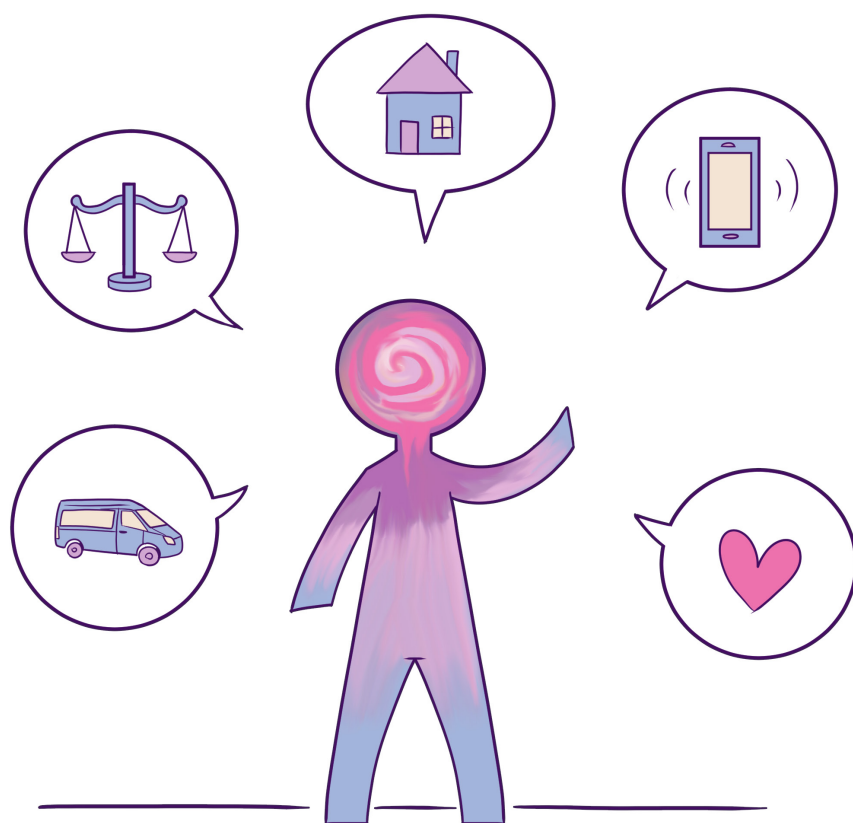


Learning Disabilities, Autism and Neurodivergence Bill: **Accountability**



Learning Disabilities, Autism and Neurodivergence (LDAN) Bill

Accountability



Easy Read



Most neurodivergent people and people with learning disabilities want to see better **accountability** around their rights.



Accountability means that it is someone's job to make sure that everyone can uphold their rights.



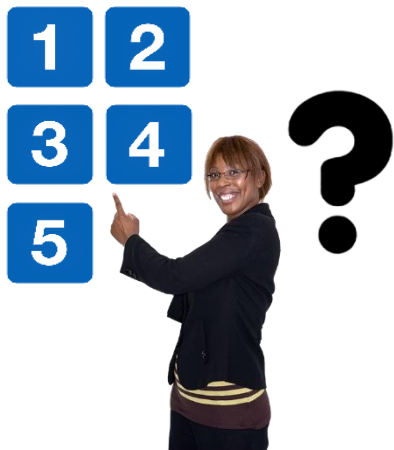
There are different ways to get better accountability around rights.

5

The Scottish Government has 5 different options.



Each of these options has potential benefits and potential challenges.



The Scottish Government wants to know which of these options is the best for neurodivergent people and people with learning disabilities.



People can choose more than one option if they think those options could work together.



Each of these options can only affect **public bodies** in Scotland.



Public bodies are organisations that are funded to deliver a public or government service.



The Scottish Government cannot affect UK wide public bodies like the tax office and benefits office.



If the Bill becomes law, the Scottish Government is committed to providing money to make any options selected happen.

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 liked the idea of a board which would include a number of Commissioners.



LEAP thought each Commissioner could lead on areas which affect the lives of different groups of neurodivergent people and people with learning disabilities.



LEAP thought it was important that a Commission should be overseen by a **board** that included neurodivergent people and people with learning disabilities.



A **board** is a team of people who run an organisation or a company. They make decisions and check the work is being done well.



LEAP said they would like to see a public body such as a Commission which has the power to carry out investigations.



LEAP thought parents and carers could be represented in a way that does not drown out the views of neurodivergent people and people with learning disabilities.





