



14 September 2018

**Response from the Royal College of Nursing Wales to the Health, Social Services & Sport Committee's inquiry into the Autism (Wales) Bill**

The Royal College of Nursing Wales is grateful for the opportunity to respond to the consultation on the Autism (Wales) Bill. We would like to raise a number of points in relation to the legislation:

***The general principles of the Autism (Wales) Bill and the extent to which it will make provision for meeting the needs of children and adults with Autism Spectrum Disorder (ASD) in Wales and achieve the aim of protecting and promoting their rights***

- I. The Royal College of Nursing remains broadly supportive of the overall aim of the draft legislation and commends the intention to raise the profile of the needs of children, young people and adults with autism spectrum conditions and the aim to meet their needs appropriately and effectively. At present, we are aware of the difficulties of gaining a timely assessment (particularly for adults), and this in turn has a negative impact in terms of timely and appropriate provision of support. There is certainly scope for this legislation to help address this issue.
- II. However, the legislation does not necessarily reflect the general trend in moving away from tight diagnoses of specific conditions, and taking a more needs-based approach to supporting people. There is a strong case to be made for the fact that resources and support should be developed and delivered according to the needs of the individual, not according to a diagnosis or piece of legislation. Furthermore, we are aware of concerns that have been expressed that having a condition-specific piece of legislation, may make it *more* challenging for an individual who lives with ASD whilst also experiencing living with other conditions, to access support or be clear where their support is located. For instance, an individual may have moderate learning disabilities as well as ASD, or have ASD alongside mental health problems; there may be a danger that condition-specific legislation creates more issues for with multiple challenges than a needs-based system would.

***Any potential barriers to the implementation of the provisions and whether the Bill takes account of them***

- III. At present, access to both assessment and support services for people with ASD appears insufficient. Indeed that is one of the main drivers behind the introduction of this legislation. It follows therefore that without significant additional funding it is difficult to see how the changes proposed can be appropriately and effectively implemented. For example, in order to address existing issues such as the long waiting times for assessment, additional (i.e. not diverted from working in other areas) staff will be required. Furthermore, the

Royal College remain unconvinced that there are sufficient appropriately trained professionals available to fill such posts if they were to be created. The implications for the workforce therefore require careful consideration.

- IV. In relation to training and education, we welcome that there is an awareness in the document of the need to make training available to relevant staff and that provision must be made for this. However, consideration needs to be given to what the existing requirements are for mandatory training (which in some cases is extensive), and also whether online training, which increasingly is a preferred method of delivering training, is appropriate means of effecting the changes this legislation requires. For education and training to be effective and to a high standard, additional resource and funding is likely to be required, and this should be taken into account as the legislation is scrutinised.

***Whether there are any unintended consequences arising from the Bill***

- V. There will be a need to very carefully monitor how this Act interfaces with other legislation such as the SSWBA and also with other recent policy statements such as the Improving Lives document setting out the direction of travel in relation to learning disabilities.
- VI. We also understand from other colleagues in the sector that there are some concerns that a possible unintended consequence or knock-on effect of linking resource to a particular diagnosis is a risk that individuals or families will feel that their best opportunity to access the support they need is by securing that particular diagnosis.

***Further comments***

- VII. The Royal College is disappointed that Registered Nurses are not explicitly included in the list of 'key professionals' in the multi-disciplinary diagnostic assessment team. As highly skilled members of the healthcare team who care for individuals in all healthcare settings, it makes no sense to exclude nurses and health visitors from this list of professionals. In previous written evidence submitted during the development of this Bill, the Royal College of Nursing clearly stated that, in order to be truly person-centred, the list of appropriate professionals would vary from depending on the individual. We also stated however that, if a list is to be included on the face of the Bill, then it should include Registered Nurses, including Children's Nurses, School Nurses, Health Visitors and Learning Disability Nurses.

### About the Royal College of Nursing

The RCN is the world's largest professional union of nurses, representing over 430,000 nurses, midwives, health visitors and nursing students, including over 25,000 members in Wales. The majority of RCN members work in the NHS with around a quarter working in the independent sector. The RCN works locally, nationally and internationally to promote standards of care and the interests of patients and nurses, and of nursing as a profession. The RCN is a UK-wide organisation, with its own National Boards for Wales, Scotland and Northern Ireland. The RCN is a major contributor to nursing practice, standards of care, and public policy as it affects health and nursing. The RCN represents nurses and nursing, promotes excellence in practice and shapes health policies.