disabled children and young people

The interaction between part 3 of the *Children and Families Act 2014*, the *Children Act 1989*, and the *Chronically Sick and Disabled Persons Act 1970* have created widespread confusion in relation to social care support for disabled children, families, and practitioners (Broach and Clements, 2020). As a result, approaches to assessment and the route that disabled children take when accessing services varies. For example, whilst some receive support from Early Help, others frequently bypass Early Help provision because of their status as children 'in need' under section 17 of the *Children Act 1989* and are directed towards the local authority for a statutory assessment of their needs to access support.

However, many families of disabled children and young people report difficulties in getting an assessment of their child's needs under section 17 (10) (c) of the *Children Act 1989*. Clements and Aiello (2022) undertook research with 92 parent carer-led organisations in which 91% of those interviewed found it 'difficult or very difficult' to get a local authority assessment (p. 26). Some families also report being refused assessments on the grounds that their child does not meet the threshold to be assessed or is considered too young to access short breaks (Disabled Children's Partnership, 2023). Other families report being told that support services can only be provided if they are on the case load of a specialist disabled children's team (Bahri et al., 2020).

When disabled children are referred to children's social care, a decision on an appropriate assessment process should be made. Consideration of how the child's needs can be met by the local authority can take place through a statutory section 17 child in need or section 47 child protection investigation and assessment (*Children Act 1989*). If the local authority decides no further social care involvement is necessary at this stage, but other action may be necessary, the child may be referred for non-statutory Early Help assessments or help from universal or targeted services. However, it is more usual for children's social care practitioners to be dealing with referrals in relation to abuse or neglect (section 17 (10) (a) and (b) or section 47) rather than disabled children (section 17 (10) (c)). This can make it difficult for practitioners to understand the appropriate level of provision the child needs or whether the threshold for a service is met, especially if they have not received disability training (Clements and Aiello, 2022).

Furthermore, section 17 assessments are carried out in accordance with the Working Together assessment guidance for the *Children Act 1989* (Department for Education, 2023) which critics argue is: 'primarily concerned with the duties to safeguard children from abuse and neglect and provides only limited practical advice concerning the provision of support to disabled children and their families' (Bahri et al., 2020 p.11). It is, therefore, not surprising that families report experiencing anxiety and stigma due to having a social worker involved with the family when there are no welfare concerns (Bennett et al., 2016).

Disabled children and their families are likely to be assessed many times for access to different services during childhood and as they transition into adult services. As a result, parents highlight 'the exhaustion of having to attend a myriad of meetings with professionals where the same information must be repeated over and over again.' (Clements, 2023, p.3.). Families also frequently report a 'lack of awareness or understanding' about the process of assessment or how decisions are made when their child's needs are assessed, leading to 'confusion and disappointment' (Bennett et al., 2016, p.13 and p.16).

The importance of adopting a needs-led approach

Access to the right support requires the effective identification of disabled children and young people's needs to ensure the level and timing of support is appropriate for both the child and their family (Holmes and McDermid, 2011). It also requires a focus on providing responsive and timely support for disabled children and families and a recognition that they are more likely to need Early Help services (NSPCC, online). To do this, we 'need to think and act differently' when assessing the needs of disabled children and young people (Clements, 2023, p.2).

In 2023, Clements published 'Draft guidance. Assessing the needs of disabled children and their families'¹ arguing that a family first (p3) needs-led approach to assessment should be adopted, which prioritises:

- > Information gathering at the outset 'with no preconceived views' (p3).
- > Linking disabled children and families in to the 'right support' as quickly as possible.
- > A clear process enabling practitioners to access advice and guidance from a named individual in the organisation who understands the local authority's legal duties in relation to disability.

To support this process Clements (2023) recommends that local authorities:

'Ensure that assessors have the necessary skills, knowledge, and competence to carry out needs assessments concerning the entitlement of disabled children and their families to social care support services.

This means ensuring that assessors undergo regular, up-to-date, and in-depth training: concerning the nature and the legal purpose of the assessment and care planning process, and the relevant statutory obligations that are engaged under the Chronically Sick and Disabled Persons Act 1970 and the Children Act 1989.' (p.2).

