

Factsheet 6: A Transition Checklist

This factsheet sets out the key ages and the changes which will take place for you and your child, as they move into adulthood, if they lack the mental capacity to make their own decisions on major issues and/or have additional needs.

Key Ages	Issue/changes
16 th birthday	Your child is regarded as an adult for benefits purposes and would be required to make and sign their own benefits applications (e.g. for DLA as an adult), unless you apply for <i>an Appointeeship</i> , to the Department of Work and Pensions. You contact your local Jobcentre Plus to request an assessment of your child's capacity and your suitability, as potential appointee or sign the Adult DLA form on their behalf which should also trigger an assessment.
On leaving full time education/16 th birthday	Apply for <i>Employment and Support Allowance</i> for your young person, if they are not able to apply for and get a job. ESA is also for young people in full time education but doing a course for people with special needs below advanced diploma level. (However, beware: when ESA starts, Child Benefit and Child Tax Credits are stopped.)
17 th birthday or soon after	<p>If your child lacks the mental capacity to make their own decisions about their health and welfare and you wish to have the legal power to make major decisions about their health, housing, care/support, after your child turns eighteen, then you will need to make an application for <i>Deputyship</i>.</p> <p>Deputyship is roughly similar power to Lasting Power of Attorney, but is for people who do not have the mental capacity to appoint their own Attorneys.</p> <p>You may also need to apply for a <i>Deputyship</i> for Finances, if your son/daughter has several sources of income and/or</p>

	<p>savings or assets worth over about £6000. However, if their only income is benefits and they are going to continue to live at home with you for the foreseeable future, then probably Appointeeship will be all that is necessary.</p> <p>The process will take at least eight months to get a Welfare Deputyship order granted by the Court, longer if it goes to an appeal. It takes about four months to get a Finance Deputyship. Disability Wessex Advice can assist you with applying for Deputyship.</p>
18 th Birthday	<p>Your child is now legally regarded as an adult. S/he is assumed to have the mental capacity to make his/her own decisions, unless proven otherwise. You no longer have an legal power to make major decisions unless a Deputyship Order is made by the Court of Protection. Professionals can make “best interest” decisions about your adult child.</p> <p>Banks, insurance companies, landlords and other companies should not be accepting parents opening accounts in an adult child’s name or signing agreements like tenancies, unless the parent is also their Deputy.</p>
18 th Birthday	<p>Social care from Children’s Services of your local authority will end and <i>Adult Community Care Services</i> will take over. You will change from having a Social Worker from Children’s Services, to an Adult Social Worker, but only if your child’s needs are considered significant enough for you to be allocated a Social Worker once they become adult. Many disabled adults do not have a Social Worker now.</p>
18 th birthday (although there may be some flexibility)	<p>Provision of <i>care services</i>, such as short breaks (respite care) and help in your home will no longer be available from services registered as children’s services. You may have to change agency, if your agency only provides services for children, or you may have to change from children’s to adult’s services within the same agency.</p>
18 th Birthday	<p>Paediatric <i>health services and professionals</i> will cease to be responsible for your child’s health care and your child’s health care will be transferred to new, adult specialists. (Unless you receive health services via school, in which case these continue until they leave).</p>