

Ms Alyson Collins  
Older People & Long Term Care Policy  
Welsh Assembly Government  
Cathays Park  
Cardiff  
CF10 3NQ

29 June 2006

Dear Ms Collins,

**Response to Consultation on proposed statement on policy and practice for adults with a learning disability**

We would like to thank the Minister for giving us the opportunity to comment on this proposed statement. Our trustees represent 120 voluntary organisations in membership of Learning Disability Wales, and reflect the diversity of our membership. They have carefully considered the proposed statement, and take the questions posed in the covering letter issued by John Carter as a starting point.

**1. Is there a need for the Welsh Assembly Government to issue a new contemporary statement on policy and practice?**

Our firm view is that the government should issue an updated statement. In 1984, the then Welsh Office took a pioneering stance in launching the All Wales Mental Handicap Strategy. It represented a policy initiative unique, not just within the United Kingdom, but across Europe. The intended consequence of this step were that seismic changes in the models of service available to people with learning disability, and the way that they were treated as citizens in Wales were set in motion. The unintended, but equally positive consequence was that the profile of Wales as a progressive beacon of good social policy was raised substantially.

Over the intervening years, subsequent administrations and governments have restated their commitment to the principles of the original strategy, and provided supplementary guidance. This support has been welcome. But a

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substantial renewal is now required. Over a period when there have been so many, constitutional, structural and legislative changes impacting on social care provision in Wales, it is no longer credible to assert that a 22-year-old statement represents current central government policy. Much of the content of the 1984 All Wales Strategy statement no longer has any relevance to the issues confronting people with a learning disability and their carers.

From a position in 1984 when Wales had a policy commitment to people with learning disability unique with the U.K., both England and Scotland now have contemporary statements of policy that are holistic and rounded in a manner that our 1984 statement never was. We currently sit with Northern Ireland in lacking a clear contemporary statement. Given the long-running and intractable problems in running a devolved administration in the six counties, their failure to make progress in the learning disabilities field is not surprising. The absence of any substantial renewal of policy in Wales is rather more surprising.

What advantage could be gained by the issuing of a new contemporary statement of policy?

If the statement is sufficiently robust with clear aims attached, we believe that it could promote the means to challenge:

- the very apparent failure of social service commissioners to plan to meet the substantial increase in demand for accommodation and support services that will soon confront them as recognised demographic changes work through. These changes are fully described in Section 4 of the proposed statement.
- the inertia in statutory agencies in making serious attempts to move people with learning disability from long-term dependency within outmoded day services towards employment and further independence.
- commissioning of services that give priority to risk adverse practices that inhibit independence and measure outputs rather than qualitative outcomes for service users.
- the continuing patchy access to advocacy (in its various forms) for people who are often vulnerable and need support to help them speak up for themselves, or to have their interests represented.
- the continued strategic failure to establish and develop community based services within Wales that can meet the needs of people with a dual diagnosis of learning disability and mental illness, of people who challenge services, or who are at risk of offending.
- the consequent flow of cash out of Wales when commissioners purchase institutional care, as an inappropriate long-term measure.
- the inertia of commissioning authorities to fund experimental or new initiatives in services, such as new patterns of supported living that could bring more independence for people with a learning disability and also achieve proven cost savings. In this respect, the flexibility and ingenuity of the voluntary sector is not being properly tapped and utilised.
- a trend amongst social care managers and staff to not possess and push

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- forward an appropriate value base for their practice. Anecdotal evidence suggests this is an increasing problem, particularly when commissioning new services.
- the reality that many people with a learning disability are now in the community, but not a full part of the community. Isolation and loneliness for the individual can be just as damaging as institutional care.

We also would note that issuing a new statement would end a period of strategic confusion. The implementation plan for the Welsh social care policy document “Building for the Future” 2000, stated that a national service framework for learning disabilities would be issued. When the report “Fulfilling the Promises” was presented for debate in the National Assembly, there was such a unanimous statement of support for its content from all of the political parties that it has commonly been assumed since that this report represents Welsh Assembly Government policy.

At a time when the Welsh Assembly Government administration has felt it necessary to withdraw its manifesto commitment to provide free home care for disabled people, the issuing of a new policy would also help to restore some confidence amongst disabled people about the intentions of government, with regards to supporting them for the future.

## **2. Are the areas covered by the statement comprehensive, appropriate or in need of amendment?**

Through our participation in the LDiAG we have had a substantial opportunity to comment on successive drafts of the statement. We would therefore not propose to go through the document line by line at this point. Our comments are identified against page numbers or paragraph numbers where possible, and are as follows:

- We want the statement to be robust in tone, to have statutory force so that local and other authorities have to follow it, and for the many references to actions that ‘could’ or ‘should’ be undertaken, be replaced with ‘must’ be undertaken, setting these out as clear aims and objectives.
- We would trust that any document issued would contain a statement of intent from the Minister or First Minister.
- Page 5. While we recognise, and have drawn attention to the failure of the NHS to meet the general healthcare needs of people with a learning disability, we do not support the references to treatment in the revised principles. These references help perpetuate the myth that learning disability is itself treatable, and undermines the Welsh Assembly Government’s commitment to promoting the social model of disability.
- We would like the statement to have concrete targets so that progress against the strategy can be measured.
- Page 18. Social services statistics of 03-04 indicate that there is still a very substantial gap between the number of people with learning disabilities in receipt of services, and the number who have an up to date core assessment and plan. This gap between policy intent and reality has

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continued for many years, and is a prime example of an issue where targets have to be set if progress is to be achieved.

- Page 26. The actions identified should include support providers.
- Page 54. We do not believe that the current pattern of joint planning, and the Welsh Assembly Government's intention to reduce obligations on local authorities ensures adequate focus on the planning of services for people with learning disabilities, or that the plans that emerge fully reflect service principles and service responses.
- Page 57. Workforce planning is key to delivering appropriate services to people with learning disabilities. We would want a far more detailed statement, and identified actions in any policy statement issues.

Yours sincerely,

J G CROWE  
DIRECTOR