Reasonably adjusted mental health services for people with learning disabilities and people with autism

A guide for Health and Wellbeing Boards

Background

This is one of a series of guides written for different audiences following the publication of *Reasonably Adjusted? Mental Health Services and Support for People with Autism and People with Learning Disabilities* and the *Green Light Toolkit 2013*. Both reports were commissioned by the NHS Confederation, and written by the NDTi. *Reasonably Adjusted?* sets out the legal and policy context regarding reasonable adjustments, and describes a number of reasonable adjustments currently in place across mental health services for people with learning disabilities and people with autism. The *Green Light Toolkit 2013*, updates the original Green Light Toolkit published in 2004, and consists of an audit framework and guidance for making service improvements. Both reports can be downloaded from: [www.ndti.org.uk/major-projects/current/green-light-toolkit-2013/](http://www.ndti.org.uk/major-projects/current/green-light-toolkit-2013/)

A database of reasonable adjustments to mental health services is available at: [www.ihal.org.uk/mhra/](http://www.ihal.org.uk/mhra/)

Why are reasonably adjusted mental health services important?

People with learning disabilities and people with autism have a higher prevalence of mental health needs than the wider population, but may find it difficult to access mental health provision due to perceptions regarding eligibility, historical patterns of provision, diagnostic overshadowing, and lack of reasonable adjustments to make services more accessible.

Although some people may have their needs more appropriately met in specialist learning disability or autism services, this is not always the case, and mental health services need to get better at meeting their needs, as problems with using services are one reason why people with learning disabilities and people with autism experience health inequalities.

What should mental health services do?

Under the Equality Act (2010) \(^1\), public sector organisations should tailor their services so that disabled people are not disadvantaged. In addition, the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 \(^2\) says that healthcare providers should ‘avoid unlawful discrimination including, where applicable, by providing for the making of reasonable adjustments in service provision to meet the service user’s individual needs’. Reasonable adjustments include making alterations to policies, procedures, staff training and service delivery. This legal duty is anticipatory, meaning that mental health services should consider in advance, the adjustments that people with learning disabilities or autism will need. Healthcare providers should also have systems in place enabling them to regularly assess and monitor the quality of the services provided to ensure they are reasonably adjusted.

For people with learning disabilities, the Monitor risk assessment framework \(^3\) expects NHS Foundation Trusts to have ways of identifying and flagging people with learning disabilities so
that pathways of care can be reasonably adjusted to meet needs, along with accessible information about treatment options, complaints procedures and appointments. They are also expected to have protocols in place to provide suitable support for family carers supporting patients with learning disabilities, routinely provide training to staff on the provision of healthcare to patients with learning disabilities, encourage representation of people with learning disabilities and their families, and regularly audit its practice regarding the above and demonstrate findings in public reports.

How can Reasonably Adjusted? and the Green Light Toolkit 2013 help Health and Wellbeing Boards?

Statutory Guidance on Joint Strategic Needs Assessments (JSNAs) notes that: Health and wellbeing boards will need to consider: .... how needs may be harder to meet for those in disadvantaged areas or vulnerable groups who experience inequalities, such as ......children and young people with special educational needs or disabilities .... people with learning disabilities or autism who also have mental health conditions or behaviours viewed as challenging.

In order to plan better services, Health and Wellbeing Boards need to know about local people with learning disabilities and people with autism who have mental health problems, and their experience of services.

Reasonably Adjusted? gives examples of what is possible regarding reasonable adjustments, but few mental health services have comprehensively audited and redesigned their services to enable fair access and effective interventions for people with learning disabilities or people with autism. The Green Light Toolkit provides practical assistance to help services do better, and can yield helpful information for Health and Wellbeing Boards.

It should be noted that when the Improving Health and Lives learning disabilities observatory reviewed JSNAs that were current in 2012, they found that many were failing to take account of the health needs of people with learning disabilities. The Autism Self-Assessment Exercise found that 56% of local areas reported using data about people with autism in their JSNA.

Recommendations for Health and Wellbeing Boards

- Ensure information about people with learning disabilities and people with autism who have mental health problems is included in the JSNA.
- Find out about the experiences of people with learning disabilities, people with autism and their families who have used local mental health services, and use this in the JSNA.
- Use Reasonably Adjusted and the Green Light Toolkit to inform service planning.
- Promote the use of the Green Light Toolkit with mental health provider services.

References