



south ayrshire  
health & social care  
partnership

# Live Your Best Life

## South Ayrshire Adult Learning Disability Strategy

2022-2027



*Policy Context*

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# Policy Context

## Human Rights

In March 2021, the National Taskforce on Human Rights Leadership recommended that Scotland take steps to incorporate several international treaties and reaffirm the relevant rights in the Human Rights Act. This includes the incorporation of the Convention on the Rights of Persons with Disabilities (CRPD). This means these duties would be legislated for in Scots law and there would be a legal obligation to meet these duties, and challenges could be brought when duties are not met.

## United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) (2006)

The UNCRPD is an international treaty that identifies the rights of persons with disabilities as well as the obligations on States parties to the Convention to promote, protect and ensure those rights. The human rights enshrined in the UNCRPD are wide-ranging, and should inform the scope of the strategy. Amongst many others, these rights include:

- Equal access to the community, services, transport, information and communications
- Freedom from exploitation
- Respect for privacy
- Family life
- To live independently
- Work and employment
- Participation in cultural life, recreation, leisure and sport

The [full text of the convention](#) and its [general comments](#) should be considered when developing a learning disability strategy.

## Programme for Government (2021-2022)

In the Scottish Government 'Programme for Government', the Scottish Government committed to implementing the National Task Force on Human Rights Leadership's recommendations, including the incorporation of the UNCRPD. This will in time lead to legal duties for local authorities, HSCPs and the NHS.

In addition, the most recent Programme for Government referenced key areas which impact on the lives of many people with learning disabilities. This included hate crime, gender-based violence and the development of a learning disability and autism commissioner for Scotland. You can find the program for Government [here](#).

## The Human Rights Act (1998)

The Human Rights Act takes 16 of the fundamental human rights in the [European Convention on Human Rights](#) and pulls them down into UK Law. The act can be found [here](#). [The British Institute of Human Rights](#) has several helpful resources on Human Rights and can offer training on meeting legal obligations.

## The Equality Act (2010)

The Equality Act 116 separate pieces of legislation into one single Act and provides a legal framework to protect the rights of individuals and advance equality of opportunity for all.

It provides Britain with a discrimination law that protects individuals from unfair treatment and promotes a fair and more equal society.

Disability is considered a protected characteristic under the equality act. This includes people with learning disabilities and disaggregated data on their experience should be collected and made available in line with Article 31 of the UNCRPD. You can read more about the Equality Act [here](#).

### **The Public Sector Equality Duty**

The Public Sector Equality Duty was created by the Equality Act 2010 and replaces the race, disability and gender equality duties. The duty came into force in April 2011 and covers age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. It applies in England, Scotland and Wales. The general equality duty is set out in section 149 of the Equality Act. In summary, those subject to the general equality duty must have due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity between different groups
- Foster good relations between different groups

The duty to have due regard to the need to eliminate discrimination in the area of employment also covers marriage and civil partnership. The Equality Act also gives Scottish Ministers the power to impose specific equality duties through regulations.

More information on this duty and guidance for public authorities can be found [here](#).

### **Carers**

[The Carers \(Scotland\) Act 2016](#) came into effect in 2018. It aims to ensure better and more consistent support for carers and young carers so that they can continue to care, if they so wish, in better health and to have a life alongside caring.

Measures include:

- a duty for local authorities to provide support to carers, based on the carer's identified needs which meet the local eligibility criteria
- a specific adult carer support plan (ACSP) and young carer statement (YCS) to identify carers' needs and personal outcomes
- a requirement for local authorities to have an information and advice service for carers which provides information and advice on, amongst other things, emergency and future care planning, advocacy, income maximisation and carers' rights
- a requirement for the responsible local authority to consider whether that support should be provided in the form of a break from caring and the desirability of breaks from caring provided on a planned basis

### **Self-directed Support**

Self-Directed Support (SDS) is the principle that people have informed choice about the way that their social care and support is provided to them. The policy aims to ensure that people who need support have more control over how their support needs are met, and how their support is provided so that better outcomes are achieved and people are enabled to live as full a life as possible.

In this regard SDS is underpinned by the core principles of personalisation (people and families having choice and the ability to shape and control the public services they require) and co-production (equal and collaborative relationships between people, professionals and communities).

The [Social Care \(Self Directed Support\) \(Scotland\) Act 2013](#) gives disabled people greater control over the provision of their care and support needs and enables them to take as much control as they want of their individual budget. The Act requires local authorities to offer people four choices on how they can manage their care and support arrangements.

The Act also contains duties on local authorities to give information to help individuals in receipt of care packages to make an informed choice.

[My Support My Choice \(2020\)](#) is the report of a research project run by the Health and Social Care Alliance Scotland (the ALLIANCE) and Self-Directed Support Scotland (SDSS), funded by the Scottish Government. The research looked at the effectiveness of self-directed support across Scotland.

