



THE DONALDSON TRUST

Response to the Scottish Labour Party's Scottish Policy
Forum (SPF).

January 2025

About Neurodiversity

Neurodiversity describes the diversity of humans' brains and minds. A person who is, for example, autistic is neurodivergent; they are in a neurological minority, not the neuro-'typical' majority.

Other neurodivergences include: ADHD, dyscalculia, dyspraxia, dyslexia, dysgraphia, misophonia, Tourette's Syndrome, or differences in cognitive function.

About Us

Our work is built on an understanding that neurodiversity is not a medical construct; rather, it lies at the intersection of culture, mind, identity formation, and socio-political action.

The Donaldson Trust envisages a society in which neurodivergent people are understood, accepted, treated fairly, and valued.

Though there is much work to be done, we believe there are genuine opportunities to change society for the better. We aim to be at the forefront of driving that change – and making a difference *with and for* neurodivergent people and their families.

As the *National Body for Neurodiversity*, we will seek to lead by example. We exist to strengthen the public's understanding of neurodiversity, develop excellence in practice, and help neurodivergent people find their voice.

Alongside neurodivergent people and our partners across the third sector and academia, we write, campaign, and persuade in order to shape the policies being made on the issues most important to neurodivergent people and families.

We improve outcomes and representation via *Connect*. Our training and consultancy is accessed by organisations looking to build a culture of neuro-inclusion. We continue to develop our free, online information, support, and guidance resources to neurodivergent people, families, and professionals alongside it.

We continue to support children, young people, and adults through a variety of services based at our Linlithgow campus, where we enable every neurodivergent person to realise their goals & aspirations:

- **Sensational Learning Centre (SLC)**

We offer individualised, skills-based learning to children and young people with 'Additional Support Needs' (ASN) including sensory and communication differences.

- **Vibe**

Our wellbeing service for neurodivergent people ages 12-18, Vibe offers warm, low arousal spaces for neurodivergent young people to thrive and achieve their personal goals. The service focuses on reducing anxiety, developing life skills, literacy, numeracy, and growing self-esteem / resilience.

Vibe's activities mirror the interests and skills of the young people enrolled with a wellbeing framework and personal programme of skills development.

- **Gate**

Donaldson's skills development and training offer for neurodivergent adults, Gate has been co-designed with those who benefit from it and offers a friendly environment where neurodivergent adults can relax and be themselves. Similar to other services, Gate takes an individualised approach to ensure trainees get the most from their time with us and achieve agreed goals and ambitions.

Trainees can learn skills through activities, or enrol in a vocational and accredited course, delivered by specialist staff / tutors. This includes art, cooking, and cybersecurity.

- **Treehouse**

Treehouse is a specialist wellbeing service offering bespoke, low-arousal environments to improve wellbeing and independence. Support is centred around individual studios, with the 'home-style' settings offering individualised spaces tailored to every person's needs. That allows people we support to participate in activities they co-design alongside their Wellbeing Practitioners.

--

Established in the 1850's, The Donaldson Trust (formerly Donaldson's School) has provided supported education and care throughout its history and has now established itself in the neurodivergence space.

The full range of services offered by the Trust is found here:

<https://www.donaldsons.org.uk/>

**Together, we'll
find your *voice*.**

Overview

The Donaldson Trust welcome the launch of Scottish Labour's Scottish Policy Forum, SPF.

We know that strong public policy, informed by the lived experience of those communities impacted, is crucial in ensuring better outcomes and reducing inequality. This is certainly true with respect to neurodivergence and neurodivergent people. We know that many neurodivergent people, their families, and supporter networks experience a wide range of injustices, often leaving them marginalised or unable to participate in society as equal citizens as a result.

We know that, in practice, lots of support (in health, education, and so on) is effectively contingent on having a formal diagnosis. Neurodivergent people, and their families, are often left not able to access the appropriate supports (significant to their daily living and overall wellbeing) simply for want of that formal diagnosis. We know, too, that neurodivergent people who are unable to access the support they need when they need it are negatively impacted for the long-term – and that substantial ongoing delays in accessing neurodevelopmental assessment compounds this.

