

Mandatory Training on Learning Disabilities and Autism Bill [HL]

[AS INTRODUCED]

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B I L L

TO

Mandate training on learning disability and autism for all health and social care staff undertaking regulated activities in England; and to provide for the Secretary of State to publish a code of practice for specialist training on learning disability and autism.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Mandatory training on learning disability and autism for all health and social care staff undertaking regulated activities in England

For regulation 18(2)(a) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (S.I. 2014/2936), substitute—

“(a) receive—

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(i) such appropriate support, training, professional development, supervision and appraisal as is necessary to enable them to carry out the duties they are employed to perform; and

(ii) in particular, specialist training in person on learning disability and autism, appropriate to their role, as set out in the code of practice issued by the Secretary of State under section 2 of the Mandatory Training on Learning Disabilities and Autism Act 2022.”

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2 Code of practice

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(1) With regard to specialist training on learning disability and autism, the Secretary of State must prepare and publish a code of practice (“the code”), containing guidance addressing—

(a) the content of mandatory training and its co-production;

(b) the appropriate levels of training required across staff roles;

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(c) the co-delivery of training;

(d) the accreditation of training;

(e) the procurement of training;

(f) the monitoring and evaluation of the impact of training; and

- (g) the implementation of mandating of training across regulated health and social care providers.
- (2) The code must incorporate—
 - (a) the most recent Learning Disability Core Skills Education and Training Framework (or its successor framework, regardless of its name); 5
 - (b) the most recent Core Capabilities Framework for Supporting Autistic People (or its successor framework, regardless of its name);
 - (c) the most recent national autism strategy published under section 1 of the Autism Act 2009; and
 - (d) recent guidance issued in accordance with section 2 of the Autism Act 2009. 10
- (3) The Secretary of State must seek the participation of and consult such persons and bodies as they consider appropriate—
 - (a) in preparing the code;
 - (b) in incorporating the relevant publications as set out in subsection (2); 15
 - and
 - (c) in revising it.
- (4) The Secretary of State may not issue the code or any revision unless a draft has been laid before and approved by a resolution of both Houses of Parliament. 20
- (5) The Secretary of State must review the code every three years and lay their findings before both Houses of Parliament.

3 Interpretation

In this Act—

- “appropriate to their role” has the meaning given by the code; 25
- “autism” means a spectrum of disorders which start in childhood, the clinical manifestations of which include atypical social communication and social interaction and restricted, repetitive patterns of behaviour;
- “in person” means training delivered in the personal presence of trainees and not by electronic or digital communication; 30
- “learning disability” means a disability which includes a significantly reduced ability to understand new or complex information or to learn new skills, with a reduced ability to cope independently, which started before adulthood, with a lasting effect on development;
- “specialist training” means training co-produced and co-delivered in person by persons who themselves have a learning disability or autism, or are a family member of someone who has a learning disability or autism, and that is accredited, in conformity with the code. 35

4 Extent, commencement and short title

- (1) This Act extends to England and Wales. 40

- (2) Sections 1 and 3 of this Act come into force at the end of the period of 18 months beginning with the day on which it is passed.
- (3) Section 2 comes into force at the end of the period of six months beginning with the day on which this Act is passed.
- (4) This section comes into force on the day on which this Act is passed.
- (5) This Act may be cited as the Mandatory Training on Learning Disabilities and Autism Act 2022.

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Baroness Hollins

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