LEAP thought one of the jobs of a Commission would be to protect and support people's rights.



LEAP thought it was important for a Commission to have the legal power to allow it protect people's rights in law.



LEAP said neurodivergent people and people with learning disabilities must be involved in leading or running any new or existing Commission or Commissioner.

Where can the Scottish Government do about it?



Option 1



A new **Commission** or **Commissioner** could be set up for neurodivergent people and people with learning disabilities.



A **Commission** is an organisation that makes sure people's rights are upheld.



Commissions work separately from the government.



The law says what a Commission can or cannot do.



A **Commissioner** is one person who speaks for a certain group.



A Commissioner is usually supported by a team of staff.



The Scottish Parliament
Pàrlamaid na h-Alba

In Scotland the Scottish Parliament always appoints Commissioners.



There are already a lot of Commissions and Commissioners in Scotland.



A new Commission or Commissioner for neurodivergent people and people with learning disabilities could have a wide range of **powers** and **duties**.



Powers are the things that a Commission or a Commissioner is allowed to do.



Here are some powers that a Commission or Commissioner might have:



- Give advice to people and organisations



- Help to change the law

- See if organisations or people are following the rules

- Take organisations or people to court if they do not do what they say they will.



Duties are things that the law says organisations must do to protect people's rights.



A Commission or Commissioner would have more powers to help neurodivergent people and people with learning disabilities to uphold their rights.



Powers like:



- disability awareness training
- giving guidance
- providing leadership
- giving advice
- doing investigations.



A new Commission would have to represent a lot of people and do a lot of work.



A new Commission would need to decide which powers are the most important for neurodivergent people and people with learning disabilities.



There is an easy read version of a report which shows findings on the role of Commissions and Commissioners supporting rights in Scotland.



[Click here](#) to view this report via The Scottish Government website.



Option 2



The Scottish Government could add powers to an existing public body like the Scottish Human Rights Commission or another existing organisation.



Examples of a public body include: the National Health Service (NHS), The Police and the Mental Health Commission.



A public body works independently from government but is often accountable to government.



Adding powers to an existing public body might be better if it stops two organisations doing the same work.



Existing public bodies might not have the same focus on making sure neurodivergent people and people with learning disabilities have their rights upheld.

3

Option 3



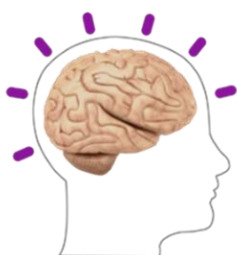
The Scottish Government could make Champions in Scottish public bodies.



A **Champion** is someone who will make sure a public body does what they say they will do.



Champions could be people with lived experience, or people chosen by people with lived experience.



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



Champions in public bodies could help to change things in public bodies.



But Champions do not have legal powers or duties to make change happen.

4

Option 4



The Scottish Government could give extra **resources** to existing **DPOs**.



DPO stands for **Disabled Peoples Organisation**.

DPOs are organisations for people with disabilities that are run by people with disabilities.



Resources means money and staff and other things to do a job.



People First (Scotland) is an example of a Disabled People's Organisation for people with learning disabilities.



Giving extra resources to Disabled Peoples Organisations (DPOs) would not cover all neurodivergent people and people with learning disabilities.



DPOs might not reach everyone across Scotland.



Disabled Peoples Organisations (DPOs) do not have legal powers to make change happen.



Option 5



The Scottish Government could make new **standards**.



Standards are rules and ways of working to see how well an organisation or person is doing their job.



The Scottish Government would work with neurodivergent people and people with learning disabilities to make the new standards.



The Scottish Government could work with neurodivergent people and people with learning disabilities to make new guidance and standards.



But getting organisations and people to do the things in the new standards might be hard if the law does not make organisations follow the standards.

What do you think?



1. Which of the 5 options set out above do you think would best protect, respect and champion the rights of neurodivergent people and people with learning disabilities?



You can choose more than one option if you like.

A hand holding a black pen is shown filling out a questionnaire. The questionnaire is titled "Questions" and features two speech bubbles with question marks. The first question is "1. What do you think about it?". Below the question are three checkboxes: "Good", "Bad", and "Not sure". The "Not sure" checkbox is checked with a blue mark.

2. Please give the reason for your choice or choices.



3. Are there any other options to protect the rights of neurodivergent people and people with learning disabilities that you think the Scottish Government should consider?

Please give details.