

Learning Disabilities, Autism and Neurodivergence Bill Consultation

Planning to Play Your Part

This is a guide to planning your response. It is written for people who will support others to complete their answers.

LDAN Bill Consultation

As you may be aware Scottish Government has recently launched their consultation on the [LDAN Bill](#).

This Bill is to “**better protect, respect and champion the rights of people with learning disabilities, autistic and neurodivergent people**”.

This is a **once in a life time opportunity** for **people with learning disabilities, autistic people** and **neurodivergent people** to form how Scotland supports and protects them in future years.

This document is for people who are responding **on behalf of someone with lived experience**, and is aimed to help you to think through the consultation in bite size chunks.

If you are answering on someone else's behalf, you can also respond in your own right as someone who has experience and knowledge of the LDAN community. Your response will be valued.

How Do I Access the Consultation?

Online

Most people will respond and submit **online** by filling out the online form: [LDAN Bill](#).

You can use our '[Suggested Questions](#)' guide, to give you an idea of the type of questions you can ask someone with lived experience before you write your responses.

[Easy Read explanations](#) of the sections can be found here.

Paper Copies

You can download a copy [here](#) or request paper copies of the consultation direct from Scottish Government by emailing LDAN.Bill@gov.scot. You will need to give at least a week to receive a postal version.

Ask your support manager, service manager or your contact for the consultation for help with this.

Before You Start

We know that a consultation can be daunting. Read through this document and familiarise yourself with what you need to know.

The aim of this consultation is for the Scottish Government to receive as many **different voices** as possible so that they can then decide what the law can include to **protect, respect** and **champion** the rights of people with learning disabilities, autistic and neurodivergent people.

Starting the Consultation

You will notice on the consultation page, under the contents section there is a table which has the headings **Page** and **Response**.

The first link [About You](#) must be completed otherwise your response won't be counted. There is more about this at the end of this document. Even if you are completing on behalf of someone else it must be completed. There is a box to check to confirm this.

1. Understanding the Consultation

Even though the consultation page has many links on it, you only need to answer the questions in the sections you want to answer. This might only be one theme. This document will help you think through which areas might be the most important. Each question is related to a theme. If you are struggling to think about how to ask someone with lived experience how to respond, you can use our '**suggested questions**' document to help.

1) Understanding the Themes

Proposal Themes

These are ideas that the Scottish Government suggest might support the LDAN community. They have co-produced this document with the LEAP (Lived Experience Advisory Panel) and other stakeholders who have recommended these proposals.

[Reach and Definitions. Who Should the Bill include?](#)

This is important, because if there isn't a 'definition' then the law won't apply to them for protection or support. This is also important because it is about people's identity and how they want to be described. Please read the Easy Read version to find out more.

Definition 1. People who are neurodiverse

Definition 2. People who are neurodivergent

Definition 3. Including only specific conditions

The next **five** themes are aimed at solutions or proposals that Scottish Government believe will help the LDAN Community.

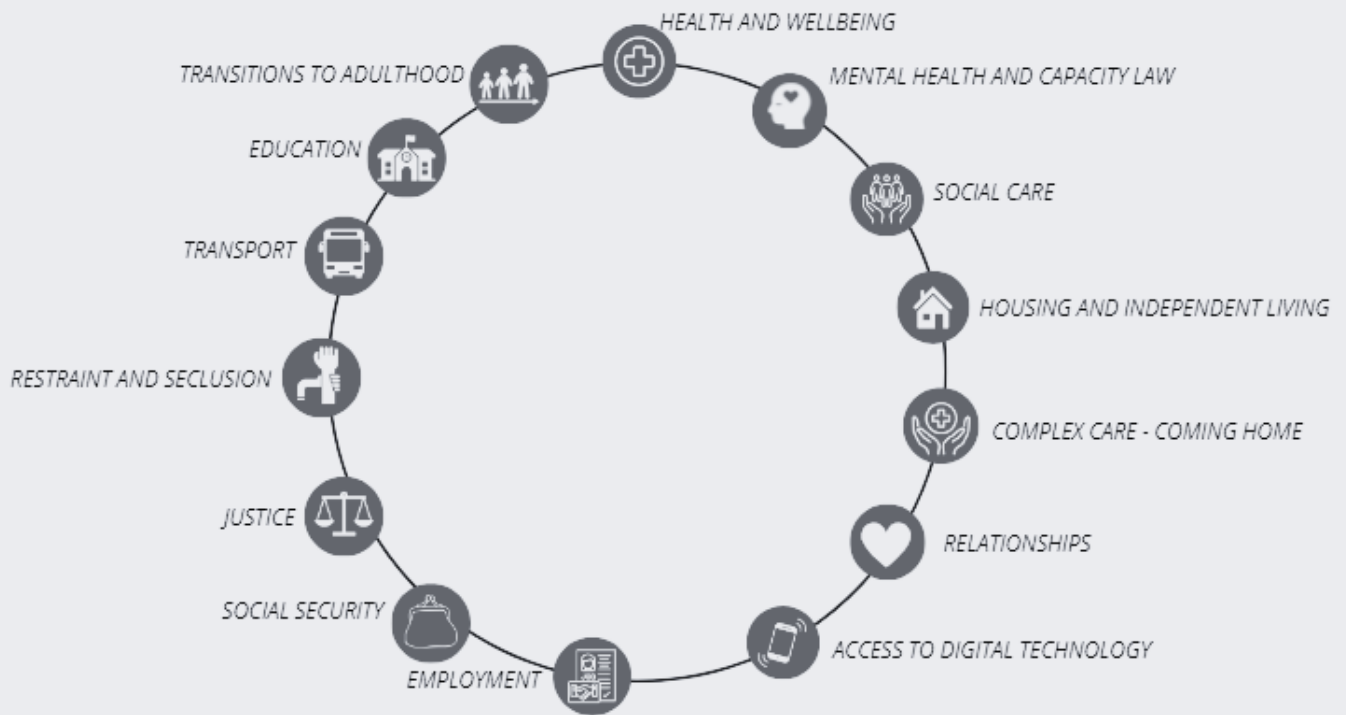
- **Statutory Strategies** - Plans with big ideas used by Scottish Government and local government to make sure the LDAN community is included.
- **Mandatory Training in the Public Sector** - To make sure that everyone who works with the LDAN community fully understands the LDAN community.
- **Inclusive Communication** - Making sure the LDAN community is included can understand all communication about them.
- **Data** - Making it law that numbers and information is collected to help make important decisions about services
- **Independent Advocacy** - Receiving the right support from the right people to help the LDAN community express their views and wishes

