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Impact of Legislation on Post-School Transition Practice for young people with additional support needs in Scotland

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Impact of Legislation on Post-School Transition Practice for young people with additional support needs in Scotland

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Introduction

Research suggests that additional support needs (ASN) can have an impact on the transition trajectory and experiences of children and young people at all stages of education (Jindal-Snape, Douglas, Topping, Smith, & Kerr, 2006; Hannah & Topping, 2012). Post-school transitions are viewed as especially critical (Carnaby, Lewis, Martin, Naylor, & Stewart, 2003) and a 'major landmark' (Cullen, Lyndsay, & Dockrell, 2009). This is when young people with ASN can be anxious and stressed (Craig, 2009) as they leave school and the support of children's services, and negotiate a new package of support from adult services (Bangser 2008; Dietrich, Parker & Salmela-Aro, 2012; Heffernan 2012; Lichtenstein, Lindstrom & Povenmire-Kirk, 2008; Mallinson, 2009; Pilnick, Clegg, Murphy, & Almack, 2010; Steele, Konrad & Test 2005).

The Education (Additional Support for Learning) (Scotland) Act 2004, amended in 2009, emphasizes the importance of collaborative and multi-agency working (Jindal-Snape, 2016) through the seeking and sharing of information between agencies within specified timescales at the different educational transition points. The importance of collaborative working practices has been a recurring theme in Scottish

policy and legislation over many years. At times, this policy imperative appears to have been advocated in an uncritical fashion with the assumption that improved collaboration between professionals will lead to improved outcomes for children and young people. However, this assumption has been questioned. For example, Sengupta, Dobbins and Roberts (2003) discuss the effectiveness and relatively slower rate of output from collaborative working compared to the performance of individual professionals. Identified barriers to successful interdisciplinary collaborative working include perceptions of professional role and status (Minore & Boone, 2002); and different management and funding structures (McConkey, 2002). However, there are a number of models of good practice which offer guidance for inter-professional working, such as good leadership qualities and skills (Bland, Starnaman, Harris, Henry, & Hembroff, 2000); having non-hierarchical teams (Minore & Boone, 2002); the concept of 'collective efficacy' (Hudson, Hardy, Menwood, & Wistow, 1999); identification of a common goal (Glenny, 2005); and the building of an 'esprit de corps' to diminish the guarding of 'professional turf' (Minore & Boone, 2002). Thus, although collaborative working is strongly advocated within educational policy and legislation in Scotland and beyond, research indicates that successful collaboration is not easy to achieve. The present study sought to add to our understanding of collaborative working practices in the context of key legislative change in Scotland.

The Education (Additional Support for Learning) (Scotland) Act 2004, proposes that those most affected by the transition, i.e., the young person and their family, should be proactively involved in transition planning and preparation. Similarly, recent English legislation, the Children and Families Act 2014, requires young people with

ASN to be at the heart of the planning process for their future. Guidance in the Special Educational Needs and Disability Code of Practice: 0 to 25 years stipulates that local authorities are required to involve children and young people with disabilities and their parents in discussions and decisions about support and service provision ([Department for Education](#) and [Department of Health](#), 2015).

Aside from the legislative imperative, there is evidence that involving young people with ASN in the transition planning and preparation process has an impact on perceived self-determination (Carroll & Dockrell, 2012; Woods, Sylvester, & Martin, 2010), a term used to describe the process whereby students take control of planning for their futures (Mittler, 2008; Trainor, 2005). There seems to be a need to effectively prepare young people to have active roles in the transition process and this can be aided through the development of self-determination skills. These skills include the ability to self-evaluate, act upon decisions and learn from their experiences.

However, evidence from research into young people's perspectives of the transition from school to post-school indicates that there is a considerable gulf between the pronouncements of policy and their experiences (McLaughlin, Monteith, & Sneddon, 2001; Ward, Mallet, Heslop, & Simons, 2003; Tarleton & Ward, 2005; Mittler, 2007). Indeed, one recurring theme in the international literature is the limited involvement of young people with ASN in planning their own future. For example, Ward et al. (2003), found that 42% of young people with 'learning disabilities' had had "*little if any involvement in process*" (p.132) and a quarter had not been involved at all.

Thus, it is important that the impact of legislation and policy on practice should be monitored and evaluated.

