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Post-Secondary Support for People with Learning Disabilities in Great Britain

1 Introduction

This paper discusses the government support provided for people with learning disabilities in Great Britain.

The paper is part of a series of work carried out by RalSe for the Committee for Employment and Learning's Inquiry into post Special Educational Need (SEN) Provision in education, employment and training for those with Learning Disabilities in Northern Ireland.

The paper will discuss the support provided in England, Wales and Scotland. It should be noted that the section on Scotland has previously been provided to the Committee in NIAR 936-2013 and is reproduced here in order to allow for a comparison of the support in one location.

Additional information on transition services offered in England, Wales and Scotland can be found in NIAR 359-2014.

2 Key Points

England

- There are a number of pieces of legislation which govern the rights of disabled people in England including the recent Children and Families Act, 2014;
- There are two main strategies in operation in England that may be of note: Valuing People Now, 2009; and Fulfilling Potential – Making It Happen, 2013;
- Valuing People Now is the follow up strategy to 2001's Valuing People, the UK Government's strategy for people with learning disabilities;
- Fulfilling Potential is the UK Government's disability strategy. It:

...emphasises the need for innovative cross sector partnerships with disabled people and their organisations and promoting new ways of working to deliver meaningful outcomes.

- The Office for Disability Issues (ODI) is a unit within the Department for Work Pensions. It works across Departments and acts as the lead on:

...the government's vision of enabling disabled people to realise their aspirations and fulfil their potential.

- The 2001 Valuing People strategy established Learning Disability Partnership Boards (LDPBs);
- Local Council Chief Executives are responsible for ensuring LDPBs are put in place, with membership expected to include senior representatives from social services, health bodies, education and community development organisations;
- The Supported Internship Programme (SIP) launched in July 2013 offers:

Specialised employment-focused study programmes for young people aged 16 to 24 with complex learning difficulties and disabilities.

- The scheme can be offered by FE Colleges, sixth forms and independent specialist advisers;

Wales

- In 2008, legislative competence in Wales was expanded to include aspects of education and training for people with learning disabilities;
- The Social Services and Well-Being Act 2014 is the most recent piece of relevant legislation and provides for a number of supports for people with learning disabilities including improving the well-being outcomes for people who need care and support, and carers who need support;
- In 2007, the Welsh Government issued a new "Statement on policy and practice for Adults with a Learning Disability";

- This provides strategy guidance on the development and delivery of services and support for adults with learning disabilities;
- Learning Disability Wales (LDW) is the collective voice of the voluntary sector in Wales which promotes the rights of both children and adults with a learning disability to have valued lives. LDW outlines its mission as to '*Create a Wales that values and includes every child, young person and adult with a learning disability*';
- In the year 2012 to 2013, LDW helped over 400 people learn and develop their skills by providing 35 training courses across Wales;
- The Learning Disability Advisory Group (LDAG) was established by the Welsh Government in 2012. It was developed to:

Help the Welsh Government shape its learning disability policy on issues such as sustainable social services, tackling health inequalities and social integration and inclusion.

- An example of a learning disabilities project operated in Wales is Real Opportunities. It works with young people aged 14-19 years old with a Learning Disability, Severe and Complex Needs or an Autistic Spectrum Disorder to help them become as independent as possible in their adult lives;

Scotland

- It is believed that around 120,000 people in Scotland have some form of learning disability;
- Scotland has enshrined the concept of personal choice in selecting services with the Self-Directed Support (Scotland) Act 2013;
- In June 2013, the Scottish Government published a new strategy for people with learning disabilities, "The Keys to Life". This updated the previous strategy, with 50 recommendations in total falling under nine subject areas;
- A key driver of support for people with learning disabilities is the Scottish Consortium for Learning Disability (SCLD). The SCLD provides a range of services, including training, research and consultancy;
- SCLD also operates a number of projects such as 'Changing Support, Changing Lives' which is intended to drive forward self-directed support; and
- Scotland also provides Local Area Co-ordinators, who are specialised workers tasked with helping people navigate the support system. They also signpost support of note, and help plan and promote independent living.

3 England

This section of the paper discusses the legislation, strategies and support for people with learning disabilities in England.

3.1 Legislation

There are a number of pieces of legislation which govern the rights of disabled people in England. These include:

- **Learning and Skills Act, 2000:** Placed responsibility for securing provisions for all learners aged 16 – 19 under the Learning and Skills Council (LSC). The LSC was given specific duties to those defined as having a learning disability including securing provision up to the age of 25. The Act also established the Connexions service for young people in England aged 13 – 19, and support for people with LD or disabilities up to the age of 25;¹
- **The Children Act, 2004:** Placed additional duties on local authorities with regard to the safeguarding and care of children and young people, including young people with learning disabilities up to the age of 20;²
- **The Disability Discrimination Act, 2005:** An update to the 1995 Act, the DDA 2005 placed specific duties on education providers including Further and Higher Education Institutions. These duties included not treating disabled students less favourably and ensuring all students that undertake work placements are given adequate preparation and support;
- **The Disability Equality Duty, 2006:** This is a duty which came into force across public sector bodies. It ensures that these organisations actively and systematically promote equality of opportunity between disabled people and other people;³
- **The Equality Act, 2010:** Protects people with disabilities from discrimination and provides legal rights in regards employment, education, access to goods, services and facilities and buying and renting land or property;⁴ and
- **Children and Families Act, 2014:** Introduced reform of the system for children and young people with special education needs (SEN) intended to give children, young people and their parent's greater control and choice up to age 25.⁵

