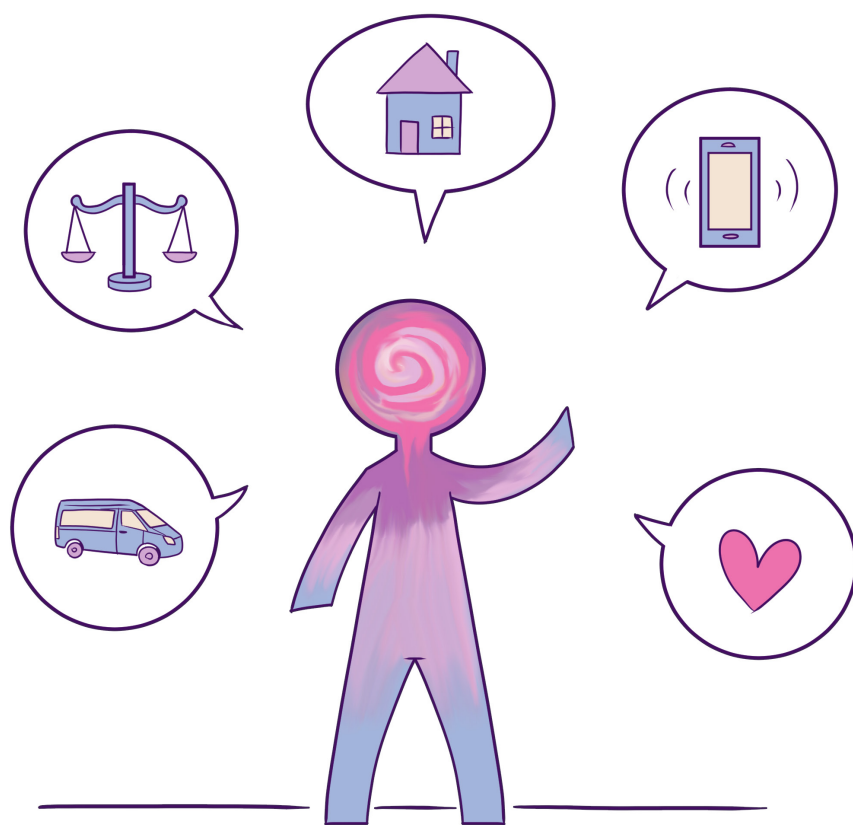


# Learning Disabilities, Autism and Neurodivergence Bill: **Complex Care - Coming Home**



# Learning Disabilities, Autism and Neurodivergence (LDAN) Bill

## Complex Care - Coming Home



### Easy Read



Not enough people with learning disabilities are living in their own homes and in their own communities.



Some people are stuck in a hospital setting because they cannot get the right house to move into or the right support to live there.



When people are stuck in a hospital setting it is called **delayed discharge**.



Other people were moved to live somewhere a long way from their own community without them or their families agreeing to it.

This is called **inappropriate out-of-area placement**.



A report called The Coming Home Implementation Report says that delayed discharges and inappropriate out of area placements are wrong.



The report makes **recommendations** so that people with learning disabilities and complex care needs can live in their own home in their local area if they want to.



**Recommendations** are a list of things that need to happen.

## What did the Lived Experience Advisory Panel (LEAP) think?



The **Lived Experience Advisory Panel (LEAP)** is a group made up of neurodivergent people and people with learning disabilities to help advise the Scottish Government on this Consultation.

LEAP members were concerned about the number of people, especially those with learning disabilities, who experience delayed discharge from hospital.



LEAP members felt that people's rights were not being upheld and that they were being let down by public bodies.



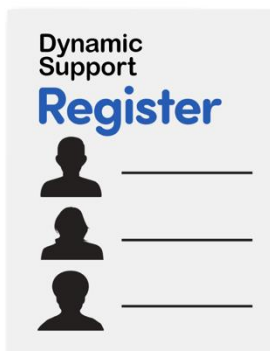
One LEAP member said that they know from experience about the staffing challenges that the NHS faces and that increasing accountability through the LDAN Bill could help with this.



# What can the Learning Disabilities, Autism and Neurodivergence (LDAN) Bill do?



The Scottish Government thinks the Learning Disabilities, Autism and Neurodivergence Bill can put 2 Coming Home recommendations into law to make them stronger.