The 2004 Act was expected to promote transition planning and preparation in a timely manner as well as highlighting the importance of multi-agency collaboration with the participation of key stakeholders (including the young person and their parents/carers). However, there appears to be no evidence base to indicate whether the Act has delivered on its aspirations. Therefore, this study focuses on the changes in transition planning and preparation for young people with ASN before and after the implementation of the Act in November 2005. Our study makes a unique contribution by offering a longitudinal perspective on the impact of key legislation on the participation of young people with ASN in transition planning and preparation.

The specific research questions were:

1. What are the perspectives of the professionals who are involved in multi agency transition meetings about the legislative changes and its impact on post-school transition planning and practice?
2. What is the evidence of inter-professional working and the participation of young people in the process?

Methodology

A longitudinal study design was used to gather and analyse data at two time points, prior to and after the *implementation* of the Act. To enable in-depth exploration of any change, primary data were collected from one local authority of Scotland. This

was done in two ways, by exploring the perspectives of professionals who were involved in multi-agency transition meetings at two times points and by analysing the minutes of multi-agency transition meetings with young people and families (data covering the time period before and after the implementation of the Act). The young people and families were not involved in this study due to its longitudinal and comparative nature.

Interviews

Twelve professionals were interviewed in 2004 and eight in 2010 (See Table 1). Where possible the same professionals were interviewed on both occasions but this was not possible in all cases due to staff moving away from the region or institution. In those instances the person in their role was interviewed. Table 1 indicates the range of professionals interviewed at the two time periods. Interviews were semi-structured with the aim of ascertaining professionals' perspectives on the format and composition of transition planning and preparation meetings in that particular local authority. In addition, the interviews explored professionals' views on what helped transition and planning for young people with ASN, the barriers, and the impact of the Act if any.

Once ethical approval had been received, two professionals (a Teacher and an Educational Psychologist) were interviewed in order to pilot the interview questions in 2004.

<INSERT TABLE 1 HERE>

Minutes of transition planning and preparation meetings

Anonymised minutes of the transition meetings from one school, relating to three young people over 2003 to 2005 (prior to the implementation of the Act) and four young people over a period from 2007 to 2011, were analysed. For each young person, the minutes of several meetings were included in the records (see Table 2).

<INSERT TABLE 2 HERE>

As can be seen from Table 2, the mothers of the young people were present at all of the pre-Act Future Needs Assessment (FNA) meetings. It was not stated whether any other family members were present at the other meetings from that period. The young people were not present at the FNA meetings and there was no reference to their presence at other review meetings. In the post-Act meetings, all four of the young people were present, along with their parent(s), in at least one of the review meetings.

Thematic analysis of interview data and content analysis of minutes were undertaken. The data have been presented under the emerging themes of the interviews and evidence has been provided from the minutes to triangulate the perception and practice before and after the Act.

Ethics

The researchers complied with the British Educational Research Association and British Psychological Society's codes of ethics, and obtained ethical approval from the University Research Ethics Committee. Subsequently access permissions were obtained from the relevant Heads of Services in the local authority followed by informed consent from all the interview participants. Permission was also sought

from and granted by the Head of Service (Education) in 2010 to approach a school with specialist ASN provision to request the use of minutes of transition planning meetings for both time periods.

Results and Discussion

The narrative below compares and contrasts data from interviews with professionals and the minutes of the meetings at the two time points. See Table 3 for summary of the findings.

<INSERT TABLE 3 HERE>

Context of planning and preparation meetings

Two aspects of post-school transition planning and practice that were of interest to the researchers were the venues for the meetings and which professionals coordinated the process, due to the potential power dynamics and enabling/inhibiting the participation of young people. Further, these aspects were considered to have potential implications for collaborative working practice. These two aspects were subsumed under the term 'context'.

In some respects, the context of the meetings does not seem to have changed greatly before and after the implementation of the Act. The meetings were all held in schools across both periods and chaired mainly by education professionals. In fact, in both periods, some other professionals commented upon the perceived 'ownership' of the meetings by the school, with one stating that the meetings seemed

to be focused upon education and educational issues, rather than other aspects of the young person's needs.