A needs-led approach must also be guided by effective and lawful use of eligibility criteria. Broach and Clements (2020) set out the conditions of fair eligibility criteria for disabled children and their families, arguing that these need to:

- > Be transparent, with clear information on eligibility criteria for a range of social care services in the local offer.
- > Use 'everyday language' to explain the relationship between provision and the child's needs.
- > Consider the impact of disability on children and families (p. 108).
- > Reflect the purpose of Section 17 of the Children Act 1989 to provide support to children and families.
- > Be subject to feedback and consultation with children, parents, and young people.

¹ You can read the full 'Draft guidance. Assessing the needs of disabled children and their families' by Clements [here](#).

Developing a needs-led eligibility framework and proportionate pathways to support

In 2021, the [Council for Disabled Children](#) began to work collaboratively with 13 local areas as part of the [Delivering Better Outcomes Together](#) programme funded by the Department for Education. The aim being to tackle barriers to responsively assessing and providing services to meet the needs of disabled children and families.

Representatives in leadership roles with responsibility for services supporting disabled children and their families from the local authority (as lead agency), education, health, Early Help and third sector partners from each local area were invited to take part.

The group was asked to explore how variation and inconsistency in the application of eligibility criteria and thresholds within social care services for disabled children might be addressed within their own areas.

Guided by these findings, they considered how, within the scope of the current legislation, they might develop:

- > A needs-led eligibility framework to guide assessment and decision-making within children's social care in participating local areas.
- > Transparent, and accessible local area pathways into the right provision and support at the right time for disabled children and their families.

The project ran from October 2021 until January 2022. The group met regularly during that period using an accelerated working group approach.

Accelerated working groups

Accelerated working groups are used within education and health settings to investigate a particular problem and identify ways of overcoming this.

The Council for Disabled Children uses accelerated working groups as they encourage a design by doing approach, based on individual and collective reflection, which can generate meaningful change, at both an operational and structural level, in a short time.

The model also helps to facilitate peer-to-peer working and problem-solving through support and challenge exercises: members of the group can share a challenge they are facing individually in relation to the wider problem, and others can respond with feedback and thoughts on how to overcome it.

Acting lawfully when developing a needs-led eligibility approach to assessment

The group began their work together by focusing on the legal responsibilities of local authorities as lead agencies within local areas. They were supported by a barrister who provided guidance to local areas in clarifying:

- > The interface between duties set out in the *Children and Families Act 2014*, the *Children Act 1989*, the *Chronically Sick and Disabled Persons Act*.
- > How a needs-led eligibility approach to assessment can be lawful under current legislation.

Having established that a needs-led assessment process must allow the local authority to fulfil its statutory duties to disabled children and families, the group agreed that:

1. A needs-led approach starts from the position that all disabled children are in 'need' (*Children Act 1989*).
2. When families request support, the individual needs of disabled children and their families should be assessed in a proportionate way.
3. The assessment process should consider whether statutory support is desirable or necessary for an individual child or family.
4. If this is the case, and provision which would meet the needs of the child and family is included in the list of services which local authorities must send out under the *Chronically Sick and Disabled Person's Act 1970*, there is a legally enforceable duty to provide that service.
5. A needs-led eligibility framework should support practitioners in making this decision.

Analysing local area SEND inspections to identify issues related to eligibility criteria

The focus then turned to understanding challenges and priorities for improvement in each local area. The group, therefore, worked together to analyse recent SEND inspections for each of the 13 local areas to identify any common themes relating to thresholds and eligibility criteria.

Local areas also consulted with disabled children and their families to hear directly from them about their experience of assessment and accessing services and to identify what improvements should be made. Having carried out both activities they concluded that:

- > Improvements were needed in information about social care services for disabled children set out in the local offer, including accessible information about services that meet diverse needs.
- > Families' experiences during children's social care assessments were variable.
- > Limited resources and pressures on local authority budgets had resulted in services having to prioritise support for children and families with the highest level of need. This was at the expense of providing earlier, preventative support.
- > Thresholds and eligibility criteria for short breaks services and Early Help were not clearly defined or set out. There was a shortage of information for families about different levels of short breaks services or where families with wider needs could go for help and support.
- > There was a lack of understanding of thresholds among the wider children's services workforce and partner agencies.

