

Scottish Commission for People  
with Learning Disabilities



# Rights. Equality. Inclusion.

SCLD's priorities for change



## About SCLD

The Scottish Commission for People with Learning Disabilities (SCLD) is an independent charitable organisation and human rights defender, working to promote respect, protection and fulfilment of the human rights of people with learning disabilities.



SCLD was founded in 2001, as a consortium of 12 partner organisations, as part of the Scottish Government's first national learning disability strategy "*The same as you?*". In 2015, we became the Commission, funded by the Scottish Government as a strategic delivery partner in learning disability policy.

Our vision is of a fairer Scotland where people with learning disabilities live full, safe, loving and equal lives. We influence the development of policy, practice and legislation with a focus on human rights, leadership and evidence. We are respectful, inclusive, collaborative and pioneering.

All our work is driven and informed by our 'experts by experience', people with lived experience of learning disability – and our Include For Good programme employs and is led by 10 people with learning disabilities from across Scotland.

## Include For Good

['Include For Good'](#) is SCLD's programme for change.

Include For Good is about ensuring that people with learning disabilities are included in every aspect of Scottish life and challenge the status quo, leading the change that needs to happen.

The programme consists of 10 people with learning disabilities, our 'Rapporteurs', who are working with the SCLD board, leaders and organisations across Scotland to help change attitudes and make Scotland a more equal place.

Include For Good wants to create a world where people with learning disabilities are seen, heard and fully supported to live their best life.



# Introduction

Despite decades of policy commitments and good intentions, people with learning disabilities in Scotland continue to experience some of the most profound inequalities of any group in society. These inequalities affect every aspect of life, from health, housing, education and employment to relationships and participation in the community.

Research by the Scottish Learning Disabilities Observatory (SLDO) continues to show that adults with learning disabilities die, on average, 20 years earlier than the general population, with many of these deaths avoidable.<sup>1</sup> It is estimated that only between 4–8% of people with learning disabilities in Scotland are in paid work.<sup>2</sup> Almost half of people with learning disabilities living in hospital settings are clinically ready for discharge<sup>3</sup> but unable to leave, largely due to a lack of appropriate support in the community. These are only a few statistics, but they serve to demonstrate the need for urgent change.

We believe these inequalities are not inevitable. They result from systems, policies, behaviours and attitudes that do not yet fully recognise people with learning disabilities as equal citizens.

The 2026 Scottish Parliament election offers an opportunity to address these issues. With the right commitments, Scotland can take meaningful steps toward a future where people with learning disabilities are supported to live full, safe, loving, equal lives.<sup>4</sup>

SCLD's priorities for change set out a clear, evidence-based vision for how this can be achieved. They are shaped by the voices and experiences of people with learning disabilities, their families, and the organisations that support them. Our priorities focus on four key areas where we believe progress will have the most impact:

- **Human rights and law reform** to tackle discrimination and strengthen protections and accountability.
- **Independent living** and an end to inappropriate hospital or institutional placements.
- **Health, social-care and wellbeing**, addressing avoidable deaths and inequitable access to support.
- **Inclusive design and access to mainstream services** so that society works for everyone.

We believe that with political will, long-term investment and meaningful collaboration with people with learning disabilities, a future Scottish Government can meet these priorities and in so doing, build a fairer, more inclusive Scotland where everyone can thrive.

<sup>1</sup> O'Leary et al (2017) [Early death and causes of death of people with intellectual disabilities: A systematic review](#)

<sup>2</sup> Fraser of Allander Institute (2024) [Employment that works: employers' experiences of hiring people with learning disabilities](#)

<sup>3</sup> PHS (2025) [Insights into Learning Disabilities with Complex Needs: Statistics for Scotland](#)

<sup>4</sup> [SCLD Website](#)

# 1 Human rights, law reform and accountability

**Deliver law reform to protect and advance rights for people with learning disabilities and address systemic inequalities**

**“The LDAN Bill is needed to protect the human rights of people with learning disabilities and to make sure people are held accountable when those rights are not met.”**

Include For Good Rapporteurs

## Key Asks:

- Address the inequalities people with learning disabilities experience by bringing forward a Learning Disabilities, Autism and Neurodivergence Bill (the LDAN Bill).
- Set a clear timetable for reforming mental health and capacity law to protect rights and ensure non-discrimination.
- Invest in independent advocacy provision to support decision making.
- Incorporate the UN Convention on the Rights of Persons with Disabilities (CRPD) and International Covenant on Economic, Social and Cultural Rights (ICESCR) rights into Scots law.
- Strengthen accountability structures within the public sector to ensure systems and services are operating in a way that respects the rights and meets the needs of people with learning disabilities.