3.2 Strategies

There are two main strategies in operation in England that may be of note:

¹ HM Government, June 2007, Progression Through Partnership, http://webarchive.nationalarchives.gov.uk/20130401151715/http://education.gov.uk/publications/eorderingdownload/progression_through_partnership.pdf

² Ibid

³ Ibid

⁴ GOV.UK, Disability Rights, <https://www.gov.uk/rights-disabled-person/the-equality-act-2010-and-un-convention>

⁵ GOV.UK, 13 March 2014, Landmark Children and Families Act 2014 gains royal assent, <https://www.gov.uk/government/news/landmark-children-and-families-act-2014-gains-royal-assent>

- Valuing People Now, 2009; and
- Fulfilling Potential – Making It Happen, 2014.

3.2.1 Valuing People Now

Valuing People Now is the follow up strategy to 2001's Valuing People, the UK Government's strategy for people with learning disabilities.⁶

The 2001 strategy established four guiding principles:

- **Rights:** People with learning disabilities and their families have the same human rights as everyone else;
- **Independent living:** All disabled people should have greater choice and control over the support they need to go about their daily lives; greater access to housing, education, employment, leisure and transport opportunities and to participation in family and community life;
- **Control:** People with learning disabilities should be involved in and in control of decisions made about their lives. They should have the information and support to understand the different options and their implications and consequences, so people can make informed decisions about their own lives; and
- **Inclusion:** People with learning disabilities should be able to participate in all the aspects of community – to work, learn, get about and meet people, be part of social networks and access goods and services – and to have the support to do so.

The 2001 strategy was considered successful but areas in need of further development were identified, including:⁷

- Only one in ten of those known to social services had any form of paid employment, and of those very few work more than 16 hours a week;
- More than 30% of people with learning disabilities live in residential care homes, a significant proportion of which are miles away from their place of origin and their families; and
- The social exclusion Task Force identified people with moderate and severe learning disabilities as one of the most excluded groups in society.

A consultation was carried out in 2008 which identified priority areas for people with learning disabilities and their families, with the new strategy published in 2009.

The strategy set out key policy objectives for the period 2009 – 2012. These objectives included supporting people with learning disabilities and their families to:⁸

⁶ HM Government, January 2009, Valuing People Now, http://webarchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_093375.pdf

⁷ Ibid

⁸ Ibid

- Have greater choice and control over their lives and have support to develop person centred plans;
- Be supported into paid work, including those with more complex needs;
- Have a fulfilling life of their own, beyond services, that includes opportunities to study, work and enjoy leisure and social activities; and
- Be treated as equal citizens in society and supported to enact their rights and fulfil their responsibilities.

A summary report examining the first eighteen months of the new strategy found that:⁹

The results...show a greater leadership and focus on improving choice of support services for people with learning disabilities, with many examples of excellent practice.

It went to note, however:

There remains a continuing wide variation across health and social care in the choice and quality of services and in how money is spent to achieve the best outcomes for individuals.

Following a review of available information, the strategy does not seem to have been updated since its publication in 2009. However, a number of Councils in England appear to be still using the strategy in their delivery of services to people with learning disabilities.

For example, Kent County Council is currently operating under a three year partnership strategy based on Valuing People Now.¹⁰

3.2.2 Fulfilling Potential – Making it Happen

Fulfilling Potential is the UK Government's disability strategy. It:¹¹

...emphasises the need for innovative cross sector partnerships with disabled people and their organisations and promoting new ways of working to deliver meaningful outcomes.

Launched in July 2013, it includes an action plan of activities. The actions fall under eight broad categories, including education and employment. The following Actions directly related to those with learning disabilities:¹²

⁹ Department of Health, December 2010, Valuing People Now: Summary Report March 2009 – September 2010, https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/215891/dh_122387.pdf

¹⁰ Kent County Council, Making 'Valuing People Now' Happen in Kent, <http://www.kentidpb.org.uk/Libraries/Local/881/Docs/Partnership%20Strategy/LDmaindocument.pdf>

¹¹ Department for Work and Pensions, Office for Disability Issues, Fulfilling Potential, <http://odi.dwp.gov.uk/fulfilling-potential/index.php>

¹² Department for Work and Pensions, Office for Disability Issues, Fulfilling Potential Action Plan, <http://odi.dwp.gov.uk/docs/fulfilling-potential/making-it-happen-action-plan.pdf>

- Trial a Supported Internships model in FE colleges, for 16-25 year olds with the most complex learning difficulties or disabilities, as announced in ‘Support and aspiration: Progress and next steps’;
- Reduce health inequalities and promote equality;
- Develop an NHS Outcomes Framework indicator to address health inequalities and outcomes for people such as those with learning disabilities;
- Commission an inquiry to investigate premature and avoidable deaths of people with learning disabilities;
- Work with independent advocacy organisations to drive up the quality of the advocacy available to disabled people;
- Consider the introduction of a birth to 25 single assessment process and Education, Health and Care Plan;
- Establish local Healthwatch, which will ensure the views of disabled people are represented in health and social care;
- Improve procedures for identifying disabled prisoners, specifically those with learning disabilities, and ensure that they are not disadvantaged; and
- Work across Government to ensure that frontline staff have appropriate and effective disability awareness training, and to encourage other public and private sector providers to do so.

