



Individuals in Transition:
***A Framework for
Assessment
and Information
Sharing***

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Foreword

The purpose of this document is to support agencies and staff members to share common processes to identify and meet the needs of individuals in transition. Many partners have contributed to its development and we expect that the document will enhance multi-agency collaboration. Particular thanks go to staff within the following agencies:

Scottish Executive: Education and Lifelong Learning, Transitions to Work, Effective Interventions Unit, Post School Psychology Strategic Officers; Scottish Enterprise, Highland and Islands Enterprise and Careers Scotland.

Christina Allon and Catriona Eagle, Careers Scotland

Scottish Executive Policy

The Beattie report (1999), which considered the needs of young people who require additional support to make the transition to post-school, highlighted information sharing and assessment as one of the top priority areas of action:

“The principle of Inclusiveness requires that education and training provision must match the needs, abilities and aspirations of the individual. To achieve this, there must be an effective process for identifying the type and level of learning needs, the range of existing skills and abilities and the goals of the young person. This process must also take into account other factors in the young person’s life that may limited his/her access and participation.

The issue is how to promote action across all agencies to address the

factors that contribute to an effective assessment process; and how to ensure that the assessment leads to matching provision”.

The Framework for Assessment and Information Sharing needs to be seen in the context of Careers Scotland’s focus on employability: that is, the ability of individuals to move towards and into the labour market, and to stay and progress in employment. Overall, the framework aims to ensure that people - not just young people - get the support they need to achieve their full potential. It promotes collaborative working, recognising that support may be needed from a number of different agencies. And, importantly, it recognises the need to make links with - and to build on - what we already know.

This assessment framework is supported by and will support a

number of policy initiatives. Employability is central to many elements of the Executive’s Partnership Agreement which sets out the priorities for the current administration; it is a consistent theme of the Executive’s six overarching Closing the Opportunity Gap (CtOG) objectives, chiefly those related to economic inactivity, disadvantaged young people, and community regeneration. Equally, the Partnership Agreement reaffirms the commitment to place children and young people at the heart of the Scottish Executive’s programme - to give young people the best possible start to life and to help them maximise and achieve their potential.

More specifically, the framework is consistent with:

- The (forthcoming) Integrated Framework of Assessment for Scotland’s Children, aimed at improving services for children

and families and supports implementation of the Education (Additional Support for Learning) Scotland Act 2004

- The Pathway Plan for young people leaving care and their transitions to independent living, and Partnership Matters
- The Executive’s guide to local authorities
- NHS Boards
- Voluntary organisations on supporting students with additional needs in Further Education.

Put simply, the framework offers a practical means by which agencies can better plan and work together on employability and so help people realise their potential.

**Transition to Work Division,
Enterprise and Lifelong Learning
Department, Scottish Executive
January 2005**

1. Introduction

1.1 Assessment is an ongoing process of gathering information, structuring it and making sense of it, in order to inform decisions about actions necessary to maximise an individual's potential. The processes of assessment and providing support for individuals in transition, refer specifically to enabling people to access and sustain suitable learning, training and employment opportunities. As such, the context involves a focus upon employability and career planning. The framework aims to support agencies to draw together relevant assessment information to best serve the interests of the individual to make progress.

1.2 This document does not recommend the use of a single assessment methodology, rather it offers a rigorous framework which promotes a consistency of approach and shared process, irrespective of the assessment tools or approaches chosen for local use. It recognises that good practice exists and is emerging across Scotland and that this needs to be built on, in order to achieve greater consistency

across agencies. It aims to support further development of good practice in collaborative working and in moving towards the realisation of a common assessment process. It assumes the sharing of information where the law, practice and policy allows or requires it.

1.3 The consultation underpinning the development of this document focused on young people with additional support for learning needs, however this final version can be applied to people of all ages in transition.

1.4 The framework is designed to assist individuals in transition, for whom assessment and support is available. This assessment and support may be provided by single or multi agencies from statutory, voluntary and private sectors. The framework applies particularly to individuals with few or no qualifications, low basic skills, low self esteem and motivation, as well as others who may need support because they have physical disabilities, learning difficulties or face mental health problems.

2. Implementation - responsibilities

2.1 Local adoption and implementation of the framework should be based on the geographical areas relating to the Scottish Enterprise boundaries. Where there are overlapping boundaries and impending changes to boundaries, local agencies should agree solutions that put the interests of service users first. Within these localities, the expectation is that Careers Scotland should take responsibility for implementation. Careers Scotland should involve Community Planning partners and other stakeholders in implementation of this assessment framework; these include other local statutory agencies such as Education and Children's Services, Social Work, Employment Services, Further Education Colleges and local voluntary organisations.

2.2 It is recognised that many young people will enter and leave post-school education and training. Each organisation e.g. Social Work, Community Learning that comes into contact with young people, should be able to make referrals for assessment. The structure and the

framework should be flexible enough to support referrals from different sources, but in such a way that young people do not experience unnecessary reassessment.

2.3 Local community planning structures should agree how implementation of the framework should address the needs of individuals, of all ages, in transition.

3. Implementation - 9 Key Features

Implementation should be based on the sharing of understandings, with regard to both the underlying ethos of collaborative working and the processes of assessment and intervention, for people in transition. Nine key features can be considered in order to illustrate these.

Figure 1. Shared understandings within a common assessment framework



Overall these factors are not mutually exclusive and they do interact; for example, processes that represent the ongoing practice in an area will be based upon the underlying ethos including the values and agreed attributes of a common assessment framework.