Agreeing the overarching purpose of a needs-led eligibility framework

The next task for the group was to develop a shared understanding about what changes they wanted to see when using a needs-led eligibility framework. They concluded that:

1. The primary purpose of a needs-led eligibility framework is to facilitate an individual approach to assessing the needs of disabled children and young people so that they receive the right kind of support at the right time.
2. To be effective, it should be used by all agencies and professionals in children's social care in the local area and applied to all forms of assessment for support. This includes assessments for families with lower levels of need whose only need may be for advice and information. To do so, it should:
 - > Clarify thresholds for statutory and non-statutory assessments.
 - > Create clear, streamlined information about the offer of short breaks and family support.
 - > Be underpinned by the core principles of the law relating to disabled children.
 - > Support disabled children and their families to access Early Help and universal support services as well as statutory services as children 'in need' (*Children Act 1989*).

They also agreed a series of guiding principles outlining what they wanted a needs-led eligibility framework to achieve.

Guiding principles of a needs-led eligibility framework

- > Enable families to access the support they need through proportionate tailored assessment approaches.
- > Move away from a 'one size fits all' approach to professional judgment and decision-making based on holistic information gathering.
- > Focus on the impact of needs on the lives of individuals and in the family context.
- > Empower practitioners to make confident consistent decisions about when it is necessary to provide support.

Developing a needs-led eligibility framework for use within local areas

Next the group explored how use of a shared needs-led eligibility framework might support them to develop transparent and accessible local area pathways into the right provision and support at the right time for disabled children and their families. They began by reflecting on the various levels of support provided by services within each local area (and whose needs these services were meeting).

They then mapped the range of support and service provision for disabled children and their families within all 13 local areas to understand what kinds of support were available, to whom and how this was accessed.

This led them to propose that all services accessed by disabled children and their families within local areas could be re-categorised using four strengths-based descriptors. By understanding how different services connect to each other using the descriptors, a process can be mapped for a proportionate pathway to support for disabled children and families.

- > **Advice and information** – signposting and accessing support via the local offer. E.g. Special Educational Needs and Disabilities Information Advice and Support services (SENDIAS), voluntary, community, or social enterprise organisations (VCS), schools and colleges and the local offer.
- > **Support to continue caring** – ordinarily available social care support via the local offer. Accessible and inclusive universal services and targeted/additional support for disabled children. E.g. providing a short break or other family support.
- > **Support to manage risk** – an identified need for more targeted/specialist support to manage risk and promote welfare. E.g. - proportionate and tailored child in need assessments and plans informed by a needs-led eligibility framework.
- > **Support to prevent harm** – an identified need for support in relation to child protection.

The descriptors range from low levels of support provided through universal services, up to the highest levels of need which require more intervention. There is a deliberate focus on using accessible language highlighting support and help.

The descriptors do not propose anything new in relation to the different tiers of service delivery which are already in existence. However, what is different is a shift in focus in thinking about how the descriptors can be used by local authorities to review whether services in the local area work in combination to provide a continuum of support for disabled children and families based on a clear, accessible, needs-led eligibility framework.