As can be seen above, the actions cover a broad range of departmental remits including health, education and Justice.

3.3 Delivery Bodies

This section of the paper discusses two of the public sector organisations in England which are responsible for the delivery of services to people with learning disabilities. The organisations discussed are the Office for Disability Issues and the Learning Disability Partnership Boards.

3.3.1 Office for Disability Issues

The Office for Disability Issues (ODI) is a unit within the Department for Work Pensions. It works across Departments and acts as the lead on:¹³

...the government’s vision of enabling disabled people to realise their aspirations and fulfil their potential.

The ODI was established in 2005 and works towards disability equality by:¹⁴

- Leading the government’s work on disability equality;

¹³ Department for Work and Pensions, Office for Disability Issues, About ODI, <http://odi.dwp.gov.uk/about-the-odi/index.php>

¹⁴ Department for Work and Pensions, Office for Disability Issues, ODI achievements, <http://odi.dwp.gov.uk/about-the-odi/odi-achievements.php>

- Building capability across government in understanding disabled people and legal obligations; and
- Developing innovative solutions and demonstrating how they can be implemented.

The ODI is currently working on a number of projects:¹⁵

- **User-led Organisations:** Encouraging strong and sustainable Disabled People's User Led Organisations;
- **Jobs for people with learning disabilities:** Supporting cross-government projects to improve employment prospects for people with learning disabilities;
- **Digital inclusion:** Ensuring disabled people can fully participate in the digital society; and
- **Independent Living Strategy:** Ensuring disabled people have choice and control in their daily lives.

Of these one is of particular note to this paper – Jobs for people with learning disabilities. As part of this, the ODI works with the Department of Health and other relevant government departments in the delivery of projects such as:¹⁶

- **Project Search**¹⁷: Helps people with learning disabilities secure and keep permanent jobs through a series of work rotations with a host employer;
- **Getting a Life:** Aims to identify and tackle the issues young people with learning disabilities face when they leave education so they can get a job and enjoy a full life. Please note this programme ran from 2008 to 2011. The ODI states that a number of regions are implementing the Getting a Life approach locally;
- **Jobs First:** A one-year project with six demonstration sites in England. Three of these sites are co-located with Right to Control Trailblazers. Each site will work with twenty people with moderate and severe learning disabilities, who will use their individual budget to pay for the support they need to help them get a paid job.

3.3.2 Learning Disability Partnership Boards

The 2001 Valuing People strategy established Learning Disability Partnership Boards (LDPBs). As stated in the strategy:¹⁸

Partnership Boards will be responsible for those elements of the Government's proposals which relate to services for adults with learning disabilities.

At their establishment, LDPBs were responsible for:¹⁹

¹⁵ Department for Work and Pensions, Office for Disability Issues, ODI Projects <http://odi.dwp.gov.uk/odi-projects/index.php>

¹⁶ Ibid

¹⁷ Please note, Project Search is discussed in further detail in NIAR 359-2014.

¹⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/250877/5086.pdf

¹⁹ Ibid

- Developing and implementing the Joint Investment Plan for delivering the Government's objectives;
- Overseeing the inter-agency planning and commissioning of comprehensive, integrated and inclusive services that provide a genuine choice of service options to people in their local community;
- Ensuring that people are not denied their right to a local service because of a lack of competence or capacity amongst service providers;
- The use of Health Act flexibilities; and
- Ensuring arrangements are in place to achieve a smooth transition to adult life for learning disabled young people.

Local Council Chief Executives are responsible for ensuring LDPBs are put in place, with membership expected to include senior representatives from social services, health bodies, education and community development organisations. Representatives of people with learning disabilities and carers must also be included in the LDPB.

In the 2009 update to Valuing People, it was stated that LDPBs had a variable impact, with their effectiveness reliant on the commitment of their members.

The update made three recommendations:²⁰

- Learning Disability Partnership Boards will be supported by Valuing People regional leads to take their place at the centre of local delivery of the key objectives;
- With support from the Valuing People regional leads, local learning disability partnerships will review their board membership, processes of engagement and working practices with a view to ensuring that the board is properly constituted and led; consulted by statutory agencies; operating in line with good practice advice; and ensuring sufficient resources for the operation of the board; and
- Deputy regional Directors for Social Care and partnerships and Valuing People regional leads will drive forward a programme of work to develop capacity and capability in localities to strengthen regional partnerships, and in particular will support the regional programme board to which they will provide an annual self-assessment of progress.

3.4 Programme Example

The Supported Internship Programme (SIP) launched in July 2013 and offers:²¹

Specialised employment-focused study programmes for young people aged 16 to 24 with complex learning difficulties and disabilities.

²⁰ HM Government, January 2009, Valuing People Now, http://wearchive.nationalarchives.gov.uk/20130107105354/http://www.dh.gov.uk/prod_consum_dh/groups/dh_digitalassets/documents/digitalasset/dh_093375.pdf

²¹ GOV.UK, 18 July 2013, Government announces two new programmes for employers to take on young disabled people, <https://www.gov.uk/government/news/government-announces-two-new-programmes-for-employers-to-take-on-young-disabled-people>

The scheme can be offered by FE Colleges, sixth forms and independent specialist advisers. These bodies work with employers to:²²

- Find a job that suits the abilities of each intern; and
- Create a unique study programme so all interns can learn the necessary skills to do the job.