3.1 Agree Purposes of Assessment

The overarching purpose of assessment is to:

- Assist the individual to reflect on their own strengths in considering options for personal action planning and support
- Identify the type and level of learning and support needs, the achievements and the aspirations of the young person
- Draw up an action plan and set goals
- Communicate the outcome of the assessment process to the appropriate provider(s)

Local agencies should agree what they want to achieve through the assessment process by identifying and building on current good practice in their locality. They should recognise that some young people may have numerous separate assessments each year with the majority of the information being repeated on each assessment. A key objective will therefore be to minimise unnecessary duplication by sharing information across agencies, thus allowing a comprehensive

assessment to be built up over time. A further objective should be to reduce paperwork by providing an assessment summary - preferably based on electronic records. This should also facilitate information sharing with other agencies. The overarching principle is that the collection and sharing of assessment information must be based on an individual's informed consent (see Confidentiality section in 3.4). Particular emphasis should be given by agencies and individual workers to the importance of information sharing as a key part of effective assessment.

3.2 Agree Key Attributes of Effective Assessment

3.2.1 A person centred approach whereby:

- The individual's views are central to the assessment process, and the assessment takes account of the individual's strengths and abilities
- Assessment builds a comprehensive picture of an individual's needs and circumstances taking account of their current situation as well as their history of opportunity

and the outcomes of previous assessments

- The individual consents to the appropriate collection and sharing of information, about their needs and circumstances
- Key decisions and issues are made available in writing and/or in any other appropriate formats to the individual. Principles of giving feedback could be usefully articulated

3.2.2 A standardised approach which:

- Is supported by evidence
- Builds on and supports existing good practice
- Produces a single assessment summary for each individual
- Within the law, facilitates the sharing of information from the single assessment summary, between professionals and agencies

3.2.3 An outcome centred approach that:

- Evaluates assessment information and translates it into appropriate action plans and services

3.3 Agree Shared Values

3.3.1 Valuing a person-centred approach

- Individuals should be appropriately informed about assessment and services and how to access them. Their comments on assessment and services should be actively sought
- Individual's views should be central to assessment and service delivery. Assessment must not be designed to accommodate the organisational structures or administrative practices of an institution or agency
- Assessment should help an individual identify not only their needs but also their strengths and abilities. It must therefore encourage full participation and ownership by the individual
- Assessment and the services provided should enable an individual to realise their potential. They must aim to aid progression
- Individuals should be involved in decisions and empowered to participate
- Individuals should be given realistic options for how their needs may best be met
- Individuals should consent to

information that is collected about them being shared (see Confidentiality in 3.4)

- Professionals should be aware of the impact of gender, race, disability and sexuality on young people and their needs and be prepared to respond appropriately

3.3.2 Valuing carers and family members

- Agencies should acknowledge the role that many carers and family members may play in the care of some young people and be prepared to offer necessary support, within the law, recognising the rights and responsibilities of family members /carers. In some circumstances, however, it is acknowledged that family involvement may not be appropriate. Agencies should be encouraged to discuss such issues with individuals as appropriate

3.3.3 Valuing integrated and responsive services

- Access to services should be via assessment that is co-ordinated, with duplication kept to a minimum
- Effective information sharing between professionals which respects confidentiality is essential.

- Only relevant information should be shared across and between agencies. It is not always necessary to share all information. Agencies should be encouraged to become more familiar with each other's requirements for information and how sharing of information can best be managed.
- Where an individual, particularly a young person, requires support from more than one agency, agencies should co-ordinate this
- The individual should see that services are joined up and that the agencies present a coherent response with predictable outcomes

3.3.4 Valuing staff

- Professionals working with individuals in transition should be properly trained and provided with ongoing continuing professional development opportunities
- The crucial attribute of staff members' abilities to engage with young people in transition should be acknowledged and fostered
- Front-line professionals should be supported to take responsibility for planning and providing services for individuals in transition

3.4 Agree Practices to ensure Confidentiality

3.4.1 Confidentiality has to be considered in the wider context of the young person's long term future. There is a view among a range of individuals and agencies that confidentiality can be used as a barrier to effective communication between agencies and as a justification for not transferring information. This represents a challenge to be overcome. Strict protocols should be developed governing confidentiality, which serve the best interests of the young person and not the practices of individual agencies.

3.4.2 Clients of all ages have a right to know what information is held on them and should also give explicit permission for information to be transferred. It should be acknowledged, however, that there are likely to be limits to confidentiality in certain circumstances e.g. to establish entitlement to benefits.

- Each organisation should have a written statement on the types of information held, how this

information is used, and to whom it would be transferred. They should also agree to treat information transferred with respect for the individual's rights

- Young people and parents/carers should be aware of the fact that information on learning and support needs may need to be passed on to another agency to ensure that a young person's needs are met
- The individual should know what information is held on them and should also give explicit permission for information to be transferred
- The individual should be involved in preparation of any reports summarising the assessment process and give written consent for it to be passed on to another agency
- The process by which an individual can obtain their complete record should be made clear. The Freedom of Information Act enables individuals to have access to all manual and electronic information held on an

individual. This could include any component parts of assessment records. Policies should be developed by all agencies to conform to legislation. Equally, it should be clear which agency is the holder of the summary information available for sharing and who is responsible for keeping it up to date. Named person and co-ordinator roles need to be referred to.

3.4.3 Protocols for Information Sharing between Agencies

Agencies should work together within the legislative framework, to enable effective information sharing. Specific protocols should be developed to support this process. Agencies, their staff and individuals should have a working knowledge of the most relevant legislation, including the Data Protection Act, the Freedom of Information Act and the Human Rights Act. More details are available in Appendix 2.