The report includes a range of recommendations for:

- Improving information
- Gathering data
- Increasing people's choice and control
- Developing better relationships with social work
- Independent advocacy and support for decision-making

### **Adult Support and Protection**

The [Adult Support and Protection \(Scotland\) Act 2007](#) requires public bodies to work together to support and protect adults and decide whether someone is an adult at risk of harm. This can include adults with learning disabilities. It includes measures to identify and protect individuals who fall into the category of 'adults at risk'. These include:

- placing a duty on councils to make the necessary inquiries and investigations to establish whether or not further action is required to stop or prevent harm occurring;
- a requirement for specified public bodies to co-operate with local councils and each other about adult protection investigations;
- a range of protection orders including assessment orders, removal orders and banning orders; and
- the establishment of multi-disciplinary Adult Protection Committees.

### **National Policy Context**

The national policy context within applies to and informs this Strategy as detailed below.

#### **Keys to Life Strategy (2019 – 2021)**

The Scottish Government published a new national strategy for learning disability, Keys to Life Learning Disability Strategy, in June 2013. This 10 year strategy makes more than 50 recommendations, the majority of which relate to health. The strategy aims to address the health inequalities facing people with learning disabilities. It has a strong focus on improving health

outcomes in the widest sense including prevention, health improvement activities and equal access to health services.

The strategy aspires to improve the life choices and quality of life of people with learning disabilities by ensuring they are included in every aspect of community life as equal citizens and that the voice of every person with learning disabilities is heard and respected.

The Keys to Life implementation framework and priorities for 2019-2021 identifies four strategic outcomes;

1. **A Healthy Life:** People with learning disabilities enjoy the highest attainable standard of living, health and family life;
2. **Choice and Control:** People with learning disabilities are treated with dignity and respect, and protected from neglect, exploitation and abuse;
3. **Independence:** people with learning disabilities are able to live independently in the community with equal access to all aspects of society; and
4. **Active Citizenship:** People with learning disabilities are able to participate in all aspects of community and society.

### **Learning/intellectual disability and autism: transformation plan (2021)**

The towards transformation plan is a partnership document with COSLA and a range of stakeholders. The Scottish Government and COSLA currently work in partnership with the third sector and others in implementing the actions within the plan. Actions centre around key themes including:

- Human Rights
- Mental Health, Health and Social Care
- Employment
- Education
- Digital Exclusion
- Communication

### **Coming home: complex care needs and out of area placements 2018**

In 2018 the Scottish Government commissioned a two-year project to look specifically at the support provided to people with learning disabilities who have complex needs. The focus of the project was to identify the number of people involved, and also to suggest support solutions for individuals with learning disabilities who have complex needs, and who are either placed out-of-area or are currently delayed in hospital-based assessment & treatment units.

Key findings from this report highlighted that: The project found that there were 705 people out-of-area in Scotland from 30 HSCPs.

The full report and its recommendations can be read [here](#).

### **Adult social care: independent review (2021)**

The Independent Review of Adult Social Care in Scotland was published in 2021 and led by Derek Feeley, a former Scottish Government Director-General for Health and Social Care and Chief Executive of NHS Scotland. This report made several key recommendations around:

- Putting human rights at the heart of social care
- Support for unpaid carers

- Investment in informal, community-based services
- Access to support at the point people need it (early intervention)
- People who use services and their families heavily involved in developing new approaches
- Investment in social care that prioritises people living at home, in their community, developing social connections, and maximising their choice and control

### **The Promise**

On 5 February 2020, the Care Review published seven reports, with ‘the promise’ narrating a vision for Scotland’s children, built on five foundations. The Promise team began work in July 2020 and is responsible for translating the findings of the Care Review into The Plan for change and driving the change needed to implement The Plan at pace.

The initial phase of The Plan for 2021-2024 can be found [here](#). It focuses on the urgent and immediate changes needed. This includes the provision of support for whole families underpinned by ten principles, including:

- Holistic
- Responsive and timely
- Working with family assets
- Flexible
- Rights based

### **National health and wellbeing outcomes framework**

This framework can be used help to inform how services are planned across the whole pathway of care, to ensure a focus on individuals, and also the practice changes within integrated multidisciplinary teams, that will make a difference to the care people receive. The full document can be found [here](#).

### **Public Services Delivery**

The Christie Commission on the Future Delivery of Public Services report in 2011, set out an approach to public service reform in which the “needs, aspirations, capacities and skills of individuals and communities are central and the imperative is to build the role, autonomy and resilience of Scotland’s citizens.” It called for a shift towards preventative spending, arguing that pressure on public services is the result of “our failure up to now to tackle the causes of disadvantage and vulnerability, with the result that huge sums have to be expended dealing with their consequences”.

