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About the authors

Dr Rorie Fulton is a partner at Open Cultures Consultancy, a research and training consultancy specialising in learning disability, communication and inclusion issues. He is also co-ordinator of The Caldwell Foundation, a charity supporting people with autism who have sensory and communication difficulties. Rorie's background is in academic research, education and advocacy.



Kate Richardson is a highly specialist speech and language therapist working with adults with learning disabilities. She is qualified as a registered intermediary on behalf of adults with learning disabilities appearing in the criminal justice system. Kate is also a partner at Open Cultures Consultancy and a consultant for The Caldwell Foundation.

Introduction

Care quality guides

Pavilion's care quality guides aim to help you refresh, develop or extend your learning in key areas of practice.

- If you are new to working with a particular client group or in a new role, you can use the material to quickly develop knowledge you will need, and where appropriate, work towards a relevant qualification.
- If you are a more experienced worker, you can use the guides to refresh your learning, and to contribute towards your continuing professional development.
- If you are a manager, you can use these guides with staff to meet your responsibilities for providing induction and staff supervision, and opportunities for training and development and continuing professional development. This will contribute towards meeting Care Quality Commission (CQC) Standards.

Maintaining and improving your knowledge and skills

This guide can help towards maintaining and improving your knowledge and skills.

You can work through the guide, section by section, completing the thinking and practice activities as you go. The **thinking activities** will help

you to apply your knowledge. The **practice activities** will help you to relate that knowledge to working with the individuals you support.

Supervision and continuing professional development (CPD)

This guide can be used for continuing professional development. If you are a manager, you might like to ask your staff members to work through it section by section, completing the **thinking activities** and **practice activities** each contains. Their responses can be discussed as part of on-going supervision, and on completion of the guide, you can both fill in the CPD certificate at the end.

Meeting the Care Quality Commission (CQC) Standards

If you are a manager or provider of a health and social care service, you can use this guide for staff development in order to contribute towards meeting current training standards and to prepare for quality checks and inspections. In particular, using this guide with your staff will contribute towards ensuring that they have training and CPD opportunities to strengthen and develop their skills and knowledge.

Qualifications and Credit Framework (QCF)

Using this guide can also contribute towards social care qualifications. The contents provide underpinning knowledge for unit LD201 Understand the Context of Supporting Individuals with Learning Disabilities, and the thinking and practice activities can contribute to evidence of learning. The following table maps the content

to the QCF learning outcomes. NB. Pavilion also publishes a QCF workbook *LD201 Understand the Context of Supporting Individuals with Learning Disabilities*, which includes assessment questions and an evidence log. There is an accompanying training pack which can be used by managers and trainers for QCF training or for CPD (Full information at www.pavpub.com).

How the content of this guide maps to the QCF unit LD201 Understand the Context of Supporting Individuals with Learning Disabilities

Content of guide	LD201 learning outcome (LO)
Section 1: Legislation and policies that support the human rights and inclusion of individuals with learning disabilities	LO1: Understand the legislation and policies that support the human rights and inclusion of individuals with learning disabilities
Section 2: The nature and characteristics of learning disability	LO2: Understand the nature and characteristics of learning disability
Section 3: The historical context of learning disability	LO3: Understand the historical context of learning disability
Section 4: The basic principles and practice of advocacy, empowerment and active participation	LO4: Understand the basic principles and practice of advocacy, empowerment and active participation in relation to supporting individuals with learning disabilities and their families
Section 5: How views and attitudes impact on the lives of individuals with learning disabilities and their family carers	LO5: Understand how views and attitudes impact on the lives of individuals with learning disabilities and their family carers
Section 6: How to promote communication with individuals with learning disabilities	LO6: Know how to promote communication with individuals with learning disabilities





Section 1

Legislation and policies that support the human rights and inclusion of individuals with learning disabilities

Introduction

This section explains why dementia is often referred to as an 'umbrella term'. It identifies the different functions of the brain and how these different areas are affected by dementia. Finally, it looks at some illnesses that can be mistaken for dementia and describes the different symptoms, while highlighting the need for an assessment prior to diagnosis.

Legislation and policies that are designed to promote the human rights, inclusion, equal life chances and citizenship of individuals with learning disabilities

Individuals with learning disabilities are one of the most vulnerable groups in society. The only real protection they have is from the laws and policies that exist to promote and protect their human rights. If you are to work effectively in supporting individuals with learning disabilities, it is important that you are familiar with this legal and policy framework.

Legislation

There are three main pieces of legislation you need to know about:

1. Human Rights Act (1998)
2. Mental Capacity Act (2005) (in Scotland, the Adults with Incapacity Scotland Act (2000))
3. Equality Act (2010).

The Human Rights Act (1998)

By far the most important law for you to get to know and understand is the Human Rights Act (1998) (HRA). Human rights are based on the following core values, often referred to as the FREDA values:

- Fairness
- Respect

Key learning point

The Human Rights Act applies equally to all citizens. It is especially important for individuals with learning disabilities, who often have communication needs and require support from others to live their lives.

- Equality
- Dignity
- Autonomy.

The HRA applies equally to all citizens. However, it is especially important for people with learning disabilities as they often have communication needs and require support from others to live their lives. This makes them particularly vulnerable to a lack of respect for their human rights. Therefore, it is important that you:

- help the person you support to understand their human rights
- support them to know when their rights are being breached or are at risk of being breached
- do all you can to uphold their human rights.

The HRA says that all providers of public services must make sure they do not breach the human rights of people with learning disabilities. Significantly, the phrase 'providers of public services' includes staff in

residential homes and day services as well as carers in a private home.

Knowing about the HRA means you can make sure that the way things are done in your work setting – be it a residential care home, a day centre or an individual's home – uphold and promote the FREDA values. Once you have learnt which rights are most often breached or ignored for people with learning disabilities, you will start to develop your own sense of when an individual is being treated in a way that threatens those rights.

For individuals with learning disabilities, the following rights are often the most relevant:

- the right to not be tortured or treated in an inhuman or degrading way
- the right to respect for private and family life, home and correspondence
- the right not to be discriminated against.

The right to not be tortured or treated in an inhuman or degrading way

Human dignity is at the heart of this right. When an individual is treated in an inhuman or degrading way, their dignity is taken away from them. Such treatment can be experienced in any number of ways by people with learning disabilities, especially those who have severe or profound and multiple disabilities. According to the HRA:

- human treatment means treatment causing severe mental or physical harm
- degrading treatment means treatment that is grossly humiliating and undignified.

Examples of such treatment include:

- being fed too quickly to be able to enjoy your food
- being made to wear an oversized bib at mealtimes
- being bathed without due respect for your privacy
- having your calls for help routinely ignored
- being given cold showers
- being tied to a bed or wheelchair for extended periods
- being left in soiled bedding for extended periods
- being locked in a cupboard
- being hit.

The HRA says that organisations, and hence also their employees, must

Thinking activity

Can you think of an occasion when you felt an individual's human rights weren't being respected? What thoughts went through your head at the time?