Having decided on the contents of the single assessment summary, local agencies should:

- Agree the **format** of local documentation for collecting

storing, retrieving and transferring information of the single assessment summary

- Agree local **protocols** for the transfer of this information, including agreement on which professionals can access the information and can update it. A template for use between Careers Scotland and partners has been included in Appendix 3
- Agree a **mechanism** that enables information for the single assessment summary to be brought together and made available, or transferred, to the person requesting it in all agreed locations
- Agree how the information identified for inclusion in the single assessment is to be collected, stored and shared with due regard to the requirement of the Data Protection Act 1998, particularly the need to process information fairly and lawfully. This means obtaining informed consent from the data subject (the individual) to the use of their information for agreed purposes

- ensure that there are training and awareness programmes for professionals and administrative staff involved in the collection, storage, retrieval, sharing and updating of the single assessment summary.

3.5 Integrating Services through Mapping of Structures and Processes

3.5.1 Agencies should work together to identify how individuals currently move through the system, from point of access to delivery of a service. As part of this, they should map agencies available as well as current systems of assessment and case management. They should identify duplication and omission and the potential for a more integrated approach, including the involvement of independent providers.

3.5.2 Agencies should also clearly identify which professionals need to see information about individuals seeking or receiving services, how they will use the information and related safeguards for individuals.

3.6 Agree the Stages of Assessment and Case Management

3.6.1 Agencies should agree the stages of assessment, review and other aspects of publishing information about services. Assessment by appropriate agencies should take account of previous information gathering and of outcomes of intervention. It should only take place when there are clear reasons for particular assessment relating to decision making, for example, suitability to provision and a lack of evidence available to date. Developments within online access systems of information may ease administration burdens.

3.6.2 In addition, agencies may wish to take a pro-active approach to identifying needs among individuals who are not in touch with services. 'Case finding' of this kind can play an important part in preventive strategies.

3.6.3 Publishing information about Services

Any individual should know what they can expect of the assessment process and services available.

Individuals, including young people and their family members or carers, if appropriate, should be fully involved.

3.6.4 Completing assessments

Assessment is the process by which an individual's abilities, aspirations, actual or potential learning and support needs are identified so that appropriate action can be planned. The main steps of assessment may be described as follows:

- **Recognising** a need (for example, self, family, guidance teachers, careers adviser, and volunteer - can refer for assessment)
- **Identifying** a need (for example, core assessment, professional assessment (Social Work or Health worker, career planning interview, Key Worker contact, reports from schools or other agencies; evidence from assessment tools, range of professional input or specialist assessment))
- **Weighing up** provision or identifying how to meet the needs (enhanced assessments, action plans, consultation with other agencies)
- Linking to or **developing provision** (may involve referral to existing

education, training or employment or other types of interventions, advocating for provision or even creating new provision)

- **Reviewing** need in the light of evidence arising from support/provision outcomes.

3.6.5 Clarifying who undertakes assessment

A range of professionals and organisations have a potential role to play in the assessment process including Schools, Educational Psychology, Careers Scotland, Inclusiveness Projects, Social Work, Health, Further Education Colleges, Youth Justice, Community Learning, Training Providers, Job Centre Plus, Prison Service, Voluntary Organisations and New Futures Projects.

3.6.6 Ensuring the place of the individual in assessment

The individual should be fully involved at every stage of the assessment process and their account of their needs, views and wishes, placed at the centre of all decisions that are made. The level of participation may be constrained by circumstances. However, tools which encourage self-assessment can assist

this process. Openness about the nature and purpose of the assessment is particularly important. The individual should be informed about the assessment process, who is involved at each stage, what issues are being discussed, what information about their needs and circumstances may be collected and shared and what assessment is undertaken regarding particular learning and support needs.

Key decisions and issues on assessment and service provision should be put in writing - or other formats - and a copy given to the individual. The individual should sign any form which sets out the outcome of the assessment process. If he/she does not agree with the assessment, there should be an opportunity to record disagreement. If the result of such openness is a greater level of trust, the individual may understand and accept the importance of passing on vital information. This process will require time and care.

3.6.7 Establishing when assessment should be carried out:

- Regularly - but not too often: and not the same assessment repeated on several occasions
- Prior to leaving school (personal learning plan process, Individualised Educational programme, Coordinated Support Plan, other types of recording and reporting and assessment)
- On leaving school - Careers Scotland career planning and/or Key Worker services, Training Providers, College etc
- At prescribed intervals when the young person is on a training programme or FE course
- At every transition (whether through progression or as a result of not completing a course or programme)

3.6.8 Articulating what assessment should cover:

Goals	Employment ideas or independent living goals
Progress/Achievements	Qualifications Work related experience Outcomes/results of assessment tools/approaches Individual's assessment of progress Tutor/Key Worker assessment of progress
Nature of support needs	Basic skills for example, basic literacy and numeracy; timekeeping, reliability Core skills for example, ICT, communication skills, numeracy, working with others, problem solving; Attributes (personal/life skills) for example, independent living Career planning skills
Personal factors	<ul style="list-style-type: none"> • Attitude, self esteem, motivation, willingness to take responsibility • Lifestyle, including homelessness, drug misuse, offending behaviour • Health related factors • Family networks • Mobility • Other entitlements e.g. care leavers
Continuing Learning and Support Needs	Identify the nature/extent of any continuing learning and support needs
Strategies/equipment found to be effective	This may include strategies which have previously been helpful to the young person or equipment which has been used in school, college or other support setting.

3.6.9 Agreeing what assessment should measure:

- level of competence and capability in each area
- type and level of learning needs
- type and level of support need.

3.7 Action Planning and Personal Profiling

3.7.1 Proposals for an individual profile and action plan to take forward the outcome of the assessment process in a systematic way should be designed to recognise the needs, abilities and aspirations of the young person. The aim is to encourage and assist the individual in making progress towards agreed goals. This will encourage and assist the provider agencies to design and deliver the appropriate “package” for learning and support.

