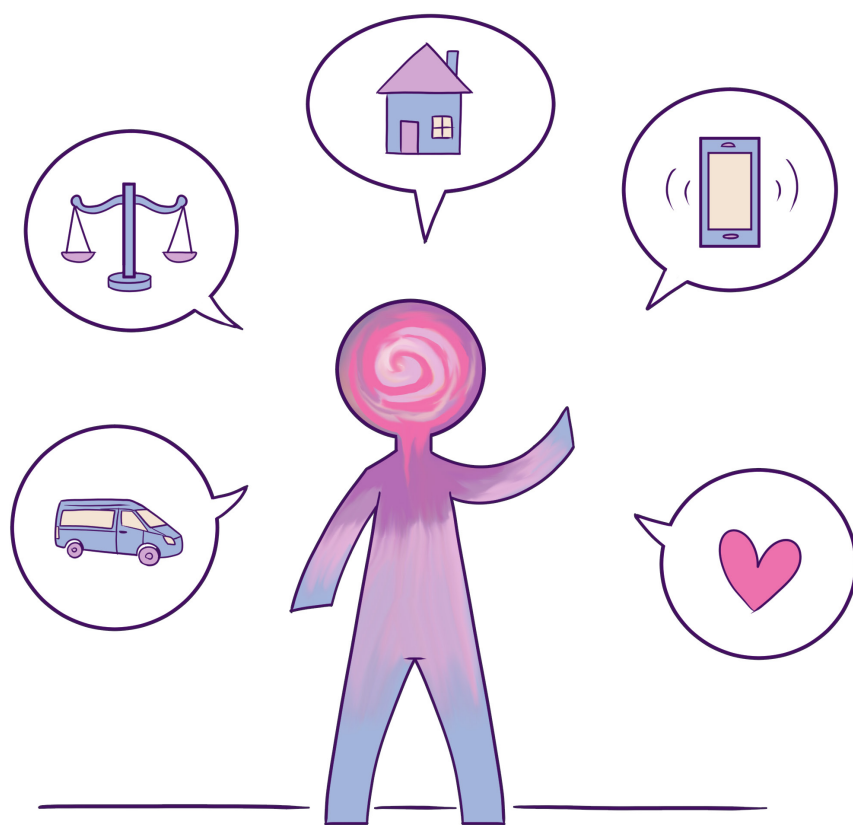


Learning Disabilities, Autism and Neurodivergence Bill: **Inclusive and Accessible Communications**



Learning Disabilities, Autism and Neurodivergence (LDAN) Bill

Inclusive and Accessible Communications



Easy Read



Inclusive communication is sharing information so that everyone can understand.



The term **accessible information** is used to describe information which is easy to understand.



Inclusive communication can be information from face-to-face conversation, video or audio, sign language or **easy read**.



Easy read is a way of making written information easier to understand using easy words in large type with images. This is one type of accessible information.



There will be different ways to communicate to meet the needs of different people.

Inclusive communication involves meeting the communication needs of everyone information is for.



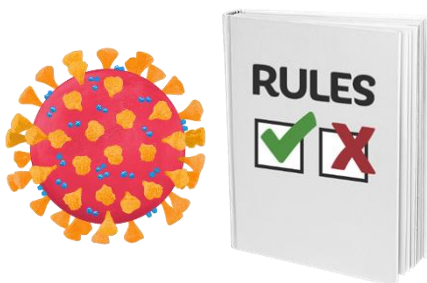
Inclusive communication is important for neurodivergent people and people with learning disabilities to take part fully in life.



The Scottish Government think it is very important information is made accessible so everyone can know their rights.



The COVID-19 Pandemic showed the importance of inclusive communication.



During the COVID-19 Pandemic everyone had to know how to stay safe and well, and what the rules were.



Public information needed to be quickly available and understood by everyone.

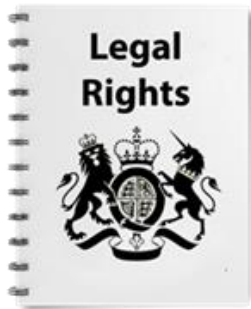
What did the Lived Experience Advisory Panel (LEAP) think?



The **Lived Experience Advisory Panel (LEAP)** is a group made up of neurodivergent people and people with learning disabilities to help advise the Scottish Government on this Consultation.



LEAP members thought that inclusive communications are crucial when interacting with doctors.



LEAP members thought that public authorities in Scotland do not meet their legal obligations around inclusive communications.



LEAP members said that they do not feel respected when they do not receive their information in an accessible format.

This can leave people feeling angry and frustrated.



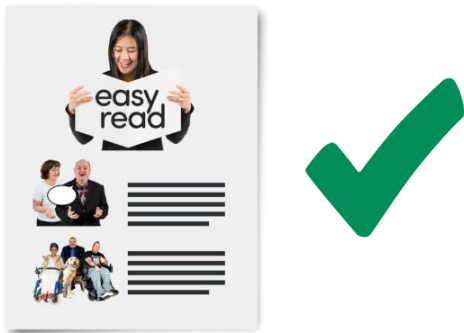
LEAP members want the right to request alternative formats.

The right to request alternative formats should be upheld in every situation.



LEAP would like **practitioners** to have a better understanding of the different communication needs of neurodivergent people and people with learning disabilities.

Practitioners are people like doctors, social workers, and police officers.



LEAP would like alternative formats, including easy read, to be provided automatically.

Where do the Scottish Government want to get to?



The Scottish Government want neurodivergent people and people with learning disabilities to get all information in a way that is inclusive and accessible to them.



The Scottish Government want inclusive communication to be the normal way government and **public authorities** put out information to everyone.



A **public authority** is any organisation that is publicly funded.

Examples include local authorities, schools, police, and the NHS.