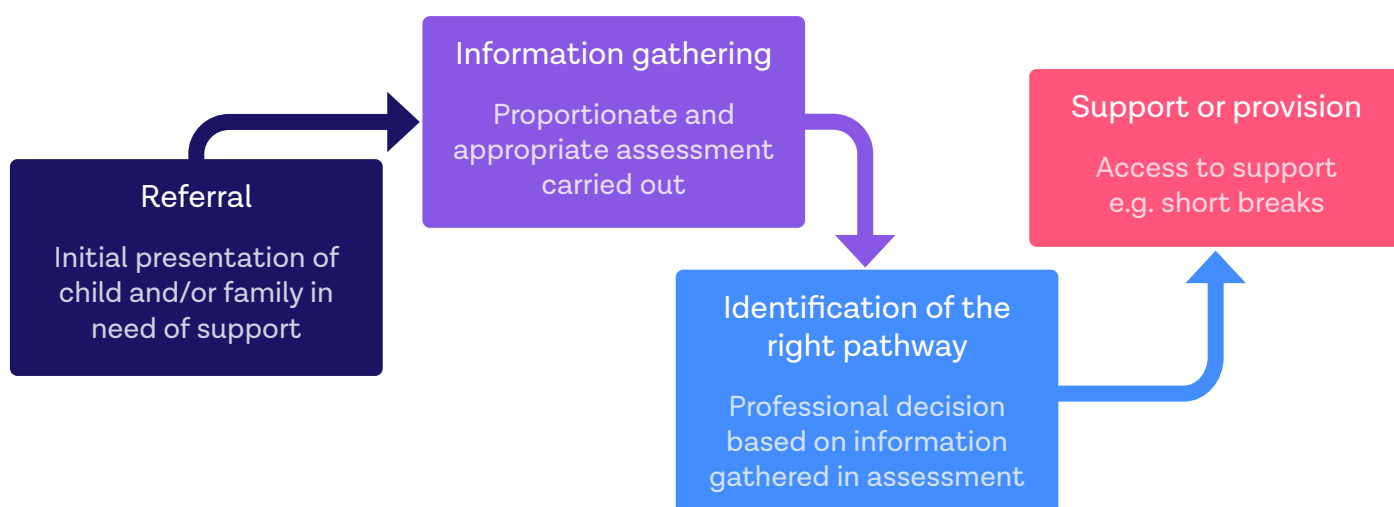
Identifying the right pathway for support

The group agreed that all agencies and services in children's social care should follow the same process to identify the right pathway for support for disabled children and families when using a needs-led eligibility framework. (see Figure 1).

- > At the point of referral, the initial task is to gather information using a proportionate form of assessment.
- > How this takes place depends on the needs of the family and the role of the practitioner, but it should begin with an initial family support conversation.
- > Information gathering during the assessment must help the practitioner identify the right pathway(s) for support and explain to the family how to access this support.
- > Decisions about the appropriate pathway should be explained to families using accessible language framed positively as support.

Figure 1

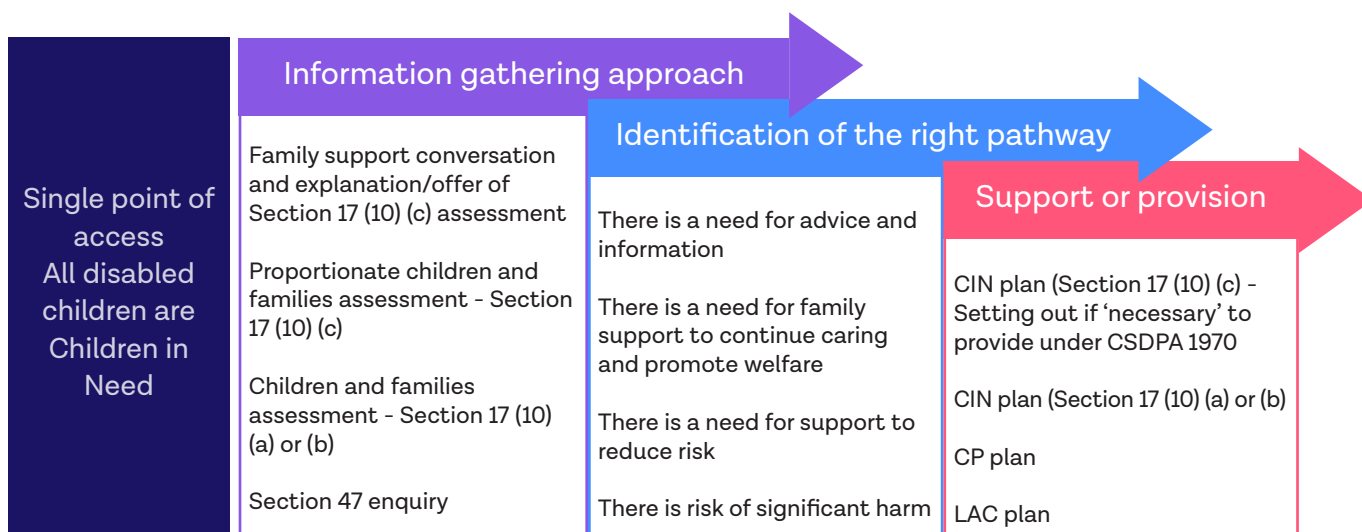
Information gathering for proportionate assessment.