3.7.2 The underpinning of a personal profile should be an assessment procedure which clearly identifies both hard/tangible areas of need for example, literacy, numeracy, specific aids; and “soft/intangible” areas such as attitude, motivation, punctuality and willingness to learn. The challenge for agencies is to

develop measurable indicators of progress in the soft areas in order to evidence positive change. A key objective is to assist the individual to reach a level of competence and confidence where they could enter and sustain further education, training or employment. The following elements should be involved in drawing up a personal profile.

3.7.3 Personal or Individual Profile:

An effective assessment process identifies the individual’s abilities, aspirations, learning and support needs.

The profile should include:

- the type and level of learning and personal skills support needs (from assessment): and the type and level of skills and abilities
- particular circumstances (social/emotional/behavioural) likely to create barriers to learning and/or employment
- aspirations of the individual for example, job, training, further education, housing, drug rehabilitation, or money.

3.7.4 Action Plan:

The profile should be the basis of an individualised action plan which is discussed and agreed with the individual. The action plan should specify:

- Skills and achievements to build on
- The areas/aspects to be addressed
- The activities which will form part of the programme/intervention
- Other actions to address other barriers for example, housing, drugs, and the agency responsible
- What will constitute progress and how it will be measured
- Dates for reviewing progress and who will be involved
- The main contact for the young person
- Responsibilities of relevant agencies and identified co-coordinator/Key Worker

The objective is to design a programme for each individual which meet his/her needs i.e. an individualised profile and action plan. Regular reviews and ongoing assessment will be crucial to the programmes effectiveness.

3.7.5 Monitoring

Once services are provided, agencies should ensure that appropriate arrangements are put in place to monitor both the individual's needs and the effectiveness of services provided. Providers will play a leading role in providing services and monitoring progress. Services should be adjusted in response to changes in needs and circumstances or to better fit the service response to identified needs. Individual's action plans and personal profiles should be shared, with the agreement of the individual, as fully as possible with service providers to ensure recommended services meet the genuine needs of the individual.

3.7.6 Review

Review of action plans should be scheduled and undertaken on a routine basis. There should be an initial review within one month of a service first being provided. Thereafter, reviews should be scheduled at a pace and timescale agreed as most beneficial to the individual and their circumstances. From time to time, unscheduled reviews will be required when unexpected major changes occur. The main purpose of the review is to:

- Establish how the services provided have achieved the outcomes set out in the action plan
- Re-assess the needs of, and issues facing the individual
- Confirm or amend the current action plan

Agencies should record the result of reviews and update the action plan.

3.7.7 Agree links with other assessments

Agencies should reach an understanding of how this document fits with other key strategies that refer to information sharing and assessment between agencies. The following policy initiatives are of particular relevance;

Education (Additional Support for Learning) (Scotland) Act 2004 (www.scotland.gov.uk/consultations/education/asn02-00.asp)

The concept of additional support needs in the Act encompasses a broad group of children and young people whose needs require to be identified, understood and addressed. Where other agencies are involved, this requires effective

communication, collaboration and integrated assessment. Agencies other than education may be involved in working with such children and young people in another context. For example, where a child or young person is looked after and accommodated there may well be involvement from social work, health and voluntary organisation staff. The same may be true of children within the Children's Hearing System. In these situations, the relevant agencies must work together to ensure an integrated assessment of all of the child's needs.

Duties on other appropriate agencies - The Act promotes integrated working across agencies, in assessment, intervention, planning and review. Appropriate agencies have a duty to help an education authority discharge their duties under this Act unless the help is incompatible with the agency's duties, or unduly prejudices the agency in its discharge of its own functions. This is compatible with other child legislation. For the purposes of the Act, appropriate agencies are any other local authority, any NHS Board or any other person specified by the

Scottish Ministers, which may include, for example, Careers Scotland and Further and Higher Education (ref. Section 2 paragraph 14). Social work services belonging to another authority are considered to be an appropriate agency for the purposes of the Act. Social work services from the same council, are not an appropriate agency but are covered by section 23 (5) of the Act. This requires an education authority to exercise their non-education functions if they consider that would help them in the exercise of their functions under the Act. Again, this is subject to the exceptions based on compatibility and being unduly prejudicial.

Appropriate agencies must comply with requests for help under this Act, unless they are being asked to do something which is outwith their powers (e.g. where a medical agency is being asked to be responsible for placing a child in a residential school). Or unless what they are being asked to do unduly prejudices that agency as it discharges its own statutory functions. It is expected that in most circumstances other appropriate agencies will support an education authority when asked.

Where there is a dispute between the authority and the appropriate agency as to the operation of the exceptions to the duty, it will ultimately be for the courts to decide, whether any agency is validly relying on the exception.

The Integrated Assessment

Framework www.iaf.intranets.com

The Scottish Executive is developing a policy on an Integrated Assessment Framework which will support agencies to work together to provide school education, family support and health services to vulnerable children and children in need. Integrated assessments bring together the professional opinions and judgements of staff across agencies. The Integrated Assessment Framework is underpinned by principles which best serve the interests of the child or young person and take account of the views and knowledge of the family, their environment and culture.

The framework should enable information relevant to the needs of the child and the family that takes account of the views of the child, where age and stage of development allow, and the information to be

gathered consistently and systematically.