The aim of supported internships is to prepare young people with complex needs for paid employment by:²³

- Supporting them to develop the skills valued by employers;
- Enabling them to demonstrate their value in the workplace; and
- Developing confidence in their own abilities to perform successfully at work.

As part of the programme, employers also receive support from job coaches in order to increase their confidence in working with people with learning disabilities.

The figure below provides an example of the structure supported internship can take:

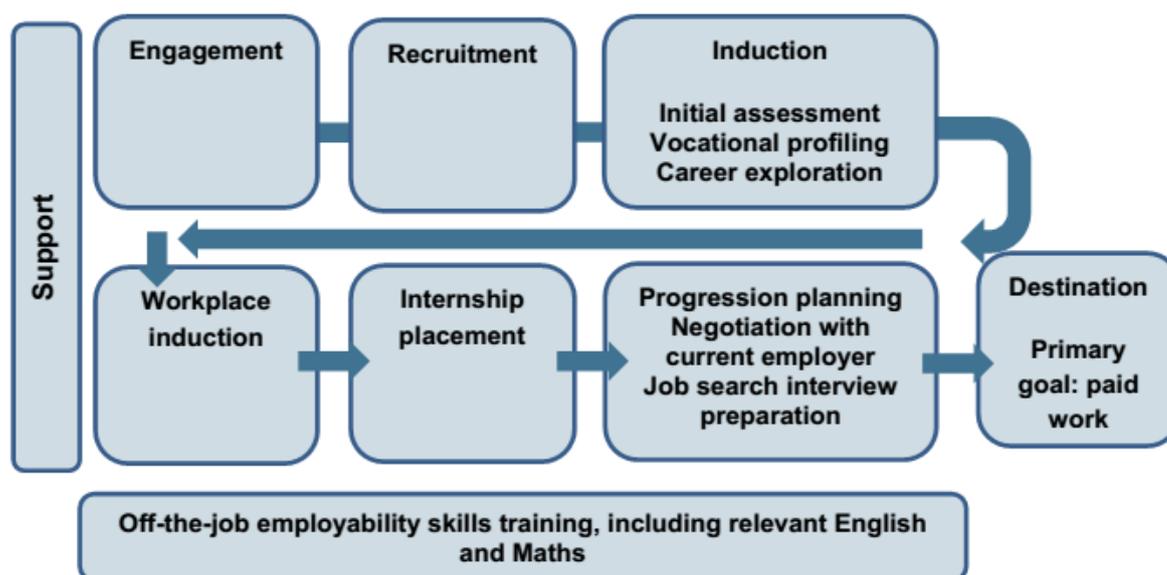


Figure 1: Learner journey on a supported internship

²² GOV.UK, Increasing options and improving provision for children with special educational needs, <https://www.gov.uk/government/policies/increasing-options-and-improving-provision-for-children-with-special-educational-needs-sen/supporting-pages/supported-internships-for-young-people-with-sen>

²³ Department for Education, June 2014, Supported Internships, <https://www.gov.uk/government/publications/supported-internships-for-young-people-with-learning-difficulties>

4 Wales

This section of the paper discusses the legislation, strategies and support for people with learning disabilities in England.

4.1 Legislation

There are a number of pieces of legislation which govern the rights of disabled people in Wales. These include:

- **Disability Discrimination Act 1995** (as amended):²⁴ Each further education institution (FEI) is required by the Assembly Government's Conditions of Funding to comply with the requirements of the DDA;
- **Learning and Skills Act 2000**:²⁵ Welsh Ministers must have regard to the needs of learners with learning difficulties and/or disabilities when securing provision of facilities for education and training;
- **Special Education Needs and Disability Act 2001 (Commencement) (Wales) Order 2002**:²⁶ Includes provisions relating to the education of children with SEN in mainstream schools, the provision of advice and information to parents of children with SEN, and arrangements for the resolution of disputes about SEN related issues, the identification and assessment of special educational needs and amending statements of SEN;
- **The National Assembly for Wales (Legislative Competence) (Education and Training) Order 2008**:²⁷ This extended the legislative competence of the National Assembly of Wales, including in regards education and training for persons who have a greater difficulty in learning than the majority of persons of the same age as those persons; and
- **Social Services and Well-being Act 2014**:²⁸ The Bill will reform and integrate social services law for people and make provision for: Improving the well-being outcomes for people who need care and support, and carers who need support; Co-ordination and partnership by public authorities with a view to improving the well-being of people; Complaints and representations relating to social care and palliative care; and Local authorities' social service functions and that of Welsh Ministers to intervene in a local authority's exercise of its social services functions; and connected purposes.

²⁴ National Assembly for Wales, 2 April 2009, Enterprise and Learning Committee, <http://www.assemblywales.org/bus-home/bus-committees/bus-committees-third1/bus-committees-third-els-home/bus-committees-third-els-agendas.htm?act=dis&id=123348&ds=5/2009>

²⁵ Ibid

²⁶ Legislation.gov.uk, The Special Educational Needs and Disability Act 2001 (Commencement) (Wales) Order 2002, <http://www.legislation.gov.uk/wsi/2002/74/note/made>

²⁷ Legislation.gov.uk, The National Assembly for Wales (Legislative Competence) (Education and Training) Order 2008, <http://www.legislation.gov.uk/uksi/2008/1036/note/made>

²⁸ National Assembly for Wales, Social Services and Well-being (Wales) Act 2014, <http://www.senedd.assemblywales.org/mgIssueHistoryHome.aspx?Ild=5664>

4.2 Strategies

First published in 1983, the 'All Wales Strategy for the Development of Services for Mentally Handicapped People' was set out by the Welsh Government to enable people with learning disabilities to enjoy the full range of life opportunities and choices, to have positive identities and roles in their families and communities, to exercise choice and to develop independence, self-respect and self-fulfilment.