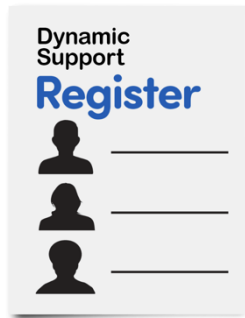


## 1. Dynamic Support Registers

The Scottish Government wants to use the Learning Disabilities, Autism and Neurodivergence Bill to put a **duty** on Health and Social Care Partnerships (HSCPs) to hold **Dynamic Support Registers**.



A **duty** is what the law says organisations must do to protect people's rights.



A **Dynamic Support Register** is a list of everyone with a learning disability who is in an inappropriate out of area placement or in a delayed discharge situation.



The register also has information about people who are **at risk of their support arrangements breaking down**.



**Support arrangements at risk of breaking down** means that the person might not have the right support to be able to live in their home anymore.



The Dynamic Support Registers help **Health and Social Care Partnerships** plan for and with people with learning disabilities and complex care needs.



**Health and Social Care Partnerships** are where the NHS and local authorities work together.



There are 31 Health and Social Care Partnerships in Scotland.

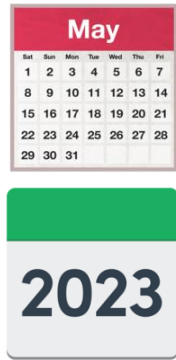


This planning will help make sure people with learning disabilities get to live where they want to live.



People with learning disabilities and complex care needs and their families helped develop the Dynamic Support Registers.





In May 2023 the Scottish Government launched The Dynamic Support Register.



Health and Social Care Partnerships are using Dynamic Support Registers, but it is not yet in the law.



## 2. National Support Panel

The Scottish Government could use the Learning Disabilities, Autism and Neurodivergence Bill to put a National Support **Panel** into law.



A **panel** is a group of people who work together to make something happen.



The National Support Panel is a recommendation from the Coming Home Implementation Plan.



The National Support Panel would help make sure that the other recommendations in the Coming Home Implementation Plan happen.



The National Support Panel would make sure that work is being carried out to:

- Reduce delayed discharges
- Reduce inappropriate out of area placements.



There are 3 different options to set up the National Support Panel.



All 3 options for the National Support Panel will be made up of people who know about:

- Complex Care in Scotland
- Human Rights Based Approaches.

## Option 1

**Panel with legal powers to look at individual cases.**



This panel would have legal powers.



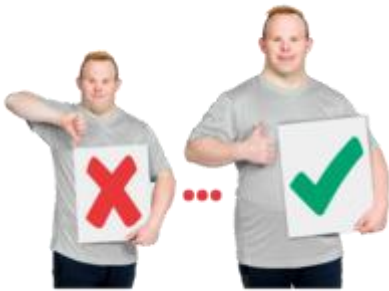
This panel could investigate some individual cases.



Only a small number of people with a learning disability and complex care needs would get an individual review.



The law would make local areas help with individual case reviews.



All local areas could use the learning from the case reviews to make things better for other people with a learning disability and complex care needs.

## Option 2

**Panel with legal powers to do peer reviews of local areas.**



This panel would have legal powers.



A **Peer Review** is when a group look at what another group is doing.



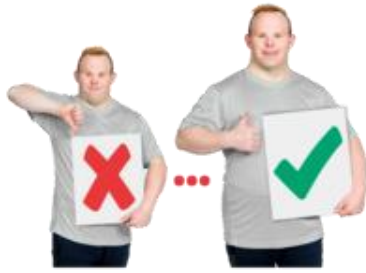
These groups are on an equal level to one another.



The Peer Review Panel would go to a local area and look at their systems and processes for complex care.



The Peer Review Panel would find out how well these systems and processes make sure people get the care and support they need.



The Peer Review Panel would find ways to improve the system for everyone.



The law could make local areas take part in a Peer Review of their systems and processes.



Making systems and processes better makes care, treatment, and support better for people with learning disabilities and complex care needs.



Local areas could be required by the law to make the recommendations from the Peer Review happen.

### Option 3

**Panel with no legal powers to do peer reviews of local areas.**



This Panel would do Peer Reviews of local areas but would not have legal powers.



Because this type of Panel would not be law it could be set up quicker.



This Panel would allow people to learn from each other in an open and honest way.



Local areas would not need to make the recommendations from the Peer Review happen.

## What do you think?

**Questions**

1. What do you think about it?

Good

Bad

Not sure

1. Which of these proposals do you agree with? Please tell us why.

**Questions**

1. What do you think about it?

Good

Bad

Not sure

2. Which of these proposals do you not agree with? Please tell us why.





3. Is there anything else that we should consider which is relevant to this topic?