The framework can be illustrated by a triangle developed from the Assessment Framework Triangle for children and families in need in the community. However, a key difference is that the Integrated Assessment Framework starts from the point of view of universal services; professionals in all agencies working with a child have a responsibility to consider:-

- What the child needs to grow and develop
- What the child needs from those who care for her or him
- The child's wider world

The values and principles which underpin the Integrated Assessment Framework are that it:

- Serves the best interests of the child or young person. (According to the UN Convention on the Rights of the Child and the Charter for Protecting Children and Young People (Scotland))
- Includes the views of the child or young person in accordance with their age and level of understanding

- Involves and includes the views of the family and others who are significant in a child's life, ensuring they understand and agree the aims of assessment.
- Takes account of all aspects of the child's life, respecting rights and diversity, recognising communication or religious needs in order to prevent discrimination
- Brings together professionals to work to ensure that assessments focus on:
 - Personal and family strengths
 - Support networks and resources available
 - Needs and risks
 - The gaps that need to be filled and the resources and options to fill them
- Seeks the earliest, most effective and least intrusive response to needs
- Is rooted in child development
- Is solution and action focused
- Ensures that all agencies use compatible formats for recording

information, avoid duplication and share information appropriately, for the benefit of the child or young person

- Is supported by interdisciplinary arrangements that ensure timely responses by trained competent workers, skilled in communication with children and young people
- Is undertaken by professionals who know the limits of their own knowledge and expertise and who call on the skills of others or specialist services when needed
- Leads to assessments which draw on all available evidence and clearly distinguish fact from opinion
- Produces a plan which can clearly be seen to have been derived from an assessment which is simple to understand and use, accessible to the child or young person, carers and practitioners
- Is part of an ongoing integrated process of planning, providing and reviewing services for the individual child or young person and for all children

What does the Framework look like?

- 1 An assessment needs to take account of all influences on a child's life and development. **No action should be taken without an assessment.** The assessment triangle, with the notes elaborating the subheadings, attempts to summarise what every child needs in order to grow and develop in health and safety, achieving potential as achieving, respected and responsible members of society.
- 2 Everyone who comes into contact with a child, or who has responsibility for their wellbeing, whether directly or indirectly, should engage with the child's situation, considering whether there are aspects of the child's life that might be improved. The triangle provides a simple outline for everyone to use in their work with all children.

- **Pathway Assessment and Pathway Planning (Young People Leaving Care)**

www.scottishthroughcare.org.uk

'Pathways' is a Scottish framework for throughcare and aftercare assessment and planning for young people who are leaving care. This framework was developed in line with new regulations and guidance for services that support young people who cease to be looked after by local authorities. The Regulations and Guidance and the Pathways framework were implemented across Scotland on 1st April 2004.

The Children (Scotland) Act 1995 states that local authorities have a duty to ensure throughcare preparation and planning takes place before they cease to be looked after. Local authorities must also seek young people's views, assess their aftercare needs and regularly review the plans and the outcomes of a young person's throughcare & aftercare support. Increasingly, this work is being carried out in partnership with other agencies and individuals who are involved in supporting young people leaving care.

The 'Pathways' framework consists of a handbook and a set of materials to support this flexible, modular approach. The areas covered in Pathways are: Hopes for the Future, Lifestyle, Family & Friends, Health & Well-Being, Learning & Work, Money, Where I Live, and Rights & Legal Issues. Each young person who is leaving care will have a named Pathways Co-ordinator within the responsible local authority, who will oversee the assessment and planning process. Existing practice can be easily incorporated into the Pathways approach, so that duplication of work is prevented.

- **Guide to Assessment (Effective Interventions Unit)**

www.drugmisuse.isdscotland.org/eiu

The guide covers issues in assessment for services dealing with young people with drug misuse and other issues.

It is crucial that assessment and information sharing approaches are implemented effectively between and across agencies. Ideally the outcomes of previous assessment and the history of the individual client should be utilised to ensure

a continuity of understanding and support.

Each agency should specify how they will contribute to the assessment of need process and how information from specialist reports for example, Educational Psychology or medical information will be included.

- **Moving On from School to College**
Her Majesty's Inspectorate Education.
www.hmie.gov.uk/documents/publication/more/htm

3.8 Agree Assessment Approaches, Tools and Scales

3.8.1 In each locality, agencies should work towards the adoption of a shared approach to assessment. The approach should emphasise that the process involves the collection and evaluation of information; in particular, agencies should agree the assessment strategy they will use. This may be different for initial and enhanced assessment. It is not possible, nor is it appropriate to identify a single assessment tool for these purposes. Each agency should agree the methods and approaches

which can best be used within its organisation that can complement the assessment approaches used by other organisations. Careers Scotland has undertaken a review and evaluation of the assessment tools which best suit its purposes. A consistent range of tools and approaches is now in place. Further information is available on www.careers-scotland.org.uk As well as agreeing assessment tools or approaches, agencies should agree the assessment method that will be used in support of professional judgement. It is important that specific measures utilised are valid, reliable and culturally sensitive.

3.8.2 Agree joint working arrangements

Agencies should agree joint working arrangements for assessment and case planning and procedures for the involvement of professionals in these processes. The protocols should specify the potential roles and responsibilities of a range of agencies in particular, the agencies which may be expected to have a lead or prominent role. The protocols should also be clear about gaining consent for collecting and sharing information. Where more than one

agency is involved in assessing needs, those agencies should explain to service users which agency is responsible for what aspect of support and/or care.

In many cases the Careers Scotland Key Worker may be the link between a range of agencies, advocating on behalf of the individual, and developing positive relationships with the young person and other agencies. The role of the Key Worker is to work with colleagues and individuals to identify and engage young people at risk of not making an effective transition from school to post school opportunities. The Key Worker will support the individual to focus on the identified areas of learning and employability to help raise self esteem, motivation and attainment levels and to ensure effective transition takes place.

3.8.3 Agree an assessment summary

It is essential that local agencies agree which information will be collected and stored as part of an assessment summary for young people, that may be made available to identified professionals. In addition, agencies should agree how

the information identified for the assessment summary is to be collected, collated and shared, with due regard to the Data Protection Action 1998; in addition, taking into account of the need to avoid duplication and reduce paperwork.