Scotland has a responsibility to legislate to advance the rights of people with learning disabilities and ensure that the societal barriers and discrimination they experience are addressed.



**Briefing Link** (see pages 8-9)



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# 2 Independent living in the community

**Deliver independent living for all people with learning disabilities who are inappropriately detained in hospital or in institutional placements far from their family and community**

**“Hospital is not the right place for people with learning disabilities but people go into hospital when they hit crisis but don’t get out when it’s over.”**

Kris, Include For Good Rapporteur

## Key Asks:

- Lead a programme of reform in line with Article 19 of the UN Convention on the Rights of Persons with Disabilities (CRPD).
- Create a robust process for seeking redress to increase accountability for people with learning disabilities who are stuck in hospital.
- Increase investment in community-based housing, social care support and Positive Behaviour Support (PBS) to support the development of appropriate independent living support services.

Scotland has a duty to end inappropriate detention and to realise the right to independent living in the community for people with learning disabilities at risk of institutional living.



**Briefing Link** (see pages 10-11)



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# 3 Health, social care and wellbeing

**Deliver improved health, social care and wellbeing outcomes for people with learning disabilities**

**“We shouldn’t have to fight for our lives to be the same length as everyone else’s. Annual Health Checks are there to help us get on top of our health and could pick up underlying conditions we would otherwise not know about.”**

Include For Good Rapporteurs

## Key Asks:

- Support and invest in the roll out of Annual Health Checks to ensure consistent, high-quality delivery across health boards.
- Ensure that work to streamline digital systems across health and social care includes consideration of how this could support better monitoring and publication of outcomes for people with learning disabilities.
- Reform eligibility criteria for social care support and remove non-residential care charges to promote a holistic system which maximises choice, dignity and control.

Scotland must prioritise the delivery of preventative, accessible and quality health and social care services in the community to help address the unacceptable inequalities experienced by people with learning disabilities.



**Briefing Link** (see pages 12-13)



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# 4 Inclusive design and mainstream services

**Champion inclusive design and support access to mainstream services to enable people with learning disabilities to participate fully in society**

“Inclusivity needs to be the norm not the novelty.”

Natalie, Include For Good Rapporteur

## Key Asks:

- Establish an accreditation scheme for employers which requires organisations that receive public funding to be learning disability inclusive.
- Commit to embedding digital inclusion by ensuring digital innovations taking place in the public sector follow the principles of inclusive design and promoting resources that support people working in communities to encourage people with learning disabilities to independently use technology.
- Continue to fund the Delivering Equally Safe (DES) workstream to further develop and promote resources such as the [Equally Safe and Supported Self-Assessment Toolkit](#) and ensure women and girls with learning disabilities can access education, support, and justice for gender-based violence.
- Implement holistic and inclusive family support for any family that needs it, as originally committed to in The Promise.

Scotland must deliver accessible and inclusive services and infrastructure which support people with learning disabilities to overcome the societal barriers and systemic discrimination they experience on a daily basis.



**Briefing Link** (see pages 14-15)



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# 1. Human rights, law reform and accountability

**Deliver law reform which protects and advances social, economic, cultural and civil rights for people with learning disabilities and addresses systemic inequalities**

**“The LDAN Bill is needed to protect the human rights of people with learning disabilities and to make sure people are held accountable when those rights are not met.”**

Include For Good Rapporteurs

People with learning disabilities in Scotland face discrimination, exclusion and barriers that prevent them from accessing their rights, and continue to have poorer outcomes than other marginalised communities.<sup>5</sup> Many of the challenges people with learning disabilities face are not inevitable – they are created and reinforced by social and economic barriers.