This approach can be applied to all forms of assessment for support including assessments for families with lower levels of need whose only need may be for advice and information. Figure 2 illustrates how this works in practice.

Figure 2

Identifying the right pathway for support



- > Starting from a position that all disabled children are 'in need' (*Children Act 1989*) initial information gathering identifies whether advice and information, support to continue caring, support to manage risk or support to prevent harm is necessary.
- > Depending on which pathway is identified by the professional at the information gathering stage, the assessment will seek to map out the appropriate tier of support which might be:
 - Universal provision.
 - Signposting to the Local Offer, Special Educational Needs Information and Advice Support Service (SENDIASS) or voluntary and community sector (VCS).
 - A proportionate plan to offer short breaks.
 - Offering more targeted or specialist supports as needs are identified.

By including a full scope of different types of assessments, local authorities can apply a needs-led eligibility and decision-making framework to underpin a decision on whether statutory support is desirable or necessary. However, for this to be effective practitioners across all agencies need to understand the different pathways to support in a local area and how their own service fits into this.

To support this process, local areas agreed that it would be advisable to ensure that each agency or service has a nominated decision-maker who is familiar with the needs-led eligibility framework. The decision-maker's role would be to help identify when statutory support from the local authority to continue caring, manage risk or prevent harm is necessary.

Supporting practitioners to identify pathways to support

All local areas agreed that developing a consistent needs-led eligibility framework using strengths-based descriptors would help them ensure that all professionals working with disabled children understand their collective responsibility in enabling disabled children and their families to access the level of support they need.

To aid this process the group developed a list of key areas for practitioners to consider when gathering information about the needs of disabled children and their families (see Figure 3).

Figure 3

Key areas to consider when gathering information about the needs of disabled children and their families.

How significant is the impact of the child or young person's needs on their life?	<ul style="list-style-type: none"> > Consider the impact on their life compared to another child or young person of the same age without their additional needs > Consider barriers to accessing the community and leisure activities; education; health services
How significant is the impact of the child's needs on their family's life?	<ul style="list-style-type: none"> > Consider the broader family context and the impact on relationships between parent carers and siblings > Consider barriers for the family in accessing the community and leisure activities; education; employment; health services
How well are they coping?	<ul style="list-style-type: none"> > Consider support networks including wider family (eg. grandparents); VCS > Consider how well the child or young person is coping
Is the family able to continue caring?	<ul style="list-style-type: none"> > Consider whether other family members may have support needs (parent carers/ young carers) > Consider if some family members are coping better than others, who takes on primary responsibility for providing care
What would happen if no support is provided?	<ul style="list-style-type: none"> > Consider the possible consequences of not providing any level of support > Is it 'necessary' to provide under the CSDPA 1970?
What support is needed to enable the family to continue caring, promote welfare and to prevent avoidable crisis?	<ul style="list-style-type: none"> > Consider support required to overcome barriers to accessing the community and leisure activities; education; employment and health services, for both young people and their families > Consider support required to achieve children and young people's outcomes and aspirations and to prepare them for adulthood > Is the support required part of the list set out in the CSDPA 1970?

The group concluded that successful implementation of a needs-led eligibility framework and pathways to support depends on every practitioner who has contact with disabled children and their families:

- > Understanding the duties of the local authority to assess and provide services to meet the needs of disabled children as set out in the law.
- > Understanding what a needs-led assessment approach aims to achieve and why this is important.
- > Being familiar with the range of services in the local offer, including universal and targeted provision, and how these are accessed.
- > Being committed to ensuring that families can easily navigate different levels of support to meet their needs and understand how they can facilitate this.

Starting to use a needs-led eligibility framework

The case study information below outlines the changes made by the London Borough of Hammersmith and Fulham, having engaged in this project. It illustrates how a lawful, transparent need-led eligibility framework and pathways to support can be used within a local authority.