'...you do tend to have an educational bias...' [in the meetings] (Doctor, 2004 interview)

In the minutes, it is interesting to note that the job titles of professionals were not always recorded. This may indicate good inter-professional working in that the professionals knew each other sufficiently well that their job titles did not need to be recorded. However, this might not have been helpful for the young person or parent due to the large number of professionals present.

Across both periods, 2004 and 2010, professionals, parents and young people were expected to be present at the meetings. In the pre-Act 'FNA' period, there were sometimes preparatory 'pre-meetings' in the young person's home. However, the minutes provide contradictory evidence as the three young people were not present at any meetings.

In addition, according to the participants, there were fewer meetings in the post-Act period than previously. It also appeared to be the case that, post-Act, some young people, even those with significant needs, did not experience a meeting at all. However, the minutes provide contrasting evidence as several meetings were recorded for each individual. With the caveat of the small sample size, it appears that professionals' perceptions of practice appear to be somewhat at odds with practice. However, it is also possible that the sampled records of minutes were not

representative of transition planning and preparation for all young people with ASN leaving school and experienced by the interviewed professionals.

The professionals' interviews provide evidence that in the post-Act period young people attended more meetings and took a more active role. There is supporting evidence from the minutes of the post-Act meetings that young people were more involved, by their presence and active participation, than was the case in the pre-Act minutes. None of the three young people were present at their pre-Act FNA meetings. In contrast, all four young people were present at some of the meetings in the post-Act phase and PowerPoint presentations were made by or on behalf of all of them. Taken together, these findings suggest that meetings had become more young person centred, and collaboration had extended from between professionals and parents to young people, parents and professionals.

[The meetings have] *'...changed to focus more on what the [young person] wants (e.g. 'talking mats' to enable the young person to say what they want if they have limited verbal communication skills...'* (Speech and Language Therapist, 2010 interview)

This suggests a greater appreciation by professionals of the importance of self-determination for young people with ASN during a key transition phase as reflected in previous research (Carroll & Dockrell, 2012; Eddy, 2010; Woods, Sylvester, & Martin, 2010).

Purpose

The perceived purpose of the meetings from the professionals' perspective seems broadly similar across both periods. They talked about highlighting what needs to be

done and reducing the concerns and worries of the parents at a time when their child leaves the 'shelter' of the school-system. The minutes show discussions of post-school options in both time periods.

In both 2004 and 2010, the professionals reported that the purpose of the meetings was to make contact with adult services and familiarise the families with a new set of professionals.

Effectiveness

Overall, across both periods, the professionals seemed to construe 'effectiveness' in different ways. Most used the words important, invaluable and essential to describe the meetings and spoke of their effectiveness in terms of information sharing and identifying what needed to be done and by whom. However, none of the professionals appeared to describe effectiveness in terms of meetings leading to the desired outcomes, as expressed by the young people or their families. Although, prior to the Act, the Physiotherapist suggested that the meetings were not good at leading to the desired outcomes.

[The FNA meeting is] *'...successful at highlighting what needs to be done but poor at actualising the physical manifestation of the needs in order for it to happen...'* (Physiotherapist, 2004 interview)

This is an important finding as it suggests that there remains a gap between the expectations and perceptions of effectiveness between professionals and young people with ASN and their families as found in previous studies (e.g. Ward et al., 2003). Of course, the young person achieving the desired destination is only one aspect of transition planning, others include reducing the 'worry' of the unknown.

One professional saw the pre-Act FNA meetings as particularly effective and felt that that they *'would be sorely missed'* (Social Worker 2, 2010 interviews) and another that the post-Act meeting system had deteriorated (Careers Adviser, 2010 interviews). However, others (Social Worker 1 and Speech and Language Therapist (SALT) 1, 2010 interviews) felt that meetings which took place post-Act, although fewer in number, were more young person centred. There is an apparent connection between this movement towards more young person centred planning and legislation in Scotland and elsewhere internationally. In Scotland, the Act stipulates that young people should be involved in transition planning. This is similar to the requirement that exists in US legislation for children, young people and adults; the Individuals with Disabilities Education Act (IDEA) Amendments of 1997 and the Amendments to the Rehabilitation Act of 1992 (Test, Mason, Hughes, Konrad, Neale, & Wood, 2004).