This approach was revised in 2004, with the publication of "Section 7 Service Principles and Service Responses Guidance" for authorities. This sets out:²⁹

...the service principles and responses that authorities should adopt on issues affecting the lives of adults and older people with learning disabilities

It covered a number of issues including employment, further education and day centres.

In 2007, the Welsh Government issued a new "Statement on policy and practice for Adults with a Learning Disability".³⁰

This provides strategy guidance on the development and delivery of services and support for adults with learning disabilities on the basis that:³¹

All people with a learning disability are full citizens, equal in status and value to other citizens of the same age.

The Statement established that people with learning disabilities have the same rights to:

- Live healthy, productive and independent lives with appropriate and responsive treatment and support to develop their maximum potential;
- Be individuals and decide everyday issues and life-defining matters for themselves joining in all decision-making which affects their lives, with appropriate and responsive advice and support where necessary;
- Live their lives within their community, maintaining the social and family ties and connections which are important to them; and
- Have the support of the communities of which they are a part and access to general and specialist services that are responsive to their individual needs, circumstances and preferences.

The Statement advocates person centred planning and provides guidance on a number of topics, including transitions, employment and education.³²

²⁹ Welsh Government, Adults with a learning disability, <http://wales.gov.uk/topics/health/socialcare/disability/learning/?lang=en>

³⁰ Welsh Government, 2007, Statement on policy and practice for adults with a learning disability, <http://wales.gov.uk/docs/dhss/publications/100126policyen.pdf>

³¹ Welsh Government, Adults with a learning disability, <http://wales.gov.uk/topics/health/socialcare/disability/learning/?lang=en>

³²

4.3 Support Organisations

This section of the paper discusses three organisations in Wales which deliver services to people with learning disabilities. The organisations discussed are Learning Disability Wales, the Learning Disability Advisory Group and Further Education Colleges.

4.3.1 Learning Disability Wales

Learning Disability Wales (LDW) is the collective voice of the voluntary sector in Wales which promotes the rights of both children and adults with a learning disability to have valued lives. LDW outlines its mission to:³³

Create a Wales that values and includes every child, young person and adult with a learning disability.

In a 2013 briefing to the Welsh Health and Social Care Committee, LDW stated that it had 172 members of which 104 were from the voluntary sector.³⁴

Much of the work of LDW involves:

- Working in partnership with other organisations, service users and their parents and carers;
- Campaigning to help people with learning disabilities achieve valued lives;
- Supporting the voluntary sector and its interests; and
- Provide and promote good practice.

LDW offers a range of services, some of which are applicable to organisations, rather than to individuals, including an information enquiry service. LDW works in partnership with individuals with a learning disability, the Welsh Government, service providers, disabled people's organisations, parent and carer organisations and statutory agencies.

In the year 2012 to 2013, LDW helped over 400 people learn and develop their skills by providing 35 training courses across Wales. Additionally, the LDW annual conference over two days catered for 180 people, involving workshops and presentations.

4.3.2 Learning Disability Advisory Group (LDAG)

In order to provide Ministers with advice in regards the needs of people with learning disabilities, the Welsh Government established the Learning Disability Implementation Advisory Group (LDIAG) in 2002. The group had two main roles:

- Make sure that learning disabilities remain high on the agenda in Wales; and

³³ Learning Disability Wales, Who we are, <https://www.ldw.org.uk/who-we-are.aspx>

³⁴ Welsh Assembly, 13 March 2013 Learning Disability Wales, Submission of Evidence to the Health and Social Care Committee
<http://www.senedd.assemblywales.org/documents/s15329/SSW%2059%20Learning%20Disability%20Wales.pdf>

- Advise the Welsh Government on learning disability issues and promote the rights of people with learning disabilities.

This group was replaced in 2012 by the Learning Disability Advisory Group (LDAG). As stated in a press release:³⁵

The Learning Disability Advisory Group will help the Welsh Government shape its learning disability policy on issues such as sustainable social services, tackling health inequalities and social integration and inclusion.

Membership of the LDAG comprises representatives from voluntary sector organisations, health, social services and research.³⁶

4.3.3 Further Education Colleges

In response to the concern identified by policy makers, practitioners, family members and voluntary sector in Wales that young people with complex learning difficulties post-school choices are significantly limited, the Welsh Government commissioned independent research to identify levels of need and provision of post-19 education for young people with complex learning difficulties living in Wales.³⁷

For the academic year 2011/12 there were 20 further education (FE) colleges in Wales, 15 of which were offering post-19 education provision to young people with complex learning difficulties. Research shows that each FE college typically enrolled six to 12 new pupils with Severe Learning Difficulties (SLD) and/or Profound and Multiple Learning Difficulties (PMLD) per year.

Of the 14 FE colleges that took part in the research, 12 were offering learning programmes that could potentially be accessed by young individuals with SLD and 11 out of the 14 FE colleges has some provision available for young individuals with PMLD. In the academic year 2012/13, two FE colleges were planning to expand their provision to include individuals with SLD and one was planning to initiate a programme for individuals with PMLD.