With the upcoming Scottish parliamentary elections scheduled in May 2026, **it is important that Scotland's political parties are mindful of the systemic challenges that face neurodivergent people and their families, all policies required to help remedy these, and a real need for better implementation of well-intentioned existing policies.**

In light of the transformational impact that wide-ranging primary legislation would have on neurodivergent people and families, if realised, the proposed ***Learning Disabilities, Autism and Neurodivergence Bill* remains as our key policy priority**. To ensure meaningful changes and genuine accountability, the 'LDAN' Bill should include three main pillars: **the creation of a mandatory, role-relevant neurodivergence training regime for public sector workers;**

the creation of a Commission(er), and statutory national, organisational, and local strategies on neurodivergence. Together, these measures will be instrumental in lessening inequality.

Though we remain disappointed that the Scottish Government has said that LDAN legislation will now *not* be delivered in Parliament's current Session, we are heartened that it has started to develop various draft proposals this year in an iterative process with stakeholders, including its lived experience panel. We know that a 'cross-party' consensus exists on the importance of system-level change as a remedy to the injustice neurodivergent people and people with a learning disability face daily; therefore, and given that preparation of the draft Bill should be well advanced by May 2026, **a future Scottish Labour Scottish Government should make the *Learning Disabilities, Autism, and Neurodivergence (Scotland) Bill* one of its legislative priorities.**

As well as the proposals associated with LDAN legislation¹, there are multiple other ways in which changes can be realised, including through:

- Active promotion of experiential learning and skills-based alternatives to the 'traditional' classroom, including establishing pupils' right to outdoor, residential education provision. This renewed focus on the importance of transferrable skills should be accompanied by investments in training and facilities to ensure equitable access for all pupils.
- Greater understanding of the impact of social and communicatory differences and 'hidden' disability on the daily living of neurodivergent people and families in the context of social security, including around payment eligibility criteria and assessment processes. We know that neurodivergent people face unique challenges, the impact of which is greatly underappreciated.

¹ 2023, Scottish Government, [Learning Disabilities, Autism and Neurodivergence Bill: Consultation](#).

- Sustainable, rights-based, and person-centred social care (with national oversight and direction) that fulfills the ambitions of the 2021 (Feeley) *Independent Review of Adult Social Care*.
- Progress with the findings of Professor Louise Hayward's *Independent Review of Qualifications and Assessment*. This should include the move away from formal end-of-year examinations, especially at Secondary 4 / National-level, proposed. There should be a strong emphasis on a pupil's own learning preference, continuous evaluation and diverse skills assessment in our education system.
- Restoration of per pupil Additional Support for Learning, ASL, spending to the 2013 level. Spending has decreased 33.9% in this time period, with research showing a gap between the requirements of inclusive education policy and practices in Scottish schools.
- Delivery of meaningful representation of neurodivergent people (and others with Additional Support Needs) in the governance of bodies established through the *Education (Scotland) Bill*, including in learner and teacher 'Interest Committees' of Qualifications Scotland.
- Reform of the existing legal definition of 'mental disorder', as outlined in the *Mental Health (Care and Treatment) (Scotland) Act 2003*, to exclude autism and learning disability. We know that autism is a lifelong, neurodevelopmental difference (and not a mental illness) and a redefinition would remove autistic people and people with a learning disability from the scope of the 2003 Act.
- Timely access to diagnostic pathways for every neurodivergent child, young person, and adult in all parts of Scotland, as envisaged in *Adult Neurodevelopmental Pathways: Report on Actions, Outcomes and Recommendations from Pathfinder Sites in Scotland*².
- Quarterly collection, collation, analysis, and publication of disaggregated data pertaining to autism and ADHD diagnosis, including data on waiting times for assessment. This is a vital step

² 2023, NAIT/SG, [Adult Neurodevelopmental Pathways Pathfinder Report](#).

towards better identification of service gaps, improvement of existing services, and for helping to deliver system-level accountability.

- Production of *statutory* guidance for schools around the use of restrictive practices, including physical restraint, with a view to their eventual elimination. It is essential that this is practiced as a last resort only.
- Transferring jurisdiction on Education Appeal Committees to the Scottish Tribunals, as per the *Tribunals (Scotland) Act 2014*.
- Issue guidance to schools on use of 'part-time' timetabling. Flexibility is key here; we know that, while many neurodivergent people benefit from being able to take time out of the classroom, others are having these imposed unnecessarily.
- Pam Duncan Glancy MSP's *Disabled Children and Young People (Transitions to Adulthood) (Scotland) Bill*. This Member's Bill had many positive provisions widely supported by stakeholders. This should be revived in Session 7.