If one possible definition of an 'effective' meeting is whether the participants feel at ease and equally able to contribute then, as a result of the Act, the meetings appear to be becoming places where the young people and parents/carers feel more at ease. The words 'anxious', 'daunted' and 'unsure' were used to describe some young people and parents in the meetings in the pre-Act period by six professionals (Social Worker 1, Doctors 1 & 2, Occupational Therapist (OT), Teacher 1 and Careers Adviser). In contrast, in the post-Act period only 1 professional (Social Worker 1) referred to parents/carers feeling unsure in meetings.

The appropriate timing of meeting for effective planning was another aspect referred to by participants. In the 2004 period, the meetings were said to be set too early (OT); conversely, in 2010, the meetings were said to be set too late (Educational Psychologist). The 'Act' requires an education authority to seek information about the provision of other agencies at least 12 months before the young person leaves school, with the key phrase being, '*at least*'. In other words, it may be that education authorities are waiting until the last year of the young person's school-career before beginning the process of communicating with other agencies. This can impact on the sharing of information with other agencies in a timely manner. For example, some professionals (OT; SALT 1) in the 2010 period felt that the referral of some young people to their services by other agencies was 'variable' at the paediatric to adult services transition stage. In contrast, the professionals seemed mainly positive about the continuity of support in terms of their own service's school to post-school provision in the post-Act period. However, overall continuity of support and links with other agencies were perceived to have improved since the Act was introduced

Another aspect of effectiveness highlighted was the discussion of post-school options in transition meetings. The minutes suggest that there were fewer post-school options discussed in the post-Act period. This could be attributed to discussions taking place prior to the meetings with the meeting focussing on the specific options the young person or the family were more interested in. However, it may reflect a lack of choice for young people with ASN leaving school as found in studies in other parts of the UK (e.g. Dee, 2006) and internationally (e.g. Davies and Beamish, 2009).

The provision of a feedback loop was another feature of effectiveness identified in the interviews. For example, in 2004, Doctor 1 mentioned the lack of feedback from the post-school stage about whether the young people had successfully found a place on a College course, or a place in supported employment, to give two examples. This did not seem to have improved after the implementation of the Act.

The lack of a 'feedback loop' at this transition point recurs in transitions literature. In much of this literature, the idea of 'data-tracking' is promoted (Bangser 2008; Bellis 2003; Mittler 2007), whereby the post-school destinations of young people with ASN are recorded and fed back to those involved in the transition meeting system. In British Columbia, Canada, for example, the British Columbia Council on Admissions and Transfer (BCCAT) describe a data tracking system for students using a 'personal education number' (PEN) supported by the Ministry of Education. This allows post-secondary institutions to share student data with schools in order to monitor their progress from one setting to another (BCCAT 2008).

The desirability of a 'link' person to help guide the young person and their family through the transition process was mentioned in both periods (e.g. Careers Adviser, 2004 & 2010 interviews), although there seems to be little evidence of their presence. However, the 'transition co-ordinators' referred to by Teacher 2 (2010 interviews) may fulfil this role, although it is not clear how widespread this role is, nor to which agency these co-ordinators belong. There is a great deal of support in research literature for this type of role (cf Bellis, 2003; Bangser, 2008; Jindal-Snape, 2012; Morris, 2002). Indeed, such a person, like the Personal Advisers described by Mittler (2007) could provide guidance for the young person through the complexities of transition.

In Scotland, the Children and Young People Act (Scotland) 2014 enshrines Getting it Right for Every Child (GIRFEC) (The Scottish Government, 2008) which advocates a single planning framework and a single point of contact for every child, the 'named person'. Where a child or young person requires a Child's Plan then according to current guidance a lead professional should be appointed to manage that plan (The Scottish Government, 2015). The lead professional may be the named person but where that is not the case they will be required to work closely with the named person. At the time of writing guidance has been produced but the Act has not been fully implemented. At face value this would appear to have the potential to address the participants' desire for a 'link' professional to support young people with ASN and their families through the school to post-school transition process.

Conclusions and Implications

This study is unique in that it spans the periods before and after the introduction of a key piece of Scottish legislation, the ASL Act 2004 (amended 2009). Further, it provides insights into the school to post-school transition planning and preparation in Scotland which very few studies in Scotland or indeed elsewhere in the UK have examined (e.g., Kaehne & Beyer, 2008; 2009).