During the academic year 2011/12 there were five Independent Specialist Colleges (ISCs) in Wales, four of which were offering post-19 education to young individuals with complex learning difficulties. Each ISC in Wales typically enrolled 12 to 30 new students with SLD and/or PMLD per year.

Learning support was available to students with SLD at 12 of the 14 FE colleges and at three of the Welsh ISCs for the academic year 2011/12. For young people with PMLD learning support was available at 11 FE colleges and at one of the ISCs.

³⁵ Welsh Government, 2 September 2012, New group to advise on learning disability issues, <http://wales.gov.uk/newsroom/healthandsocialcare/2012/120903learningdisability?!lang=en>

³⁶ LDAG Presentation, Williams, S, Learning Disability Advisory Group, <http://www.hald.org.uk/wordpress/wp-content/uploads/Learning-Disability-Advisory-Group.pdf>

³⁷ Welsh Government 2013, Post-19 Education Provision for Young People with Complex Learning Difficulties Living in Wales: levels of need and current provision

4.4 Programme Example

Real Opportunities

The 'Regional SEN Transition to Employment Initiative' (see below) has evolved into the Real Opportunities Project³⁸. This project continues to involve both statutory and voluntary sector agencies and is based in the same nine local authorities in Wales.³⁹ The project offers a comprehensive support model (including transition planning), working with young people aged fourteen to nineteen years old with a learning disability, severe and complex needs or an autistic spectrum disorder to help them become as independent as possible in their adult lives.

A 'Real Opportunities Hub Team' is based in each local authority area. This is made up of around six to ten members of staff who specialise in supporting young people in different areas of their life. Young people have the opportunity to access a variety of training and accredited courses and activities to support the development of personal, social and employment skills, all of which is decided by them through person-centred planning. Direct support is also given to young people based on five pathways in the transition to adulthood, encompassing different areas of life, including:

- Employment;
- Life Long Learning;
- Independent Living;
- Leisure Opportunities; and
- Relationships.

The Real Opportunities Project is backed with £8.8 million from the European Social Fund through the Welsh Government with funding matched by the participating authorities. By summer 2012, the project had enrolled nearly 1,000 young people, completed more than 250 work placements, and trained 500 peer mentors.⁴⁰

The project also seeks to improve and develop methods of best practice across Wales for supporting young people with SEN through the transition process. It has contracted research and evaluation services from the Welsh Centre for Learning Disabilities (Cardiff University) in order to evaluate success of the interventions and project methodology and to disseminate best practice as widely as possible.

An evaluation of the project was conducted by Stephen Beyer of the Welsh Centre for Learning Disability. His follow-up study with participants and their families, delivered at the 2013 Real Opportunities Annual Conference, concluded that:⁴¹

³⁸ <https://www.realopportunities.org.uk/>

³⁹ Bridgend, Caerphilly, Carmarthenshire, Merthyr, Neath Port Talbot, Pembrokeshire, Rhondda Cynon Taff, Swansea, and Torfaen.

⁴⁰ nef *Doing Services Differently: local innovations for disabled people and their families* (2012) p.25

<https://www.scope.org.uk/Scope/media/Documents/Publication%20Directory/Doing-services-differently.pdf?ext=.pdf>

⁴¹ Beyer, Stephen *Impact of the Real Opportunities Project* (2013) p.29

http://issuu.com/lauraldw/docs/8_real_opportunities_evaluation_-

Overall, young people and employers were strongly positive about the Real Opportunities project...

5 Scotland

It is believed that around 120,000 people in Scotland have some form of learning disability.⁴² In order to tackle the barriers and issues for people with learning disability, the Scottish Government instituted a series of strategies.

The following section will discuss recent legislative changes and government strategies in regards to support for people with learning disabilities.

5.1 Legislation

Scotland has enshrined the concept of personal choice in selecting services with the Self-Directed Support (Scotland) Act 2013. The Act gives people a range of options on how their social care needs are delivered:⁴³

- Direct payment;
- The person directs the available support;
- The local authority arranges the support; or
- A mix of the above.

Individuals are therefore able to choose how much control they want over the support they receive. They can work with professionals to develop their support plan and make joint decisions about the support to be commissioned. Depending on the circumstances, the individual will also act as the purchasers of the services, employing staff.⁴⁴

The Act also adds duties and powers such as a power to authorities to support unpaid carers and a duty to ensure individuals receive information needed to make an informed choice.

5.2 Strategies

Beginning in 2000 the Scottish Government published “The same as you?” a ten year strategy designed to meet the needs of people with learning disabilities. It made 29 recommendations which were...⁴⁵

⁴² The Scottish Government, June 2013, Learning Disabilities Strategy, <http://www.scotland.gov.uk/News/Releases/2013/06/learningdisabilities13062013>

⁴³ The Scottish Government, My Support, My Choice: The Self-directed Support Bill, <http://www.selfdirectedsupportscotland.org.uk/downloads/1332173326-214069%20The%20Self-Directed%20Support%20Bill%20-%20My%20Support%20My%20Choice%20leaflet%20proof%201.pdf>

⁴⁴ The Scottish Government, 2013, The Keys to Life, <http://www.scotland.gov.uk/Publications/2013/06/1123>

⁴⁵ Scottish Consortium for Learning Disability, 2010, The same as you?: Evidence scoping exercise, <http://www.sclld.org.uk/training-consultancy/research/say-evaluation/same-you-research-team-reports>

...underpinned by principles recognising the individuality and worth of every person with a learning disability in Scotland; their right to be included and to contribute, their right to have a voice, their right to support, their right to live the life of their own choosing.

