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Make provision for the Secretary of State to undertake a public consultation reviewing the provision of comprehensive and integrated services for adults with learning disabilities.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Public consultation on the provision of comprehensive and integrated services for adults with learning disabilities

- (1) The Secretary of State must undertake a public consultation (“the public consultation”) to review the provision of services in England for adults with learning disabilities and their carers who meet the criteria for a needs assessment under section 9 of the Care Act 2014 (assessment of an adult’s needs for care and support). 5
- (2) The public consultation must review the quality and the extent of the provision of—
- (a) education and training services, and in particular, access to education opportunities including further and adult education; 10
 - (b) employment services, and in particular, access to—
 - (i) work experience,
 - (ii) tailored career advice, and
 - (iii) apprenticeships; 15
 - (c) housing and supported housing services and, in particular, the option to live independently close to family with appropriate support;
 - (d) recreational services and, in particular, whether reasonable adjustments are being made to encourage participation;
 - (e) public transportation services, and whether free provision could improve access to education, employment and recreational activities and support maintaining family and personal relationships. 20
- (3) The public consultation must consider whether education, health and care (EHC) needs assessments and plans should continue after young persons with learning disabilities in receipt of an EHC plan reach the age of 25. 25

- (4) The public consultation must also review the provision of physical and mental health services for adults referred to in subsection (1) and the extent to which –
- (a) local authorities and NHS bodies are meeting the public sector equality duty under section 1 of the Equality Act 2010 (public sector duty regarding socio-economic inequalities) and providing specialist training on delivering services to adults with learning disabilities; 5
 - (b) local authorities and NHS bodies have introduced measures to address the social and economic determinants of health; and
 - (c) Sustainability and Transformation Partnerships have led to NHS bodies and local authorities working together in the provision of services. 10
- (5) The public consultation must also consider –
- (a) the extent to which the United Nations Convention on the Rights of Persons with Disabilities has been implemented; 15
 - (b) how the provision of services listed in subsection (2) may be improved;
 - (c) whether local authorities are meeting their general responsibilities under sections 1 to 9 of the Care Act 2014, and if not, how this should be addressed;
 - (d) whether local authorities should be required to collect and publish data comparing health outcomes for adults with learning disabilities with the general population in their area; and 20
 - (e) whether the Secretary of State should, in exercising his or her powers under section 100 of the Care Act 2014 (objectives, priorities and outcomes), include as an objective for Health Education England the provision of specialist training for delivering all health services to adults with learning disabilities. 25
- (6) In undertaking the public consultation, the Secretary of State may consult such persons and bodies as the Secretary of State thinks fit.
- (7) The Secretary of State must appoint a person or persons with learning difficulties to co-chair the public consultation. 30
- (8) The Secretary of State must publish a report outlining the findings of the public consultation and the Government’s proposals for any consequent improvements in the provision of services within one year, beginning with the day on which this Act comes into force.
- (9) A copy of the report under subsection (8) must be laid before both Houses of Parliament. 35

2 Interpretation

In this Act –

- “adult” means an individual aged 18 or over;
- “carer” has the same meaning as in section 10 of the Care Act 2014 (assessment of a carer’s need for support); 40
- “education, health and care plan” has the same meaning as in section 37 of the Children and Families Act 2014 (education, health and care plans);
- “Health Education England” has the same meaning as in section 96 of the Care Act 2014 (Health Education England); 45

- “learning disability” means a disability which includes the presence of a significantly reduced ability to understand new or complex information or to learn new skills, with a reduced ability to cope independently, which started before adulthood, with a lasting effect on development; 5
- “local authority” means the council of a district, county or London borough and the Common Council of the City of London;
- “NHS body” has the same meaning as in section 6 of the Care Act 2014 (co-operating generally);
- “social and economic determinants of health” refers to factors such as income, employment, education and environment which may lead to inequalities in health outcomes in a population; 10
- “specialist training” means training co-delivered by adults with learning disabilities;
- “supported employment practitioner” means an individual who meets the National Occupational Standard for supported employment and provides personalised support for an adult with disabilities which enables that adult to seek, obtain and retain employment; 15
- “Sustainability and Transformation Partnerships” means partnerships formed between local authorities and NHS bodies under the NHS Shared Planning Guidance 2016/17-2020/21 to improve the provision of health and care services. 20

3 Extent, commencement and short title

- (1) This Act extends to England and Wales only.
- (2) This Act comes into force on the day on which it is passed. 25
- (3) This Act may be cited as the Learning Disabilities (Review of Services) Act 2017.

Learning Disabilities (Review of Services) Bill

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Baroness Hollins

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