

PE1837/W

COSLA submission of 30 April 2021

Introduction

COSLA, the Convention of Scottish Local Authorities, is a membership organisation for Local Government in Scotland. We provide political leadership on national issues, and work with councils to improve local services. Our vision, as set out in the [Blueprint for Local Government](#), is that Scotland's communities are sustainable, vibrant places to live, work and visit. The wellbeing of our communities is central to this vision and COSLA have called for sufficient investment in Local Government which includes longer-term financial planning, protection of core Council budgets, and increased flexibility to make financial decisions across all budgets, including those that are ringfenced.

Petition PE01837

The Committee has asked COSLA to provide its views on the actions called for in the petition, including the response from the Scottish Government and we are happy to do so. In developing this response, we have spoken with colleagues with experience of commissioning, managing and providing services.

The Petitioner articulates concerns that definitions of autism as a mental disorder within the existing Mental Health (Care and Treatment) (Scotland) Act 2003 is impacting on the ability of autistic people to receive support from local authorities and health and social care partnerships.

In COSLA's response to Andy Rome's 2019 Review of the inclusion of learning disability and autism within the Act we noted that we did not consider learning disability and autism to be mental disorders and that we would be supportive of a new Act based on a human rights approach. Such an Act may be forthcoming in the next Parliamentary session.

On the availability of services for autistic people, it is our understanding that services are not provided to individuals with Autism on the basis of the Mental Health Act. That they are provided following an assessment by a social care professional of individual need and consideration of the local authority's current eligibility criteria. The assessment process will involve the autistic individual and potentially any family or carers. Support will be provided through one of the four options for Self-Directed Support, in order to meet the eligible needs identified. This can at times mean some individuals may not receive the support they expect as it may not meet eligibility criteria, this is the case for all individuals and not just those who are autistic.

It is the case that the majority of autism support will be focused on children and young people with autism, and adults with more significant autism presentations. However, there is a growing understanding that there is a population of adults whose autism presents less obviously but who nevertheless have a condition that impacts on their wellbeing. We understand that diagnostic support can be limited for these populations, with more priority on diagnosing children. The cost of a private diagnosis is expensive, and this can create an inequality. Although we are aware that in some Health Board areas there are adult autism teams who help with

diagnosis, we are unsure if these teams exist in all Health Boards. The type of support required by these adults may not be traditional social care support, but more individualised.

Local Authorities along with partners in health and the third sector work to provide a range of opportunities for autistic individuals, this will vary in each local authority, depending on commissioning needs. Additionally, there are a number of third sector service providers and autistic people led organisations who provide support both at a national and local level, also peer support groups exist in a number of areas and are supported by local authorities and health and social care partnerships.

COSLA is supportive of local authority social work professionals and integration authority officers determining how best to organise, manage and deliver services based on the assets available and demand for services. Although they might not all be called “Autism Support Teams” there will be teams in all local authorities who have a role in supporting autistic people. We would not support calls for the Scottish Government to fund a one size fits all approach in establishing autism support teams in every local authority and health and social care partnership, we take the view that local professionals are best placed to design services in collaboration with their local populations rather than having specified models imposed.

COSLA does not support ring fencing and the allocation of separate pots of funding for specific interventions, ring fencing impacts local authorities’ ability to fund non-ring-fenced services. Local Government should be adequately funded so that it can support its populations based on local needs. The Scottish Parliament SPICE Briefing [Local government finance: facts and figures 2013-14 to 2019-20](#) notes that the Local Government Revenue Settlement decreased by 4.7% points more than the Scottish Government Revenue Budget between 2013-14 and 2018-19.

This response has been submitted, as requested, before the 2021 Scottish Parliamentary Elections. At this time, it is difficult to anticipate what will happen in response to the recommendations made by Derek Feeley in his Review of Adult Social Care, specifically his call for a National Care Service. However, as things currently stand, with local authorities having statutory responsibility for social care, we do not support the Petitioners call for a blanket approach.