Implementing “Fulfilling and rewarding lives” – the statutory guidance for local authorities and NHS bodies regarding the implementation of the Autism Act (2009).

Joint report of Rachael Shimmin, Corporate Director (AWH) and David Williams, Corporate Director (CYPS)

Cllr Morris Nicholls Portfolio holder for Adult Services
Cllr Claire Vasey Portfolio Holder Children & Young People’s Services.

Purpose of the Report
1 The purpose of this report is to provide a position statement and draft implementation plan in response to the statutory guidance ‘Implementing “Fulfilling and rewarding Lives”.’

Background
2 This statutory guidance, issued in December 2010, follows directly from the Autism Act 2009, and the linked national autism strategy, ‘Fulfilling and Rewarding Lives’. Immediate implementation was not possible due to delays in the publication of the self-assessment framework for Local Authorities, which was due in December 2010, but was only released by central government in April 2011.

3 The statutory guidance is issued under section 7 of the Local Authority Social Services Act 1970, which means that local authorities or NHS bodies must follow the relevant sections or provide a good reason why they will not. Failure to follow guidance without good reason may result in judicial review.

4 Consistent throughout the Autism Act, the National Strategy and the new guidance is the ambitious vision and long-term goal that “all adults with autism are able to live fulfilling and rewarding lives within a society that accepts and understands them. They can get a diagnosis and access support if they need it and they can depend on mainstream public services to treat them fairly as individuals, helping them to make the most of their lives”. (DH Guidance p7).

5 The guidance covers four main areas of activity:
   - Training of staff who provide services to adults with autism.
   - Identification and diagnosis of autism in adults, leading to an assessment of need for relevant services.
- Planning in relation to the provision of services, especially as people with autism move through transition from being children to adulthood.

- Local planning and leadership in relation to the provision of services.

The national framework for local authority self-assessment and progress reporting to central government, with a linked annual plan identifies seven quality outcomes that will show progress, as follows:

- adults with autism achieve better health outcomes.
- adults with autism are included and economically active.
- adults with autism are living in accommodation that meets their needs.
- adults with autism are benefiting from the personalisation agenda in health and social care, and can access personal budgets.
- adults with autism are no longer managed inappropriately in the criminal justice system.
- adults with autism, their families and carers are satisfied with local services.
- adults with autism are involved in service planning.

(DH Evaluation Framework (Fulfilling and Rewarding Lives: Evaluating Progress) p7)

It is worth highlighting that throughout the policy documentation there is a constant message that changes required will not happen overnight, that expectations need to be realistic and that wherever possible the focus should be on the use of mainstream services, with local authorities making ‘reasonable adjustments’ where required in order to improve access to effective services.

Current position and related issues regarding the statutory guidance

So far in County Durham some training has been provided to staff in Learning Disability, Mental Health teams. Also a small number of staff in a Supporting People service have been trained specifically to support people with Aspergers Syndrome to live in the community. Currently we are exploring the most appropriate ways to deliver ‘breadth and depth’ training to key staff covering a range of training needs. Options are being considered include e-learning tools and workbooks which staff can complete in the workplace, as well as the need for training courses. Discussion has begun with Corporate HR concerning the inclusion of autism issues in the Equality and Diversity training for all DCC staff as suggested by the statutory guidance. In addition, at regional level, work is underway with specialist autism training providers to develop a training and awareness-raising package which will be made available to all authorities through the North East Autism Consortium. Within CYPS awareness training is provided to staff particularly those working in the disability and secure services. Also Health deliver ‘Early Bird’ and ‘Early Bird Plus’ training staff can offer specialist input to younger people with autism.

Identification and diagnosis of autism in adults

Currently there is no assessment and diagnosis service for adults in County Durham, although there is funding in the current Co Durham and Darlington PCT Annual Operating Plan to develop such a service. Discussions have begun with the PCT to determine how best to develop such a service for the county. A range of models and delivery areas locally, sub-regionally and regionally will need to be considered,
Planning in relation to the provision of services

In County Durham a number of new services have been commissioned and developed for adults with autism. For example, since 2009 supported living services for people with autism have been established in Durham, Derwentside, Chester le Street and Bishop Auckland. A new training, employment skills and purposeful activity centre opened in March 2011 based between Durham and Stanley.

In relation to children and young people new support services are being developed by North East Autism Society on the Aycliffe Young Peoples Centre Site, which will offer on-site educational provision and outreach support into schools and the community. Services will have the opportunity to commission such provision.

However, in relation to systematic planning there are gaps concerning the availability of accurate, useful information. Our current Joint Strategic Needs Assessment (JSNA) refers to autism a number of times. The current document does not contain sufficient detail to inform the planning of future services. Consequently work must be undertaken to strengthen the JSNA and related planning profiles. Similarly, in relation to information on SSID, the data needs to ensure accurate recording of autism needs. Priority in the 2011/12 IT work plan has already been given to identify and address these shortfalls.

