

Autism Bill (Draft)

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Bill 111 54/3

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TO

Recognise the numbers of people with autism, to provide effective transition from child to adult services, and to ensure appropriate support and services thereafter.

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 Duty to record number of disabled children

(1) Children Act 1989 is amended as follows:

(2) In Schedule 2, after paragraph 2, insert -

(3) Every local authority shall take reasonable steps to ensure that the register is an accurate record of disabled children within their area

(4) Every local authority shall ensure the register contains sufficient information to effectively plan services for disabled children

2 Duty to promote effective transition for young disabled people

Each children's services authority in England must make arrangements to

- (a) share information contained in the register of disabled children with the director of adult social services; and
- (b) promote co-operation with the director of adult social services in the planning of services for disabled children aged 14 years

3 Duty to recognise the needs of adults with autism

(1) The Local Government and Public Involvement in Health Act 2007 (c.28), is amended as follows:

(2) In section 116 (health and social care: joint strategic needs assessments) after paragraph 4, insert -

(5) In preparing an assessment of relevant needs, local authorities and partner Primary Care Trusts must have regard to the population of adults with autism, and their requirements.

4 Duty to promote support services for persons with autism

(1) It shall be the duty of the Secretary of State to promote and support the provision of services by local authorities and NHS bodies to persons with autism.

(2) In furtherance of the duty under subsection (1) the Secretary of State shall issue guidance to—

- (a) local authorities; and
- (b) NHS bodies

about their respective responsibilities for the provision of services to persons with autism.

(3) In particular, guidance issued under subsection (2) must include provision about—

- (a) the designation or appointment of a person to be responsible for support services for adults with autism;
- (b) the means by which persons with autism may obtain assessments and other autism support services;
- (c) planning and arranging of services for persons moving from child to adult services;
- (d) requirements for relevant strategy documents and plans to include the provision of autism support services;
- (e) the standards of support services that should be provided to persons with autism, including those relating to social and life skills; and
- (f) arrangements for the sharing of good practice in relation to autism support services at a regional level;
- (g) appropriate training to staff involved in the provision of assessments to people with autism;
- (i) the collecting of data regarding numbers of people with autism

(4) The Secretary of State must, before issuing guidance under subsection (2), consult—

- (a) local authorities and NHS bodies;
- (b) persons with autism, or representatives of persons with autism as required;
- (c) organisations representing parents and carers of persons with autism; and
- (d) organisations involved in research relating to care services for persons with autism.

(5) In complying with any guidance issued under this section local authorities and NHS bodies must, so far as is reasonably practicable and consistent with this guidance, promote independent living for persons with autism.

5 Interpretation

In this Act—

- “autism” includes all autism spectrum disorders, including Asperger’s syndrome;
- “autism support services” means services provided by local authorities and NHS bodies for the assessment, care and support of persons with autism;

“NHS bodies” includes—

- (a) a Strategic Health Authority,
- (b) a Primary Care Trust,
- (c) an NHS Trust,
- (d) a Mental Health Trust,
- (e) a Special Health Authority,
- (f) an NHS Foundation Trust;

“local authority” means—

- (a) a unitary authority,
- (b) the council of a district so far as it is not a unitary authority,
- (c) the council of a London borough or of a Welsh county or county borough,
- (d) the Common Council of the City of London, or
- (e) the Council of the Isles of Scilly;

“relevant strategy documents and plans” means documents produced by local authorities and NHS bodies for purposes of planning for the provision of health and social care services.

“adult” means person over 18 years

6 Expenses

There shall be paid out of money provided by Parliament—

- (a) any expenditure incurred under or by virtue of this Act by the Secretary of State, and*
- (b) any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

7 Short title, commencement and extent

- (1) This Act may be cited as Autism Act 2009.
- (2) This Act extends to England and Wales only.
- (3) This Act shall come into force on the day on which it is passed.