The proposed Learning Disabilities, Autism and Neurodiversity (LDAN) Bill offers an important opportunity to address the systemic inequalities that people with learning disabilities experience every day. It has the potential to bring about real and lasting change by advancing rights, improving access to support and services, ensuring stronger planning and accountability across government, and recognising people with learning disabilities as equal citizens in all areas of life.

Many people with learning disabilities and their families were encouraged by the strong cross-party support for an LDAN Bill. There was real hope that this would lead to meaningful progress. After an extensive and well-supported consultation process, there was widespread disappointment when the decision was taken not to proceed with the legislation during this parliamentary term. Bringing forward an LDAN Bill must therefore be a clear priority for the next Scottish Government in the first term of the new parliament.

Scotland’s mental health and capacity laws also continue to raise serious human rights concerns.<sup>6</sup> These include allowing the detention of people with learning disabilities even when they do not have a mental illness, a lack of safeguards around deprivation of liberty, and insufficient support to help people make their own decisions about care and treatment.

<sup>5</sup> SCLD (2023) [The State of Our Rights](#)

<sup>6</sup> SHRC (2025) [“Tick Tock...” A human rights assessment of progress from institutionalisation to independent living in Scotland](#)

Many people with learning disabilities are concerned at the lack of progress with mental health law reform. The automatic inclusion of learning disability within mental health law can be stigmatising and risks placing people in institutional settings that are inappropriate, potentially harmful, and incompatible with human rights standards.<sup>7,8</sup> Two national reviews<sup>9,10</sup> have already made clear recommendations for reform, based on international human rights standards, which provide a strong framework for Scotland to develop world-leading mental health and capacity law.

People with learning disabilities continue to face significant barriers in many areas of life, including independent living, education, health, employment and family life.<sup>11</sup> Incorporating the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the Convention on the Rights of Persons with Disabilities (CRPD) into Scots law – as far as possible within devolved powers – would make social, economic and cultural rights enforceable in practice. This would represent a major step forward in improving outcomes and life chances for people with learning disabilities in Scotland.

We ask that all political parties in Scotland restate their commitment and support for an LDAN Bill and we ask the next Scottish Government to:

- Address the inequalities people with learning disabilities experience by bringing forward a Learning Disabilities, Autism and Neurodivergence Bill.
- Set a clear timetable for reforming mental health and capacity law to protect rights and ensure non-discrimination.
- Invest in independent advocacy provision to support decision making.
- Incorporate the UN Convention on the Rights of Persons with Disabilities (CRPD) and International Covenant on Economic, Social and Cultural Rights (ICESCR) rights into Scots law.
- Strengthen accountability structures within the public sector to ensure systems and services are operating in a way that respects the rights and meets the needs of people with learning disabilities.

Scotland has a responsibility to legislate to advance the rights of people with learning disabilities and ensure that the societal barriers and discrimination they experience are addressed.

<sup>7</sup> Milan (2001) [Review of the Mental Health \(Scotland\) Act 1984](#)

<sup>8</sup> Scott (2022) [SMHLR, 'Scottish Mental Health Law Review: Final Report'](#)

<sup>9</sup> Rome (2019) [Final report of Scotland's Independent Review of Learning Disability and Autism in the Mental Health Act](#)

<sup>10</sup> Scott (2022) [Scottish Mental Health Law Review Final Report](#)

<sup>11</sup> SCLD (2024) [Submission to the UN Committee on Economic, Social and Cultural Rights upon its consideration of the 7th periodic report by the United Kingdom of Great Britain and Northern Ireland](#)

## 2. Independent living in the community

**Deliver independent living for all people with learning disabilities who are inappropriately detained in hospital or in institutional placements far from their family and community.**

**“Hospital is not the right place for people with learning disabilities but people go into hospital when they hit crisis but don’t get out when it’s over.”**

Kris, Include For Good Rapporteur

Multiple reviews in Scotland and the wider UK have pointed to the harm, trauma and impact on physical and mental health that can result from institutional living. The Scottish Human Rights Commission (SHRC) has warned that current practice raises serious questions about compliance with the European Convention on Human Rights and called for urgent reform to law and practice in line with the UN guidelines on de-institutionalisation.<sup>12</sup>

Latest data from the Dynamic Support Register (DSR)<sup>13</sup> reveal that 171 people with learning disabilities are living in hospital and 78 of these individuals are clinically ready for discharge but remain detained. Nearly a quarter of all people with learning disabilities in hospital have been in hospital for over ten years. A further 41 people are recorded as living in inappropriate out-of-area placements, some of them outwith Scotland, due to a lack of suitable resources or accommodation within their own communities.