The data suggest that some changes have taken place with regards to transition preparation and planning in one local authority in Scotland as a result of this legislation. Collaboration between professionals is perceived to have improved; although the perception by professionals across both periods seemed to paint a largely 'positive' view of their interactions amongst themselves and, generally,

between themselves and young people and their families. This needs to be tested through listening to the perspectives of the young people and families.

The format of the meetings seems to have changed with an increased presence of young people and a sense of young people more actively participating. This apparent greater empowerment of young people connects to Scottish policy directives like GIRFEC (The Scottish Government, 2008) and the Act. Additionally, while there appear to be fewer meetings post-Act, there seems to be an increase in the frequency of informal interactions some of which take place in non-school settings such as the young person's home. Moving the venue for meetings from school to home resonates with research in Canada (Tisdall, 1996).

There is a possible link between the apparent reduction in the number of post-Act meetings and the definition of 'ASN'. One explanation for the perceived reduction in the number of meetings cited by the interviewees is the 'muddier' definition of who is entitled to a meeting under the banner of 'ASN'. Previously there seemed to be greater clarity in that all young people with a Record of Needs experienced a FNA meeting. Now, given the very broad definition of ASN, it seems, arguably, to be up to professionals in different local authorities to decide whose needs warrant a meeting and whose do not.

Implications for policy and practice

This study provides a framework for future policy development and for the development of professional practice. It invites policy makers and professionals to consider where and how transition planning for children and young people with ASN

takes place. In short, to achieve more effective young person-centred transition planning in Scotland, development of the following areas seems to be necessary:

- A transition protocol, coupled with meaningful person-centred planning, with young people and families being given more control with support in place to enable them to participate more fully.
- A small number of trusted individuals (or even one) who might be members of the young person's family to manage transition support.
- Consideration should be given to the venue of the meeting.
- A feedback process from the post-school destinations of the young people to provide information back to professionals involved in planning and preparation.
- Earlier involvement of key adult services, like Social Work.
- Professionals need to be aware of models of good collaborative practice.

Implications for future research

The way that children and adults around the world communicate is changing rapidly. Future research could focus upon how young people with ASN communicate now; how they wish to communicate; and how they might communicate in the future. We argue that young people with ASN, together with their families, could, and should, take control of their transition planning and preparation to a greater extent. The notion of young people with ASN choosing the location for discussions about their future has arisen. In addition, examples have been provided of young people determining the agendas for their meetings and playing lead roles. Finally, the increasing use of technology and resources like PowerPoint, video, and 'talking mats' can offer a variety of ways for the young person to present his or her wishes whether or not they choose to be present at a meeting. Future research could also expand upon the use of visual and creative processes and resources to support children and young people with ASN.

All of these developments could have implications for how transition planning might be conducted in the future. Further research could focus upon establishing how young people and their families see the transition process evolving, if indeed they feel it should do so. This might include exploring stakeholders' views on the use of alternative settings for planning transitions for young people, including those with ASN.

Limitations

Although the data from the professionals in the longitudinal study were detailed and provide a representative sample of the professionals who would be involved in transition planning and preparation in one Scottish local authority, this only gives us an indication of what is happening there rather than across Scotland as a whole. Further, it is important to hear the voices of young people and their families about the effectiveness of transition planning and preparation even if that is now only possible in the post-Act context.

There are other limitations to this study. For example, the study concerns legislation specific to Scotland and therefore does not claim that the results could be replicated elsewhere in the UK, or in other parts of the world. In addition, the study does not claim to capture every aspect of post-school transitions, even from a professional perspective. Also, although the minutes of meetings provided useful and interesting data, they were derived from only one school and so again cannot claim to provide a representative sample of Scotland as a whole.

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Table 1: The range of professionals interviewed in 2004 and 2010

2004 (12 professionals)	2010 cohort (8 professionals)
Physiotherapist 1 Physiotherapist 2	Physiotherapist 2
Social Worker 1 Social Worker 2	Social Worker 1 Social Worker 3
Occupational Therapist	Occupational Therapist
Doctor 1 Doctor 2	
Speech and Language Therapist 1 Speech and Language Therapist 2	Speech and Language Therapist 1
Careers Adviser	Careers Adviser
Teacher 1 Teacher 2	Teacher 2
	Educational Psychologist

Note: Numbers have been used to show different professionals. Where there is no number, only one (and the same) professional was interviewed at both time points.