Regarding transition information, a transitions database has just been established between ourselves, CYPS and the PCT. In its early stages of development, this will provide improved levels of information in the future.

From figures currently available Adults, Wellbeing & Health have 76 active autism cases, and CYPS have 79. The population prevalence figures for County Durham suggest that in 2010 there would have been approximately 3100 people with autism in County Durham and this is expected to rise to around 3200 by 2030.1

Local planning and leadership in relation to the provision of services

A great deal of preparatory work has already been done, locally and through using the Autism Service Development Group which operates jointly with Darlington Borough Council as part of the ADASS/RIEP North East Autism Consortium. Consequently, regional and local implementation plans are being developed. There are 17 approved specialist autism providers on Durham’s Learning Disability Framework, so a range of providers are identified and are already delivering services to adults with autism. Similarly CYPS are already working with a range of specialist autism providers. Already ‘out’ of county placements have been significantly reduced, by 66% since 2008/9 resulting in savings of well over £1 million per year for the council.

The requirements of the Autism Act and statutory guidance have been shared at the Inter Agency Transitions Group and discussed at relevant joint commissioning groups and partnership boards and this aspect of leadership and awareness raising will be continued at a Members Seminar on the 17th May, with a wider stakeholder event planned for the 27th June. The event in June will be a joint event between CYPS and AWH highlighting new Autism services in both departments and formally launching the new Transitions Protocol.

There is still work to be done across the Council and with partner agencies to ensure that all services respond to people with autism in an appropriate way. There are clear implications for a range of services including Housing, Leisure, Police, Probation and

1 Projecting adult needs & services information system (pansi 2010)
the Prison Service. Consultation and collaborative working is currently taking place with other services and on an inter-agency basis in terms of the development of the annual plan.

11 A great deal of work is underway, but some key areas still need to be progressed in order to ensure that this authority can confidently respond to the statutory guidance.

12 The proposed activity is outlined in an action plan which is available upon request.

13 The focus of regional work through the North East Autism Consortium is outlined in the attached summary (see Appendix 2).

**Recommendations**

14 Cabinet are asked to note the content of the report and work undertaken to ensure compliance with the Act.
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<thead>
<tr>
<th>Contact</th>
<th>David Shipman AWH</th>
<th>Tel: 0191 3834412 or</th>
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<tr>
<td></td>
<td>Frank Whitelock CYPS</td>
<td>Tel: 0191 3833295</td>
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Appendix 1: Implications

Finance - Development of training / learning and development may impact on AWH and DCC HR budgets.

Staffing - Staff will require appropriate training / development in relation to autism.

Risk - Risk will be mitigated through use of structured implementation plan and monitoring / reporting arrangements.

Equality and Diversity - Implementation of the Guidance will ensure that people with autism are included in Equality and Diversity training and staff are made more aware of their diverse needs.

Accommodation - N/A

Crime and Disorder – Link to Police / Probation / Prison Services will need to be consolidated.

Human Rights – Rights of people with autism will be strengthened following Implementation of the Autism Act.

Consultation – People with Autism will be consulted as the overarching Action Plan is developed. Ongoing consultation is taking place with partner agencies and service providers.

Procurement – Procurement will be through established AWH Commissioning Processes, in conjunction with Corporate Procurement / Legal input.

Disability Discrimination Act - Implementation of the statutory guidance will result in greater equality for people with autism.

Legal Implications – Failure to implement the guidance could result in legal Challenge and judicial review.
APPENDIX  North East Progress Report: March 2011

Is there a Regional Action Plan or sub-national action plans agreed?
Our regional plan contains the priorities from all 12 local authorities.

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<th>How are the sub-national arrangements for autism developing? We have a sub-regional Autism Services Development Groups (ASDG) chaired by the senior manager/lead commissioner for ASC’s and attended by LA, PCT, MH, Education, Connexions, Transitions and parents group ‘reps’. Two of the ASDG’s have created 6 Local Autism Working Groups in order to become more focussed on local needs and to be more inclusive of local people and professionals. Our work is coordinated by the North East Autism Consortium.</th>
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<th>What are the main priorities agreed for shared action at sub-national level?</th>
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<td>- The development of diagnostic and assessment services, transition planning, employment, training strategies for front line staff and data collection for the JSNA.</td>
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<td>- Liaising with existing groups of local parents to support more meaningful engagement in local planning and information sharing.</td>
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<td>- Engaging young people and adults with ASC’s in local planning and info sharing.</td>
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<td>- Establishing a regional provider forum for independent/voluntary sector agencies.</td>
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<td>- Review the function/membership and governance arrangements of our regional arrangement/ASDG’s and to provide support for lead officers to deliver their plans.</td>
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