Key recommendations of the Christie Commission are that:

- public services are built around people and communities, their needs, aspirations, capacities and skills, and work to build up their autonomy and resilience;
- public service organisations work together effectively to achieve outcomes specifically, by delivering integrated services;
- public service organisations prioritise prevention, reduce inequalities and promote equality

## Local Context

### Integration Joint Board Strategic Plan 2021-2031

The Strategic Plan is a ten-year vision for integrated health and social care services which sets out objectives and how the Health and Social Care Partnership will use resources to integrate services in pursuit of national and local outcomes. The overarching vision is 'Empowering our communities to start well, live well and age well.'

### Community Safety Partnership Strategic Plan (2021-2024)

The Community Safety Partnership Strategic Plan sets out a shared vision: "That people in South Ayrshire live in communities that are inclusive, empowered, resilient and safe". The partnership brings together relevant agencies and, using a targeted approach, ensures effective information sharing an agreement on areas for joint action, acknowledging the added value joint working brings. Priorities in the strategy focus on ensuring joined up action around:

- Reducing the level of violence and antisocial behaviour in our communities;
- Reducing the number of serious accidents at home and on our roads;
- Increasing positive community engagement to tackle ASB and community safety issues within communities; and
- Working with partners to deliver Community Planning Partnership (CPP) priorities

### Adult Carers Strategy (2019-2024)

The Adult Carers Strategy sets out what it means to be a carer and the ways the provisions of the Carers (Scotland) Act 2016 are implemented in South Ayrshire. South Ayrshire Health and Social Care Partnership has responsibility for delivering support to carers on behalf of South Ayrshire Council and NHS Ayrshire and Arran. The Strategy has been developed collaboratively with carers and the organisations that support them and focuses on:

- recognising and valuing carers in their caring role;
- supporting carers in their role;
- enabling carers to take breaks from caring and looking after their own health; and
- ensuring carers are not defined by their caring role.

### Young Carers Strategy (2021-2026)

The Young Carers Strategy sets out the local response to the statutory duties of the Carers (Scotland) Act 2016. The Strategy explains what it means to be a young carer and outlines plans to raise awareness, recognise and support young carers over the next 5 years. The approach to supporting young carers in South Ayrshire is aligned to the Getting It Right for Every Child (GIRFEC) framework which promotes and protects young people's health and wellbeing. The main themes of the strategy have been developed around the GIRFEC wellbeing indicators (commonly referred to as SHANARRI indicators):

- Safe
- Healthy
- Active
- Nurtured
- Achieving
- Respected



- Responsible
- Included

### **Sexual Exploitation Strategy (2020-2025)**

South Ayrshire Health and Social Care Partnership's Sexual Exploitation Strategy for 2020 - 2025 applies to all children and young people and adults at risk of sexual exploitation. The Strategy is informed by and supports delivery of the priorities and requirements set out in South Ayrshire Health and Social Care Partnership's Strategic Plan for 2018-2021.

In line with the National Action Plan to Prevent and Tackle Child Sexual Exploitation Update, the Sexual Exploitation Joint Action Group has agreed that this strategy is working towards the same strategic priorities and including vulnerable adults:

1. The risk that children, young people and vulnerable adults are exploited is reduced through a focus on prevention and early identification.
2. Children, young people and vulnerable adults at risk of or experiencing sexual exploitation and their families receive appropriate and high quality support.
3. Perpetrators are stopped, brought to justice and less likely to re-offend.
4. Cultural and social barriers to preventing and tackling sexual exploitation are reduced.

### **Social Isolation Strategy (2019-2027)**

The Social Isolation Strategy for South Ayrshire covers the period 2019 - 2027. It has an initial focus on supporting older people who are lonely and/or isolated and has a linked implementation plan setting out activity under the themes:

- Prevent: Raise awareness and prevent people from becoming chronically socially isolated or experiencing loneliness (primary prevention)
- Respond: Prevent people from developing chronic social isolation or loneliness. (secondary prevention)
- Restore: Prevent those who are chronically lonely and socially isolated from experiencing poor social or health outcomes (tertiary prevention)

### **Ayrshire and Arran Sensory Locality Plan 2014-2024**

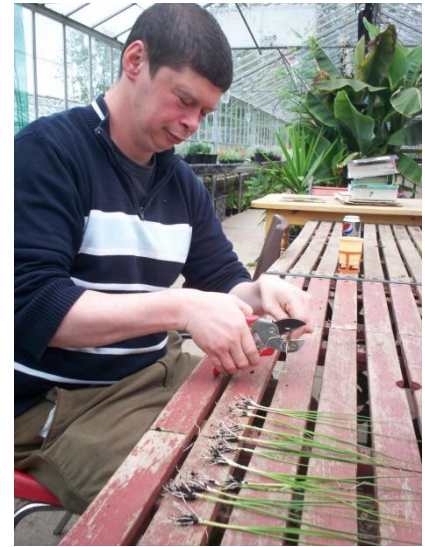
The Ayrshire and Arran Sensory Locality Plan applies to children, young people, adults and older people living with sensory loss. Sensory loss includes varying degrees of hearing loss, sight loss and dual sensory loss. It also includes those with a recognised sensory loss; those at risk of developing a sensory loss and hidden or untreated sensory loss.