Careers Scotland is introducing a specialised careers software package called, INSIGHT. This tracks the progress of recipients of Careers Scotland services, through education, employment and training. The individual client record contains a section for recording areas of need, soft indicators and employability factors. This section is referred to as the Client Achievement Summary. This will record and measure individual's progress and demonstrate achievement of distance travelled. Information from this approach can be used by individuals to summarise and plot progression. This data will also inform the evaluation of client referrals to other agencies for support. Partners of Careers Scotland who provide services to some clients will be able to access parts of the client record with the client's permission. The Princes Trust 14-25 Project will be the first partner to pilot data sharing processes.

3.9 Implement a Staff Development Strategy

3.9.1 Agencies should agree and implement a staff development strategy - involving staff from other agencies where appropriate; this will determine the arrangements for ensuring that organisations and staff understand the purpose of assessment, how it fits with other assessment processes and are competent to introduce and operate the common assessment framework.

3.9.2 Topics to ensure effective collaborative practice should include inter-agency working, assessment skills and techniques, consulting on the views of individuals. The value of cross agency training has consistently been reported through out consultation on the common assessment framework.

In Fife, Careers Scotland has developed and piloted an Assessment Practice Self Evaluation Tool (APSET), in collaboration with a range of agencies who are supporting vulnerable individuals. Together, partners have developed a framework for evaluating their practice over a range of common features and

processes of assessment. It is intended that APSET should be used by agencies to complement and build on any existing self-evaluation procedures to:

- *Improve the quality of individual practice*
- *Increase the consistency of practice amongst staff*
- *Improve and share understanding of relevant practice issues*
- *Identify areas for development*
- *Provide a mechanism for realistic planning and implementation of improvements in assessment practice*

Formal responsibility for taking agreed assessment summary information forward rests with Scottish Executive Education Department (SEED). A review of the various pupil records, their usage and how they might be streamlined is currently underway. SEED and the Enterprise and Lifelong Learning Department are working together in taking forward these developments.

4. Additional Resources

Additional Support for Learning Act: Code of Practice

www.scotland.gov.uk/consultations/education/asn02-00.asp

For Scotland's Children

www.scotland.gov.uk/library3/education/fcsr-00.asp

Pathway Plan

Available to download from the Scottish Throughcare & Aftercare Forum's Policy & Practice website at www.scottishthroughcare.org.uk

Moving On HMIE www.hmie.gov.uk/documents/publication/more/htm

Learning with care - The Education of Children Looked After Away from Home by Local Authorities.

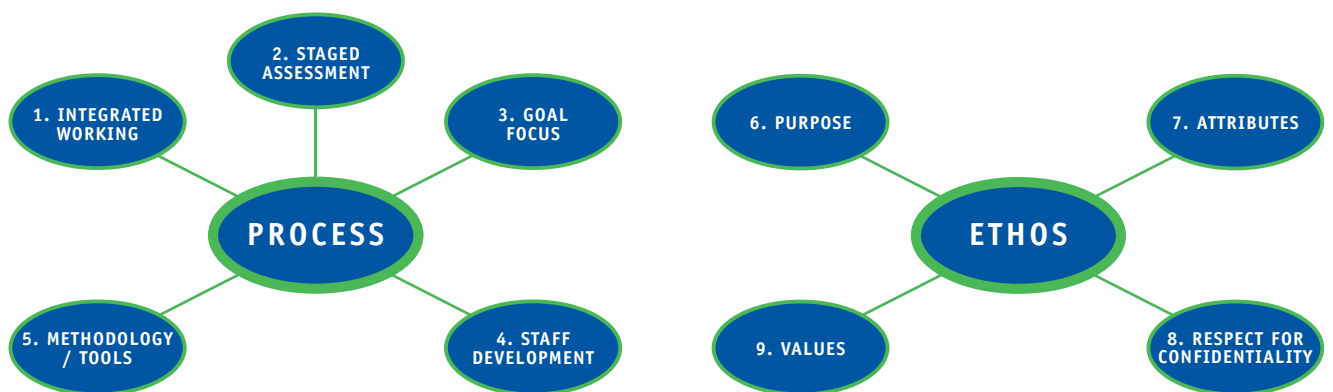
www.hmie.gov.uk/documents/publication/lwc.pdf

Implementing Inclusiveness, Realising Potential, Beattie Committee Report

www.scotland.gov.uk/library2/doc/04/bere-00.htm

Appendix 1

Figure 1. Shared understandings within a common assessment framework



Appendix 2

Legal Requirements

Data Protection Act 1998

In the UK, if you hold or process data relating to a living individual, on any form of media (including paper from 24th October 2001), you are required to comply with the following principles of the Data Protection Act 1998. These principles embody many of the main requirements of the European Directive 95/46/EC.

- Principle One* Personal data shall be processed fairly and lawfully.
- Principle Two* Personal Data shall be obtained only for one or more specified lawful purposes, and shall not be further processed in any manner incompatible with that purpose or those purposes.
- Principle Three* Personal Data shall be adequate, relevant and not excessive in relation to the purpose or purposes for which they are processed.
- Principle Four* Personal Data shall be accurate and, where necessary, kept up to date.
- Principle Five* Personal Data processed for a purpose or purposes shall not be kept for any longer than is necessary for that purpose or purposes.
- Principle Six* Personal Data shall be processed in accordance with the rights of the data subject under the act. These rights are:
- The right of access to personal data about him/her.
 - The right to prevent processing likely to cause damage or distress.
 - The right to prevent processing for the purposes of direct marketing.
 - Rights in connection with automated decision making.
- Principle Seven* Appropriate technical and organisational measures shall be taken against unauthorised or unlawful processing of personal data and against accidental loss or destruction of, or damage to, personal data.
- Principle Eight* Personal data shall not be transferred to a country or territory outside the European Economic Area unless that country or territory ensures an adequate level of protection for the rights of and freedoms of data subjects in relation to the processing of personal data.

