

Services Framework Unit
DHSSPS
Room D1
Castle Buildings
Stormont Estate
Belfast
BT4 3SQ

12 March 2012.

Dear Sir / Madam

Consultation on the Learning Disability Service Framework

NICCY is supportive of developments to ensure that a robust and effective Learning Disability Service Framework operates across Northern Ireland and we welcome the opportunity to provide comment on the consultation. This response is not intended to be comprehensive but instead highlights a number of key issues in relation to the draft document.

The Service Framework should be underpinned by the United Nations Convention on the Rights of the Child (UNCRC) and the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD). In its 2008 Concluding Observations following examination of the UK, the Committee on the Rights of the Child made a number of recommendations in areas where progress was required in order to fully implement the Convention for children with disabilities. Recommendations included taking action to ensure legislation, programmes and services for children with disabilities are effectively implemented, developing early identification programmes and establishing a comprehensive strategy for the inclusion of children with disabilities in society. The Service Framework offers an opportunity to progress the realisation of disabled children's rights in Northern Ireland.

The Framework should reflect the rights of children with disabilities as set out in the UNCRC, including the general principles of the Convention such as article 12 which articulates the right of the children to express their view and have this taken account of in consideration of their age and maturity in any matter concerning them. For example, where the Service Framework standards note that the views or satisfaction rates of parents and carers will be documented, the views of children



should also be gathered and children with learning disabilities should be consulted in the development, monitoring and evaluation of the Framework.

We welcome the development of standards that reflect the specific needs of children and also of young people entering adulthood but note that rights and best interests of children must also be mainstreamed throughout other standards. For instance where standards are coded as also applying to children, indicators and performance levels should detail child centred criteria. Examples of this include that advocacy provisions associated with standard 7 must provide dedicated support for children, that standard 21 in regard to those who experience mental health difficulties is applicable to child and adolescent mental health services and that access to appropriate support for those in the justice system includes protections for children across youth justice in standard 27.

NICCY would also note the need to reconsider where standards are coded as applying only to adults but may also be relevant to young people with a learning disability. Illustrations of this include standard 13 relating to people with disabilities being supported to have meaningful relationships, standard 14 which is concerned with access to support in securing employment opportunities and standard 16 which relates to supporting people with learning disabilities who are parents.

In considering the children and young people specific standards we note that the standards include ensuring: that early stage action plans are in place; that children receive child centred and coordinated services; that health and social care services respond appropriately to the needs of children with learning disabilities and complex physical needs, and that where a child cannot live at home permanently their needs are addressed in a way that takes full account of their learning disability.

We particularly welcome the inclusion of standards in regard to young people entering adulthood as the transition from childrens to adult services has been an ongoing area of concern for the Commissioner. Indeed, we have recently commissioned a scoping paper to assess transitions for young people with learning disabilities across education, employment and training as well as health and social care. We anticipate this work will be available in May and will be keen to provide a copy of this as the findings should inform relevant aspects of the Service Framework as it continues to be developed and implemented.

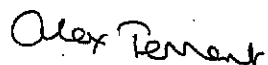
Throughout the Framework it is important that a life stage approach to health and wellbeing for children with learning disabilities is taken, for example, in responding

appropriately to the different stages of infancy and early years, childhood, adolescence and transition to adulthood across children's lives. The Service Framework must also address the need to ensure coordination across all areas which impact upon the lives of children with disabilities which includes not simply education, health and social care but also, for example, play and leisure, training and employment, welfare and transport.

While NICCY acknowledges that appropriate data collection tools and baseline evidence must be developed, we note that the focus on this in the first years of the Framework across so many standards may mean that it will not provide a critical assessment of performance for a period of time. It is important that arrangements are made during this interim period to ensure that at least partial reporting on areas where there is progress and where more action is conducted.

Please do not hesitate to contact me if you require any further information.

Yours sincerely,

A handwritten signature in black ink that reads "Alex Tennant". The signature is written in a cursive, slightly slanted style.

Alex Tennant
Head of Policy and Research