Table 2: Summary of transition meetings and people involved

	Title of meeting and date	Professionals present	Parent(s), Young Person or other(s) present?
YP1 (Pre-Act)	FNA (2003)	Social Worker, Trainee Social Worker, Class Teacher, Support Teacher, Educational Psychologist, Head Teacher (6 professionals)	Mother present (Young Person not present)
	Review summary (2003)	6 unidentified individuals plus a Doctor (7 individuals)	Mother and Young Person apparently not present
YP2 (Pre-Act)	FNA (2004)	2 Class Teachers, Head Teacher, 2 Educational Psychologists, Careers Adviser, Social Worker (plus apologies from a Doctor) (7 professionals)	Mother present (Young Person not present)
	Review summary (2005)	5 unidentified individuals (plus apologies from a Doctor) (5 individuals)	Mother and Young Person apparently not present
YP3 (Pre-Act)	Review summary (2003)	4 unidentified individuals (plus apologies from a Doctor) (4 individuals)	Mother and Young Person apparently not present
	FNA (2004)	Social Worker, Social Worker in training, Class Teacher, Educational Psychologist, Head Teacher, Careers Scotland Adviser (plus apologies from a Doctor) (6 professionals)	Mother present (Young Person not present)
	Review summary (2005)	3 unidentified individuals (plus apologies from a Doctor and one other) (3 individuals)	Mother and Young Person apparently not present
	Review summary (2007)	5 unidentified individuals (plus apologies from a Doctor) (5 individuals)	Mother present (Young Person not present)
YP4 (Post-Act)	Annual Review (2007)	4 unidentified individuals (plus apologies from a Doctor, a Social Worker and one other) (4 individuals)	Mother and Young Person apparently not present
	Annual Review (2008)	4 unidentified individuals (plus a Social Worker and	Mother present (Young Person also present– YP shared a

		apologies from a Doctor) (4 individuals)	power point at the meeting)
YP5 (Post-Act)	Annual Review (2009)	Social Worker, Class Teacher, Educational Psychologist (plus apologies from a Doctor) (3 professionals)	Parents present (Young Person also present– YP shared a power point at the meeting with the help of friends)
	Annual Review (2010)	3 unidentified individuals (plus apologies from a Doctor) (3 individuals)	Mother present (Young Person not present)
	Annual Review (2011)	Acting Depute Head Teacher, Class Teacher, Transitions Social Worker (plus apologies from a Doctor and an Educational Psychologist) (3 professionals)	Mother present (Young Person not present)
YP6 (Post-Act)	Annual Review (2009)	3 unidentified individuals (plus apologies from a Doctor and a Social Worker) (3 individuals)	Mother present (Young Person also present – YP shared a power point at the meeting with the help of a friend)
	Annual Review (2009)	3 unidentified individuals (plus apologies from a Doctor) (3 individuals)	Mother and Young Person apparently not present
	Annual Review (2011)	3 unidentified individuals plus a Transitions Social Worker, Social Services (plus apologies from a Doctor) (3 individuals)	Mother present (Young Person also present– YP shared a power point at the meeting)
YP7 (Post-Act)	Annual Review (2007)	4 unidentified individuals (4 individuals)	Mother and Young Person apparently not present
	Annual Review (2008)	2 unidentified individuals (plus the parents of the young person) (plus apologies from a Doctor) (2 individuals)	Parents present (Young Person also present– YP shared a power point at the meeting)

Table 3: Key findings

Themes	Pre-Act phase FNA and RON derived from Education (Scotland) Act 1980	Post-Act phase The 'Act' of 2005 is introduced The definition of ASN changed
Context	FNA meeting in school for young people with a RON – young person was not always present Evidence: pre-Act minutes	other informal interactions happening - these may be in the young person's home and may involve non-education professionals Young person usually present at the meeting Evidence: post-Act minutes; interviews
Purpose	Discuss post-school options (professionals and parents) Evidence: pre-Act minutes; interviews	Discuss post-school options (young person, professionals and parents) Evidence: post-Act minutes; interviews
Effectiveness	Professionals feel positive about collaboration Evidence: interviews	Fewer transition meetings Evidence: longitudinal study Collaboration is perceived to have Improved Evidence: interviews Meetings began to become more young person centred Evidence: post-Act minutes; interviews