The programme proved highly successful with a scoping study in 2010 finding that there was evidence of a shift in the balance of care, with greater local area co-ordination and considerable development in the legislative framework, creating greater protection for people with learning disabilities, and enabling them to live independent lives.

A scoping study examined the impact of the programme and found that it had led to successful outcomes in a number of ways, including:⁴⁶

- The education of people with learning disabilities is taken more seriously, with more people going to college;
- Those in work benefit economically and socially, with supported employment shown to be cheaper and more beneficial than day services; and
- People have access to a more varied and meaningful range of day opportunities that involved them in the community.

However, some issues still remained including:⁴⁷

- Transition from school is still an issue, as is learning, skills and moving into work;
- Only a minority of people with LD are in paid work; and
- Bullying and harassment is still a serious concern for people with LD.

In June 2013, the Scottish Government published a new strategy for people with learning disabilities, "The Keys to Life".⁴⁸ This updated the previous strategy, with 50 recommendations in total falling under nine subject areas.

For the purposes of this paper, recommendations on education and employment will be discussed in further detail.

Education, transitions, further and higher education and employment are all found under the "Break the Stereotypes" area and made thirteen recommendations, including:

- **Education:**
 - As part of transition planning, education authorities must consider whether young people with additional support needs require extra help with their plans. If they do, planning must begin a year before transition occurs; and
 - Education authorities must exchange information with other agencies to inform their plans to support the young person.

⁴⁶ Ibid

⁴⁷ Ibid

⁴⁸ The Scottish Government, June 2013, The Keys to Life, <http://www.scotland.gov.uk/Resource/0042/00424389.pdf>

- **Transitions:**
 - By 2014 local authorities, further and higher education providers, Skills Development Scotland and the Transitions Forum work in partnership within the GIRFEC⁴⁹ assessment and planning framework to provide earlier, smoother and clearer transition pathways (to include accessible information on their options, right to benefits and Self Directed support) for all children with learning disabilities to enable them to plan and prepare for the transition from school to leavers destination; and
 - For people with profound and multiple learning disabilities, moving from child to adult services has been described by Scottish careers as ‘the black hole of transition’, with research showing that whilst in school, people with Profound and Multiple Learning Disabilities (PMLD) have their needs met, once they transition to adult services there is marked reduction in access to services. The Doran review recommends that this transition phase should be properly coordinated and that there should be independent advice and support for families where a son or daughter with PMLD is going through transition.
- **Further or Higher Education:**
 - Young adults with learning disabilities should be given the opportunity to use further and higher education to learn skills that relate to social skill development, daily life skills and continuing education; and
 - That by the end of 2014 the Scottish Consortium for Learning Disability (SCLD) in partnership with Colleges Scotland, Skills Development Scotland and the Association of Directors of Social Work (ADSW) consider how people with learning disabilities access educational activities and training at college and other learning environments.
- **Employment:**
 - The Scottish Government states that it should focus on helping disabled people enter mainstream employment wherever possible but recognises the valuable role supported employment can play both in gaining mainstream employment and for those who feel unable to progress; and
 - The strategy recommends that: by 2018 the Learning Disability Implementation Group works with local authorities, NHS Boards and Third Sector organisations to develop a range of supported employment opportunities for people with learning disabilities and that those organisations should lead by example by employing more people with learning disabilities.
- **Volunteering:**
 - Not all people with learning disabilities will be in a position to work but will take part in volunteering. Volunteering offers the opportunity to develop skills for the workplace; however, it may also be acting as a substitute for paid work where

⁴⁹ Getting It Right For Every Child – Scottish policy on ensuring the well-being of children and young people.
<http://www.scotland.gov.uk/Topics/People/Young-People/gettingitright/introduction>

people with learning disabilities are either not accessing a paid job or the number of paid hours people can work are constrained by the welfare benefit system; and

- The strategy recommends that: local authorities and SCLD work in partnership with Volunteer Scotland and other relevant organisations to increase the opportunity for people with learning disabilities to volunteer within their community to develop work skills.

5.3 Scottish Consortium for Learning Disability

A key driver of this support is the Scottish Consortium for Learning Disability.

Consisting of twelve different partner organisations (including Capability Scotland, Enable Scotland and the University of Dundee), the SCLD is a Centre of Excellence established following “The Same As You?” review.

Its mission is:⁵⁰

To work in partnership with people with learning disabilities of all ages and family carers to challenge discrimination and to develop and share good practice.

The SCLD provides a range of services, including:⁵¹

- **Training:** The SCLD provides a number of short open courses covering areas such as communication, disability awareness and employment;
- **Research:** The SCLD carries out its own research including an evaluation of “The same as you?” the previous Scottish Strategy for people with learning disability;
- **Consultancy:** SCLD offers a comprehensive consultancy service to all types of organisations from local authorities, voluntary organisations and private sector businesses. Where possible, SCLD work with co-consultants who have learning disabilities or who are family carers.