Life Themes - or Themes About You

These are the different areas that affect different parts of people's lives. There is a section on each of these.

Most of them include the themed proposals above to make people's lives better, although Health and Wellbeing, Mental Health and Capacity Law, Housing and Independent Living, and Justice all have additional, focused proposals. Please remember, each theme has an Easy Read version that you can download [here](#) or you can request a paper copy to be sent to you. These give an accessible overview of each theme.

THEMES ABOUT YOU



Additional, Focused Proposals

Health & Wellbeing - Patient passports **and** extend Annual Health Checks to the autistic community.

Mental Health & Capacity Law - Remove LDAN from the Mental Health Act, **and** change the term 'mental disorder'.

Complex Care - Coming Home - Strengthen Dynamic Support Registers **and** Implement National Support Panel

Justice - Diversion from Prosecution

The last themed question is called “**Accountability**”. This is important, because if there is no way to make sure these laws are kept they will be difficult to enforce.

Model 1. Creating a new Commission or Commissioner.

Model 2. Adding specialist members (including people with Learning Disabilities) to existing bodies and Commissions.

How to Answer

If you have been asking someone with lived experience your own questions about the above themes and want to submit a response to a specific theme, you will need to fit those answers into the questions below.

The questions have been kept as simple as possible

1. Which of the proposals do you agree with?
2. Which of the proposals don't you agree with?
3. Is there anything we should consider? (This is where you can add your own thoughts).

You do not need to answer all of the themes or all of the questions. By looking at the themes, you can plan which areas you want to respond to.

It is okay if you only wish to respond to one or two.

Access your Theme Guides

Guides are available for each subject, Easy Read Guides, Audio Guides, BSL Guides and Guides for Children are available online [here](#). You can use the Guides to help you answer the questions in the consultation. The Guides give background information on each subject.

If you need printed material, such as Easy Read Subject Guides, plan this beforehand, especially if you need to order them. Please email LDAN.Bill@gov.scot Please give a week for them to arrive.

You might find it useful to read through the Guides or other Consultation and decide what you think before you reply.

Plan your time

Make sure you have enough time to respond. This might mean setting some time aside in your diary, or arranging some time with other support staff. If you are doing this with support staff, make sure they have time to plan as well. You will need at least an hour even if you decide just to reply in a couple of areas, especially if you need support to read and understand new material.

Think about the individual you are supporting. Think about what they might be most interested in.

If you are writing down the responses by hand, you can either send that in directly to (address), or you will need to go to the link and respond online or email the answers. Please be sure to add the section you are referring to in the subject header.

Need to take a break?

If you are responding online and need to stop half way through, that's fine. Just press the 'save' button. The consultation will ask for your email and will send you a link to access your response again when you are ready.

NB The email will come from '**Site Administrator**' and the title will be '**Return Code**'. It is safe to follow the instructions in the email to access your consultation.

How do I Submit a Response without the online consultation?



There are many ways to respond. You can submit your answers through a voice recording or audio file, a film or video file, or in a BSL (British Sign Language) Video.



You can send an email directly to LDAN.Bill@gov.scot with your answers. Give the **heading** of the **theme** you want to write about in the subject line and then write your answer to each question in the email.

The questions are as follows:

1. Which of the proposals do you agree with?
2. Which of the proposals don't you agree with?
3. Is there anything we should consider? (This is where you can any additional thoughts you think are important).

The answers you submit **must** be to the exact questions that are asked in each section even if you use audio, video or in a BSL. Ask your support manager, service manager or your contact for the consultation for help with this. You must also submit or attach an **About You** section, please see below for details.



If you would like to post a hand-written response you can use the same format as above and send it to FREEPOST - LDAN BILL. You don't need a stamp.

ABOUT YOU - IF YOU DON'T INCLUDE THIS, YOUR HARD WORK WON'T BE COUNTED

If you are responding by email, audio or post, you must let Scottish Government know some important details, otherwise your answer won't count. You can either complete the "respondent information form" which you can [download here](#) or you can write the following.

Alternatively you can include the following 5 questions in your email or written response - these answers **HAVE** to be completed for this submission to be counted:

1. **Confirm** you are responding on behalf of an **individual**
2. **Postcode** of where the person you are responding on behalf of is based

3. **Confirm** that you are answering either as a **family member, carer** or on behalf of someone with lived experience :
 - **Family member** or **friend** of a neurodivergent person or person with a learning disability
 - **Carer** of a neurodivergent person or person with a learning disability
 - Answering **on behalf of** a neurodivergent person or person with a learning disability (i.e. parent/guardian, support worker)?
4. **Confirm** if you would like your **response** to be **published**
 - Publish response with name
 - Publish response only (without name)
 - Do not publish response
5. **Confirm** you are **content** for **Scottish Government** to **contact** you again in relation to this consultation exercise