Hammersmith and Fulham – Developing eligibility pathways and wider support for disabled children and young people

Hammersmith and Fulham's assessment pathway for disabled children and their families has shifted so that disabled children and young people are allocated support and provision via two separate pathways:

1. **Short breaks service**
2. **Children's social care service**

Assessing needs

- > An eligibility framework guides the assessment process. This was co-produced with parent carer volunteers and focuses on the impact of disability on day-to-day functioning and age-related developmental stages, rather than practitioners deciding on service provision and thresholds through the child or young person's diagnosis. The framework supports parents/carers and professionals to identify if universal, Early Help or specialist services are the most appropriate route for assessment and support.
- > Practitioners also use a Pathways to Assessment document which outlines which team might be best placed to respond to the presenting need in the family at the point in time of the request for support.

1. Short breaks service

Summary information

- > The eligibility for short breaks service is broader in comparison to children's social care, which allows the assessment to holistically focus on the needs of the child.
- > Children and young people who have a personal budget but do not require a child in need plan sit with the Short Breaks Team.
- > Reviews of support packages take place every 12, 18 or 24 months depending on age and which services are being provided.
- > The Short Breaks Team is made up of practitioners from family support and social workers. The manager is a qualified social worker.

Assessment

- > The assessment process for short breaks focuses on the needs and impact of disability rather than the whole family history and functioning, which would be explored through a child and family assessment under section 17 of the *Children Act 1989*.
- > The assessment explores similar domains to the child and family assessment, but the questions are less in-depth about family functioning and history.
- > There is a section in the short breaks assessment template that focuses on family history which is used to flag if the child needs a section 17 social care assessment.

Typical pathway to short breaks

Parent/carer/family phone call, email, or a referral for short breaks.

Short breaks worker meets the family and works through questions in the eligibility guide to identify the level of need and impact of disability (ranging from able, mild, moderate, severe, profound, and untested).

Outcome of assessment is presented in the fortnightly meeting for sign off with the Service Manager, Team Leader, and Head of Disability Services. This group will also:

- > Identify recommendations on services in the local community.
- > Signpost different assessments, e.g. social work teams or family support teams.

2. Children's social care service

Summary information

- > The Stephen Wiltshire Centre - the borough's disabled children's centre - acts as a front door for social care and part of the children's service offer, to promote ease of access for families.
 - Families can call the centre directly via the duty line, attend drop-in sessions, receive targeted short breaks sessions, as well as support with their physical health.
 - Other referral routes include SENDIAS and an outreach service with other children centres in the borough.

Practitioners working at the centre understand the assessment process for short breaks and children's social care.

Integrating other services and teams

- > The SEND Delivery Group covers the breadth and depth of partners from 0 to 25 years, ensuring that the needs-led eligibility pathway and referral and assessment routes are understood by all teams and services in the borough.
- > Hammersmith and Fulham have increased the knowledge of disabled children's services and the SEND system across various support services (e.g. Early Help) in the borough. The aim being to simplify pathways to access for support for families who would otherwise not be in contact with social care.
- > Early Help practitioners have access to a 'Practitioner Framework/Guide' to understand how to allocate support to a child or young person with a disability. They are also encouraged to contact the duty social worker in the Disabled Children's Team for further guidance or advice.

Conclusion

Despite disabled children and young people having the same aspirations as their peers, the outcomes which prepare them for adulthood are consistently poorer than children and young people without SEND (Children's Commissioner, 2021). The systematic challenges which contribute to these poor outcomes are driven by a 'vicious cycle of late intervention, low confidence across the system and inefficient resource allocation' (Department of Education and Department of Health and Social Care, 2022 p.23).

The impact of limited resources and pressures on local authority budgets means that eligibility criteria often hinge on providing support when families are already in crisis, instead of enabling assessments to be preventative, holistic, child focused and carried out at an earlier point (Clements and Thompson, 2011, Suh and Holmes, 2022). Consequently, disabled children and their families who request support, experience the disabled children's social care system as intrusive, complex, and bureaucratic (Clements and Aiello, 2022).

Needs-led eligibility frameworks and pathways to support for disabled children and families have a key role to play in addressing these issues.

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