Under the UNCRPD everyone has the right to live independently and be included in the community with choice and control over where and with whom they live.<sup>14</sup> The next Government should deliver a programme of reform aligned with the UNCRPD guidelines on de-institutionalisation<sup>15</sup> to end inappropriate detention and realise the right to independent living for people with learning disabilities in institutional settings. This should be supported by new accountability and oversight structures and a shift in investment to community-based services including housing, social care, PBS and other models of support.

<sup>12</sup> SHRC (2025) [“Tick Tock...” A human rights assessment of progress from institutionalisation to independent living in Scotland](#)

<sup>13</sup> PHS (2025) [Insights into Learning Disabilities with Complex Needs: Statistics for Scotland](#)

<sup>14</sup> UNCRPD (2006) [Article 19 – Living independently and being included in the community](#)

<sup>15</sup> CRPD (2022) [Guidelines on deinstitutionalization, including in emergencies](#)

We ask all political parties to bring an end to people with learning disabilities being inappropriately detained in hospital or in institutional placements. We ask the next Scottish Government to:

- Lead a programme of reform in line with the UN Convention on the Rights of Persons with Disabilities (CRPD).
- Create a robust process for seeking redress to increase accountability for people with learning disabilities who are stuck in hospital.
- Increase investment in community-based housing, social care and PBS to support the development of independent living support services.

Scotland has a duty to end inappropriate detention and realise the right to independent living in the community for people with learning disabilities at risk of institutional living.



# 3. Health, social care and wellbeing

## Deliver improved health, social care and wellbeing outcomes for people with learning disabilities.

**“We shouldn’t have to fight for our lives to be the same length as everyone else’s. Annual Health Checks are there to help us get on top of our health and could pick up underlying conditions we would otherwise not know about.”**

Include For Good Rapporteurs

People with learning disabilities in Scotland experience unacceptable health inequalities. On average, they die 20 years earlier than the general population – many of these deaths are avoidable, treatable and preventable.<sup>16</sup> Research published in 2025 found that premature mortality was three times higher among adults with learning disabilities and six times higher among those aged 25–34. Within this younger group, individuals were nine times more likely to die from treatable causes.<sup>17</sup>

While the Scottish Government has introduced positive measures – such as funding annual health checks – implementation has been slow and inconsistent across local areas,<sup>18</sup> and health and social services are often crisis-led rather than preventative.<sup>19</sup>

Over the past ten years, eligibility thresholds for social care have been raised and local authority care charges have increased restricting access to support for many people with learning disabilities. Increasingly people have to be assessed as having a ‘critical’ level of need to qualify for self-directed support.<sup>20</sup> This undermines people’s rights to choice, dignity, and autonomy.

An absence of systematic data collection limits understanding of the full extent of these inequalities and hinders the delivery of appropriate, accessible health and social care services.

<sup>16</sup> O’Leary et al (2017) [Early death and causes of death of people with intellectual disabilities: A systematic review](#)

<sup>17</sup> Rydzewska et al (2025) [Rates, causes and predictors of all-cause and avoidable mortality in 514878 adults with and without intellectual disabilities in Scotland: a record linkage national cohort study](#)

<sup>18</sup> Scottish Government (2025) [Scottish Annual Health Checks for People 16+ with Learning Disabilities, 2024/25](#)

<sup>19</sup> Feeley (2021) [Independent Review of Adult Social Care in Scotland](#)

<sup>20</sup> SCLD (2023) [The State of Our Rights](#)

We ask all political parties in Scotland to commit to improving health, social care and wellbeing outcomes for people with learning disabilities. We ask the next Scottish Government to:

- Support and invest in the roll out of Annual Health Checks to ensure consistent, high-quality delivery across health boards.
- Ensure that work to streamline digital systems across health and social care includes consideration of how this could support better monitoring and publication of outcomes for people with learning disabilities.
- Reform eligibility criteria for social care support and remove non-residential care charges to promote a holistic system which maximises choice, dignity and control.