# Case Studies

Hansel submitted two case studies as evidence of good practice to support the strategy, the 'Our Space' garden project and Wilson Houses Upgrade.

## Our Space

'Our Space' garden project was set up within the walled garden at Hansel, to open up the opportunities available to people with learning disabilities and autism. The aim at 'Our Space' was not only to help individuals learn about gardening as a group but to learn new personal skills, improve fitness and improve mental wellbeing. Through therapeutic gardening support and being outdoors 'Our Space' helps people establish social links, build self confidence and self-esteem; working towards greater personal independence while providing a safe space to share thoughts, feelings, personal challenges and ideas with friends and support staff.



Jamie had been supported by Hansel's Connect supports for a few years to be active within the local community. Jamie told Hansel that he wanted more from his supports and wanted to rekindle his passion for the outdoors and gardening. As a younger man he had taken part in a garden project before moving to South Ayrshire. Jamie said that he wanted to feel a sense of purpose again, to be part of something, meet new people and to use the skills he had learned previously.

Jamie became aware of the 'Our Space' Project from a peer who was also supported by 'Our Space', demonstrating the power of personal connections and shared experiences.

When Jamie started with 'Our Space' he was a younger man living at home, feeling isolated within his community and very anxious. The project agreed goals with Jamie for his future, which were not just about what he wanted to achieve within the gardens, but included goals in life to make new friends, to move into his own home and to take part in a meaningful and productive activities.

Through time with 'Our Space' Jamie has built more personal confidence, independence skills and has become less anxious by taking on new responsibilities. The supported environment of 'Our Space' has allowed him to work at Prestwick train station looking after the gardens, which Jamie says has given him great pride and sense of purpose. He has shared his skills by teaching others who attending the gardens and has become a spokesperson for the garden team within Hansel focus groups and took over an area within Hansel Gardens.

Jamie is now very proud to live in his own home and has a more independent life attending other community groups beyond Hansel's support. He has formed great friendships with others who attend the gardens while maintaining deep friendship with people who no longer use 'Our Space'. He visits the gardens less as his lifestyle activities have expanded into other areas and his new venture with Hansel is to be part of the new Digital Inclusion team making films to document about other people lives. Jamie says, 'I want to help people more'.

Jamie shared his views on 'Our Space' garden project when he returned after recent pandemic lockdown. 'It feels like a safe place, it's like another home, I am always happy here' ' Like a big family up here, we look after each other, we have a laugh and take care of our problems if we need to'.

## Wilson Houses Upgrade

A couple of years ago Wilson Houses required an upgrade as the interior was beginning to look tired and dated.

The people living there would share their thoughts on the décor of their home during regular local resident meetings which took place every two months. Individuals would talk about how they would like to see the lounges (east & west Lounges) decorated with new couches and furniture. Wilson Houses were visited by Foundation Directors

and they thought that while people's homes were warm and comfortable they also agreed the lounges required to be updating and offered their support.



Hansel Foundation Fundraising team became involved, which helped the cause massively. They held events across South Ayrshire, mustering the support of local businesses and community members. The Service Manager at the time became involved by attending community events and speaking about the work Hansel does to promote the rights and contributions of people with learning disabilities living in Ayrshire. This also helped to raise funds to support the upgrading of Wilson House Lounges. The local community responded in a very positive way and the funds raised were enough to fully decorate both lounges along with purchasing furniture including suites.

Residents of Wilson House loved the opportunity to be involved in choosing colours and style for their lounges. The support team helped by sourcing colour charts for the walls for people to look at and representative residents from each house got involved in choosing their new suites at a local Ayrshire DFS store. Everyone involved made a real contribution and had fun working with shop assistants to choose items that they liked best. The local support team also helped by arranging many trips and visits to local Ayrshire shops to choose soft furnishings to match the suites. People really valued the chance to pick their curtains, cushions, picture frames and ornaments for their beautiful new lounges.

Both lounges now have very different styles and colours which matches the personalities of people who live in Wilson Houses. Importantly, people with learning disabilities who live in Wilson House were invited to be involved at each step of the planning. Each person benefitted in different ways by having the chance to be involved with others and in different ways each person connected with a range of other Ayrshire people who have businesses, or who work and /or live within their local community. This experience for 15 people living with learning disabilities in a quiet corner of Ayrshire demonstrates that the small things in life can provide opportunities for the entire South Ayrshire community to become stronger through invitations to work together as equals.