Freedom of Information Act (Scotland) 2002

(applies to all public authorities funded by the Scottish Executive)

Anyone, anywhere can make a request for information and will be entitled to receive it, provided no exemptions apply. The request can be made by an individual or an organisation and does not have to be made by someone in Scotland. Authorities are only obliged to provide recorded information, such as computer documents, handwritten notes and videos. It does not matter how old the information is. Requests must be in writing or in another permanent form. Requests must state the name and address of the applicant and describe what information is required. Authorities may charge a fee in accordance with fees regulations which are to be prepared by the Scottish Executive. There is no need to cite the Act or explain why information is being asked for. Authorities will be obliged to help anyone who proposes to make a request for information, as set out in a Code of Practice. All requests should be dealt with promptly and in any case within 20 days. An authority can ask for more details in order to identify the information requested. An authority is not obliged to comply with a request if an exemption applies, the cost of doing so would exceed the amount set by the Fees Regulations, or the information is not held by the authority. In any of these instances, it must notify the applicant. If an applicant is dissatisfied with the way their request is dealt with, they can ask the authority for a formal review. If following that review the applicant remains dissatisfied he may appeal to the Scottish Information Commissioner

There are exemptions in the Scottish Act but most of these are not designed to be applied on a blanket basis. There are two types of exemptions: absolute and non-absolute. If an absolute exemption applies, the authority will not have to release the information. Some absolute exemptions apply to areas that you would expect, such as national security or confidential material. Other absolute exemptions apply to information which is available via another route, for example if information is contained in an authority's publication scheme. If a non-absolute exemption applies then the authority will have to apply a public interest test to establish whether the information should be released. There are 17 categories of exempt information covering areas such as government interests and relations, public sector administration, national security and defence, law enforcement, personal information and commercial interests.

Authorities should favour disclosure wherever possible and this is where the balance should lie. If an exemption applies, the applicant should be given a written refusal notice which explains why the request is being refused. The notice should also inform the applicant of their right to apply for a review of the decision

Requests from individuals for information about themselves should be handled as subject access requests under the Data Protection Act. Requests for personal information about 3rd parties are exempt if release of the information would be a breach of the Data Protection Principles.

Freedom of Information Act 2000

(applies to public authorities which operate throughout the UK, as well as public authorities in England, Wales and Northern Ireland)

Human Rights Act 1998

The European Convention on Human Rights was signed by the members of the Council of Europe in 1950. It became part of British law in 1998.

The Human Rights Act 1998 makes it unlawful for public bodies to violate the rights contained in the European Convention on Human Rights. These include:

- Police
- Government departments
- Local councils

Three subsequent institutions were entrusted with safeguarding the convention's workings:

- The European Commission of Human Rights (1954)
- The European Court of Human Rights (1959)
- The Committee of Ministers of the Council of Europe

The creation of these bodies (the court being based in Strasbourg) allowed individuals with a grievance can take proceedings in court under the Human Rights Act. For example, they might be able to obtain an injunction to stop a violation, force a public authority to take action or obtain damages and compensation.

Your rights

The act sets out the legal framework of your rights in 17 Articles (2 to 12 and 14 to 18) which have all been incorporated into UK law by the Human Rights Act. These are:

- Article 1: The protection of property
- Article 2: The right to life
- Article 3: Prohibition of torture
- Article 4: Prohibition of slavery and forced labour
- Article 5: Right to liberty and security
- Article 6: Right to a fair trial
- Article 7: No punishment without law
- Article 8: Right to respect for private and family life
- Article 9: Freedom of thought, conscience and religion
- Article 10: Freedom of expression
- Article 11: Freedom of assembly and association
- Article 12: Right to marry
- Article 14: Prohibition of discrimination
- Article 16: Restrictions on political activity of aliens
- Article 17: Prohibition of abuse of rights
- Article 18: Limitation on use of restrictions on rights

You can read the full text of the articles of the Human Rights Act.

www.hms0.gov.uk/acts/acts1998/19980042.htm

Appendix 3

Information Sharing Protocol

Careers Scotland and Partner Agency

1. Introduction

Legislation and guidance from Government increasingly supports openness in information sharing between agencies for the benefit of the individual. Indeed, sharing the right information in a legally and ethically acceptable way is essential to assure and improve the quality of service provision. One of the main purposes of an information sharing protocol is to reassure staff working with shared clients that it is desirable and possible to share information that:

- Gives benefit to individuals
- Safeguards individuals rights
- Safeguards the organisation
- Improves service delivery of both organisations

2. Objectives of Protocol

The Information Sharing Protocol seeks to outline the key principles that should guide Careers Scotland and Partner Agency in developing, reviewing and implementing the protocol, its associated processes and documentation. This document will:

- Define the specific purposes for which the organisations have agreed to share information
- Set out the principles which underpin the exchange of information
- Describe the framework and structures which will support the exchange of information
- Outline the procedures which will ensure information is disclosed in line with statutory obligations
- Describe the security measures necessary to ensure confidentiality of information
- Set out the responsibility of both organisations to meet requirements
- Identify the nature of the information to be shared
- Describe how the protocol will be implemented, monitored and reviewed

3. Purpose

Careers Scotland and Partner Agency wish to work in partnership to support the career planning and employability needs of individuals they both support. The aim of the Protocol is to provide a framework, within legislative requirements, for the effective, secure and confidential information sharing between Careers Scotland and Partner Agency to meet the career planning needs of individuals. The protocol will therefore clarify information sharing arrangements, and provide a basis on which both organisations can base their procedures for facilitating and governing the sharing of information.