The Scottish Government want all people who work with neurodivergent people and people with learning disabilities to be able to communicate in an inclusive way.



The Scottish Government want people with disabilities to be able to express themselves in a way that works best for them.



The Scottish Government think people should find it easy to ask for information in a format that works best for them.



The Scottish Government want any information requested in an accessible format to be given quickly and without any issues.



The Scottish Government want neurodivergent people and people with learning disabilities to be able to talk with workers and feel heard, respected, and understood.

What happens now?



The **Equality Act 2010** protects people with disabilities, including neurodivergent people and people with learning disabilities against **discrimination**.



Discrimination is treating someone or a group of people differently than another person or group.

Often this is people being treated in an unfair way based on age, sex, disability or another difference.



The **Equality Act 2010** makes it against the law for **public authorities** to discriminate against neurodivergent people and people with learning disabilities.



This includes making sure information can be understood by everyone who needs it.



The Public Sector Equality **Duty** in the Equality Act 2010 means that all public authorities must do their best to stop discrimination and promote equality across Scotland.



A **duty** is a law which says an organisation or group must do something.



Other laws that currently help promote inclusive communication include:

- The Social Security (Scotland) Act 2018
- The Public Sector Bodies Accessibility Regulations 2018.
- The Patient Rights (Scotland) Act 2011.



Accessible
Information
Standard

Scottish Government Guidance to NHS Scotland on the Accessible Information Standard help the NHS to provide accessible information.



The Getting it Right for Every Child (GIRFEC) National Practice Model supports children, young people, and families to get the information they need in an accessible format.

What can the Scottish Government do about it?



The Scottish Government are doing further work which could help with better inclusive communication. This includes **The Human Rights Bill** and the **Scottish Specific Duty Regulations (SSDs)**.



The Human Rights Bill aims to make the United Nations Convention on the Rights of Disabled People (CRPD) part of Scottish law.



Many of the rules in the CRPD include the right to inclusive communications.



Parts of the CRPD make it clear that people with disabilities should have the same right to express and share their thoughts and information as anyone else.



People with disabilities should be able to use any kind of communication they prefer and have access to the communication tools they need.



The Scottish Government will have new **Scottish Specific Duties** to make sure public authorities communicate with everyone in a fair and clear way.



Scottish Specific Duties place duties on all public organisations to meet general duties. In this case, a general duty for Inclusive Communication.



The Scottish Government wants to clearly say what it means to communicate in an inclusive way.



Neurodivergent people and people with learning disabilities should be able to make complaints.

Complaint systems should provide accessible formats.



The Scottish Government will work with people who have **lived experience** and others who can help to make new national standards.



Lived experience is the knowledge someone has from living with a disability, a condition or different way of thinking.



Public authorities and organisations across Scotland will have the same standards for accessible communication.



There will be checks to make sure people are sticking to these standards for inclusive communication.

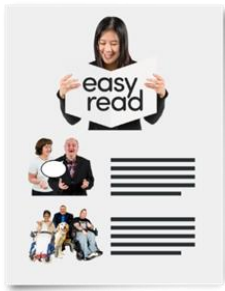
What can the Learning Disabilities, Autism and Neurodivergence (LDAN) Bill do about it?



The Learning Disabilities, Autism and Neurodivergence (LDAN) Bill could help by making government departments and public authorities communicate in more inclusive ways.



The Bill could have more of a focus on inclusive communication for neurodivergent people and people with learning disabilities than the Human Rights Bill and Scottish Specific Duties.



The Bill could make new rights and duties for government departments and local authorities to understand what inclusive communication means and how to do it.



New rights and duties in the Bill for inclusive communication could include the following proposals.

Proposal 1



Alternative ways of communication



Communicate



The Bill could allow people with learning disabilities and neurodivergent people to ask for the alternative means of communication to meet their individual communication needs.



- This could mean asking for an online meeting rather than a face-to-face meeting.



- Or asking for a telephone call rather than a letter.



- Or asking for a practitioner with specialist training in inclusive communication.

Proposal 2



Easy read



Through the Bill we could create better access to easy read versions of all public facing communications and documents made by public bodies



This could include a broad duty to make easy read versions available on request.



This could include an automatic duty to provide easy read versions in certain circumstances.

Proposal 3



Local neurodivergent and learning disabilities strategies.



The Bill could place additional duties on public authorities when publishing strategic plans.



A **Strategy** is a big plan with actions.



Public authorities would need to show how the communication needs of neurodivergent people and people with learning disabilities have been met.

Proposal 4



An Accessible Information Standard for Scotland



An **Accessible Information Standard** is a legal requirement to meet the communication needs of all people.



The Bill could introduce an Accessible Information Standard for NHS boards in Scotland.



An Accessible Information Standard is already **enforceable** in NHS England.



Enforceable means something that must be done, otherwise some kind of action is taken to make sure it is done.



The Bill could introduce an Accessible Information Standard that is enforceable in Scotland.



Complaints Systems



Inclusive communications should be part of organisations complaints systems.



The Scottish Government think that it is important that neurodivergent people and people with learning disabilities can make complaints.



People should be able to make complaints in different ways.



Organisations complaints systems need to be flexible.



At the moment people need to put their complaint in writing when they complain to organisations like the Scottish Public Service Ombudsman (SPSO).



Organisations need to change their systems so that people can complain in different ways.



If you are not happy with how a complaint has been handled, you can contact the Scottish Public Services Ombudsman (SPSO).



The Scottish Government are going to do more work on complaints systems to make it easier for neurodivergent people and people with learning disabilities to make complaints.

What do you think?



1. Which of these proposals do you agree with? Please tell us why.



2. Which of these proposals do you not agree with? Please tell us why.



3. Is there anything else that we should consider which is relevant to this topic?