Scotland must prioritise the delivery of preventative, accessible and quality of health and social care services in the community to help address the unacceptable inequalities experienced by people with learning disabilities.



# 4. Inclusive design and mainstream services

**Champion inclusive design and support access to mainstream services to enable people with learning disabilities to participate fully in society.**

“Inclusivity needs to be the norm not the novelty.”

Natalie, Include For Good Rapporteur

People with learning disabilities in Scotland continue to face structural disadvantages, including barriers to equal participation in education, employment, relationships, and family life, as well as challenges related to inaccessible communication and digital exclusion.

Employment plays a vital role in promoting wellbeing, self-worth, and financial independence. However, only an estimated 4-8% of people with learning disabilities are in paid work.<sup>21</sup> They encounter numerous barriers to employment, including lack of tailored employability support, complex application processes, inaccessible recruitment practices, insufficient reasonable adjustments, workplace bullying, low expectations and the complexities of the welfare system. Furthermore, employers and managers frequently lack the knowledge, confidence, and awareness required to effectively support employees with learning disabilities.<sup>22</sup>

Digital technology has the potential to enhance quality of life, confidence, and personal autonomy for people with learning disabilities, yet many remain digitally excluded. Barriers such as technological complexity, security protocols, limited connectivity, and affordability persist. Evidence suggests that supporters – both paid and unpaid – can play a crucial role in enabling individuals to engage with and navigate digital environments more effectively.<sup>23</sup>

Women and girls with learning disabilities in Scotland are disproportionately affected by gender-based violence, yet they are frequently overlooked in both policy and service provision. There are inconsistent approaches to support at a local level, and in some cases, restrictive legal measures are used against women with learning disabilities when they report gender-based violence. Additionally, there is no consistent system for collecting or

<sup>21</sup> Fraser of Allander Institute (2024) [Employment that works: employers' experiences of hiring people with learning disabilities](#)

<sup>22</sup> Fraser of Allander Institute (2021) [Scotland's employment landscape for people with learning disabilities](#)

<sup>23</sup> SCLD (2023) [Our right to be techy! Making digital transformation transformative for people with learning disabilities in Scotland](#)

monitoring data on reports of gender-based violence or on how such cases are addressed nationally or locally.<sup>24</sup>

Parents with learning disabilities face significant and varied challenges to securing the right support, at the right time, to be effective parents for their children. These barriers include discriminatory attitudes, inaccessible services and poor joint working between the agencies involved. The impact of these barriers is often devastating to these families – only 10% of children grow up with their own parents.<sup>25</sup> Ensuring that family support services are easy to access, welcoming and inclusive will improve outcomes for all children and young people across Scotland.

We ask all political parties in Scotland to become champions for inclusive design and to support access to mainstream services to enable people with learning disabilities to participate fully in society. We ask the next Scottish Government to:

- Establish an accreditation scheme for employers which requires organisations that receive public funding to be learning disability inclusive.
- Commit to embedding digital inclusion by ensuring digital innovations taking place in the public sector follow the principles of inclusive design and promoting resources that support people working in communities to encourage people with learning disabilities to independently use technology.
- Continue to fund the Delivering Equally Safe (DES) workstream to further develop and promote resources such as the [Equally Safe and Supported Self-Assessment Toolkit](#) and ensure women with learning disabilities can access education, support, and justice for gender-based violence.
- Implement holistic and inclusive family support for any family that needs it, as originally committed to in The Promise.

Scotland must deliver accessible and inclusive services and infrastructure which support people with learning disabilities to overcome the societal barriers and systemic discrimination they experience on a daily basis.

<sup>24</sup> SCLD (2023) [Unequal, Unheard, Unjust: But Not Hidden Anymore. Women with Learning Disabilities' Experience of Gender-Based Violence in Scotland](#)

<sup>25</sup> McGarty et al (2025) Understanding local approaches to supporting parents with learning disabilities (unpublished)



## **Scottish Commission for People with Learning Disabilities**

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