SCLD also works on a large number of projects including:⁵²

- **Employment:** Work in employment includes promoting supported employment and projects such as “Young Scotland’s Got Talent”;
- **Changing Support, Changing Lives:** A project involving five partner organisations intended to drive forward self-directed support. It intends to:
 - Increase understanding and knowledge of Self-Directed Support;
 - Increase innovation and diversity in what is available for people directing their own support;
 - Develop more flexible ways of supporting people;

⁵⁰ SCLD, Mission and Values, <http://www.sclld.org.uk/about-sclld/mission-and-values>

⁵¹ SCLD, What We Offer, <http://www.sclld.org.uk/training-consultancy>

⁵² SCLD, SCLD Projects, <http://www.sclld.org.uk/sclld-projects>

- Develop different ways of working with people who access support;
 - Increase capacity to respond flexibly and implement cultural and organisational change; and
 - Develop more effective commissioning.
- **Citizen Leadership:** project to institute a change of relationship between people who use services and people who provide them. In this new relationship people as citizens take on shared responsibility for making sure services meet their needs;
 - **Working with Parents:** The 'Working with Parents' project is part of a wider UK initiative that SCLD have undertaken with a number of partners to make available examples of good practice, accessible information, research findings, policy documents and future events.

The SCLD has also been specified in legislation to produce Official Statistics on people with learning disabilities.⁵³

Statistics provided include figures on:

- Adults with learning disabilities known to Scottish local authorities;
- Employment;
- Local area co-ordination; and
- Further education.

5.4 Local Area Co-ordinators

Introduced via the “Same as You?” strategy, Local Area Co-ordinators (LACs) are...:

...a specialist worker dedicated to working with a small number of people using services in one area (to) help people and their families through the current maze of systems.

By 2013 there were over 80 LACs in twenty local authority areas. Of these, around 75% were employed by the local authority and the remaining by voluntary sector providers.⁵⁴

The core areas of work LACs focus on include:⁵⁵

- Information;
- Signposting and guiding;
- Developing relationships; and
- Planning, empowerment and promoting independent living.

⁵³ SCLD, Statistics Release: Adults with learning disabilities known to Scottish local authorities 2012, http://www.sclld.org.uk/sites/default/files/bw_statistics_on_adults_with_learning_disabilities_known_to_local_authorities_2012_080813.pdf

⁵⁴ Community Care, April 2012, Local area co-ordinators: the story from Scotland

⁵⁵ The Scottish Government, June 2013, The Keys to Life, <http://www.scotland.gov.uk/Resource/0042/00424389.pdf>

There are also differences in spending across local authorities (LAs) with one LA spending seven times as much as the lowest for every person in the total population. A review in 2007 found that the organisational arrangements also varied. For example, some provided services only for adults, whilst others worked on a 'cradle to the grave' basis.

In most cases, people could access the LACs directly, although in a small number of LAs, people had to go through the social work allocations system or a similar 'vetting' procedure.⁵⁶

In 2010 SCLD published a benchmarked framework for LACs with ten principles to be adopted as part of their day to day practice. A further recommendation in the latest strategy for people with learning disability recommended a review and agreement by June 2014 on the scale of the further expansion of LACs.

5.5 Project Example

Stepping Up

Stepping Up is operated by ENABLE Scotland and supported young people with a learning disability to plan for the future, develop employability skills and access employment, further education or training.

Established in 2009, Stepping Up:⁵⁷

Stepping Up takes young people through an initial investigation of the world of work and leads them to think and plan for their future, through to engagement with employers.

The programme is available for young people aged 14 – 19 with learning disabilities.

Between 2009 and 2013, the programme has:⁵⁸

- Helped more than 500 people in 11 local authorities in Scotland;
- Of the 272 young people who have progressed from school, 105 have been supported to find employment;
- 203 young people have progressed to FE Colleges, with 82 attending mainstream vocational courses; and
- Eight young people have progressed to Modern Apprenticeships.

⁵⁶ Scottish Executive, 2007, Evaluation of the Implementation of Local Area Co-ordination in Scotland,

⁵⁷ Employability in Scotland, 30 May 2013, Stepping Up Programme Helps Young People With Learning Disabilities Find Employment, <http://www.employabilityinscotland.com/news-events/latest-news/may-2013/stepping-up-programme-helps-young-people-with-learning-disabilities-find-employment/>

⁵⁸ Ibid

6 Discussion

As can be seen above, there are a large number of similarities in the approaches taken to support for people with learning disabilities across GB.

Each of the countries have legislation and strategies in place to support the aspirations of people with learning disabilities, although England's most recent strategy, whilst still in operation, only set out key policy objectives for a three year period and is yet to be replaced or updated.

Of particular note is each country's use of bodies to drive forward the implementation of support. England's Learning Disability Partnership Boards take ownership of learning disability support within local authorities, including the development and implementation of investment plans for delivering government objectives. Wales established the Learning Disability Advisory Group to help shape government policy, with representatives from a cross-section of stakeholders.

Scotland's use of both the Scottish Consortium for Learning Disability (SCLD) and the Local Area Co-ordinators (LACs) is also of note. The SCLD was established as a Centre of Excellence and provides a range of services, with the LACs signposting support and working with people with learning disabilities and their families on a local level.

These methods seem to ensure a close monitoring and implementation of broad policies and strategies ensuring effective delivery amongst those who need support the most.

It must be noted, of course, that some of the approaches have been subject to criticism. For example, the summary report of Valuing People Now (England) noted the wide variations in the choice and quality of services across England and in how money is spent to achieve the best outcomes for individuals.

Similarly in Scotland, following a two year evaluation, a number of shortcomings were found with "The same as you?". From the evaluation's findings key themes were developed for "The keys to life", the new ten year strategy published in 2013.