4. General Principles

Legislation

Both organisations will have due regard to relevant legislation that can affect a specific sharing arrangement between agencies including a responsibility to ensure that relevant legislation introduced since the protocol was agreed is taken into account. Careers Scotland and Partner Agency have a due regard to the following acts which relate specifically or have significant sections as to the use and the disclosure of personal information.

- Data Protection Act 1998
- Human Rights Act 1998
- Rehabilitation of Offenders Act 1974
- Common Law Duty of Confidentiality
- Children (Scotland) Act, 1995
- Freedom of Information (Scotland) Act 2002 (FOIA)
- Privacy and Electronic Communications (EC Directive) Regulations 2003
- The Public Disclosure Act 1998

Use of Information

Each partner has responsibility to ensure that information, which is shared under the terms of this protocol, will only be used for the agreed purpose. If any partner wishes to use the information which has been disclosed to them as part of the information sharing arrangement for any other purpose or wish to share it with another organisation they must first seek permission of the disclosing partner.

Both parties must have a retention policy which complies with current legislation and must make partners aware of what those retention policies are on request.

Each partner should be aware of the document *Individuals in Transition: A Framework for Assessment and Information Sharing* (January 2005). This document should positively influence working arrangements for effective information sharing between the parties named within the protocol.

Obligations of Staff

All staff have an obligation to safeguard the confidentiality of personal information. This is governed by law, and often by contracts of employment and professional codes of conduct. All staff should therefore be aware of their legal, contractual and professional responsibilities in terms of sharing personal information.

Quality of Information

Where a partner becomes aware that personal information shared within the protocol arrangement is inaccurate they should notify the other partner of the inaccuracy within an agreed number of days.

Disclosure of Information

- All personal information that is used in the protocol sharing arrangement must meet the conditions for processing as laid down in the Data Protection Act 1998. Where that personal information has a duty of confidence and it is to be shared for a different purpose to that which it was given, it should only be disclosed if one of the following requirements have been met:
 - The individual has given their consent
 - The disclosure is a requirement of a statute of law
 - There is overriding public interest in making the disclosure
- At the start of any information gathering arrangement, procedures should ensure that an individual should be fully aware that their personal information is to be shared for the purpose specified in the arrangement, unless there is a legal exemption which excludes the need to do so.
- Where information would be disclosed without or against the consent of the individual the decision to release information should be referred to the nominated senior individual. This nominated person shall be specified in the procedures of each and will make a judgement on a case to case basis. It may be appropriate for this person to seek additional legal or specialist advice if information is to be disclosed without individual consent.
- A formal record will be kept by the relevant partner as to the reason why a disclosure of personal information was made.
- Information, which has been aggregated or anonymised, can generally be shared for justified purposes. Care should be taken to ensure that individuals cannot be identified from this type of information, as it is frequently possible to identify individuals from limited data. If individuals can be identified by the data, normal legislative requirement would apply. In all cases only the minimum identifiable information which is necessary to satisfy the purpose should be made available.

- An individual has the right to request that information about them be withheld from someone or some agency, which might otherwise have received it. The individual's wishes should be respected unless there are exceptional circumstances. Every effort should be made to explain to the individual the consequences of withholding and disclosing information.
- Complaints about the disclosure of information under this protocol, or breaches of the protocol should be dealt with under established procedures.

5. Access and Security

- All personal files and confidential information must be kept in secure, controlled locations. Staff should only have access to personal information on a need-to-know basis, in order to perform duties.
- Each partner must ensure that they have adequate training and procedures in place to ensure any information shared under this protocol is stored and can be shared securely.
- Each partner will take reasonable care and safeguards to protect both the physical security of information technology and the data stored within.
- All information systems will be effectively password protected and users will not divulge their password nor leave systems active while absent.
- Each agency will have a system to ensure that personal information received is weeded, destroyed or returned to the originator as appropriate.

6. Implementation and Review

Both partners to this protocol will:

- Maintain an accurate and up to date registration at the Office of the Information Commissioner;
- Have in place an appropriate information technology security, and confidentiality policy covering users which has been disseminated to all staff;
- Ensure that their procedures are in place and are regularly reviewed and that the quality assurance of the procedures is part of their business operation to safeguard providers and recipients.
- Undertake to regularly monitor this protocol and the information sharing procedures regulating it.
- Participate in an annual review where amendments to the protocol can be raised.
- Ensure that where particular concerns arise as to whether information should be disclosed an appropriate senior person in each organisation can advise their staff.
- Each organisation will make this protocol accessible to staff and service users as appropriate.

7. Information Sharing Index

The participants of this protocol agree to share information from the following list:

<ul style="list-style-type: none">• Name, including any additional names by which individual is known
<ul style="list-style-type: none">• Names and addresses of schools/educational establishments attended
<ul style="list-style-type: none">• Date of birth
<ul style="list-style-type: none">• Reasons for current concern
<ul style="list-style-type: none">• Address, including previous address if relevant
<ul style="list-style-type: none">• Individual's view of current concerns
<ul style="list-style-type: none">• Details of involvement of other agencies if relevant
<ul style="list-style-type: none">• Steps taken by referrer to address current concerns
<ul style="list-style-type: none">• List of any relevant assessments undertaken and dates
<ul style="list-style-type: none">• Individual's desired outcomes from referral
<ul style="list-style-type: none">• Referrers desired outcomes from referral

Signatories

- This protocol is signed by an appropriate senior person within each partner organisation with responsibility for confidentiality of information.
- The signatory of this protocol will ensure that appropriate procedures and communication channels are in place to ensure that disclosures of information are handled in the correct manner and that staff in their organisation understand the procedures to be followed.

	Position	Partner	Date	Review Dates
1.		Careers Scotland		
2.				





This publication is available on our website
www.careers-scotland.org.uk

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