This is not an exhaustive list. We have explored some of these in more depth below. We look forward to engaging with Scottish Labour as development of policy in these areas moves forward.

--

Commission 1: Becoming an economic powerhouse to improve lives

Workforce

Barriers to employment, workplace support, and employability

We know that neurodivergent people, especially autistic people and people with a learning disability, experience significant barriers to their entering and 'staying in' paid work. *Towards Transformation*³, a 2021 Scottish Government publication, highlights 16% and 7% employment rates in Scotland for autistic people and people with a learning disability, respectively. This contrasts with

³ 2021, SG, [Towards Transformation](#).

the disability employment rate of 51% and 83% employment rate in Scotland overall ⁴, indicating systemic challenges and a particularly severe impact of this inequality on people with social-communicatory differences.

It is notable, also, that lots of barriers to employment experienced by people with a social-communicatory difference are not directly related to a specific circumstance or job; instead, we know lots of autistic people and people with learning disabilities are under/un-employed as a result of poor educational experiences. The Scottish Parliament's Economy and Fair Work Committee's report on *Closing the Disability Employment Gap in Scotland* notes the place of effective transition support in developing the employment prospects of a neurodivergent pupil ⁵. Prior to this, the disruptions (and, in lots of cases, the trauma) caused by the lack of reasonable adjustment, unwanted part-time timetables, stigma, discrimination, and informal exclusion that typifies many experiences of 'mainstream' education will have impeded a neurodivergent learner's ability to obtain those qualifications and life experiences necessary for careers in spaces designed by the neuromajority.

Like any person, a neurodivergent person will want to work; however, we see neurodivergent adults facing several barriers, including: a lack of employer understanding and awareness about neurodivergent presentations and/or sensory differences; social stigmas; discriminatory behaviours; poor mental wellbeing, and a lack of pro-active workplace adjustment.

Sir Robert Buckland KC's landmark 2024 review of the employment of autistic people ⁶ encapsulates the multiplicity of challenges well:

"Autistic people face the largest pay gap of all disability groups, receiving a third less than non-disabled people on average. Autistic graduates are twice as likely to be unemployed after 15 months as non-disabled graduates, with only 36% finding full time work in this period. Autistic graduates are most likely to be overqualified for

⁴ 2023, SG, Annual Population Survey 2022 – [Labour Market Statistics for Scotland by Disability](#).

⁵ 2024, TSP-EFWC, [Closing the Disability Employment Gap](#).

⁶ 2024, UKG, [Buckland Review of Autism Employment](#).

the job they have, most likely to be on zero-hours contracts, and least likely to be in a permanent role”.

Though employment is a reserved competency, there is much the devolved administration can do around education, skills development, and attitudinal shifts that would help ensure more neurodivergent people spend more time in fulfilling, high-quality employment.

--

Commission 2: A modern NHS and social care system that puts people at the centre

Introduction

Long-term planning for health and social care

The Donaldson Trust has supported the Scottish Government’s ongoing work to establish a National Care Service. We were cautiously supportive of those changes proposed at Stage 2 consideration by the Scottish Government. We recognise, and remain disappointed, a *National Care Service (Scotland) Bill* proposes an NCS ‘slimmed-down’ from first proposals and the intentions of the IRASC. Regardless of what comes next, social care in Scotland is in need of radical reform, and will be until political action is taken to remedy this. We all share a desire for a sustainable, rights-based, and person-centred social care offers.

Irrespective of the framework pursued by a future Scottish Government, they can and should engage more effectively, and more often, with a wider range of groups, such as disabled people and other marginalised groups far more likely to access care. This includes people with lifelong, neurodevelopmental difference; for instance, autistic people and people with learning disabilities. Scottish Labour should make a commitment in their manifesto to concerted engagement with neurodivergent people and families around the future of adult social care in Scotland, especially with respect to the role for Inclusive

Communication and how we can ensure people who access care both know their rights and are able to exercise those rights.

Key outcomes for service users

Access to neuro-developmental assessment, locally and quickly, remains a major priority for neurodivergent people and families. A pilot conducted in 4 Health Boards provides a template for this. National Autism Implementation Team's *Adult Neurodevelopmental Pathways: Report on Actions, Outcomes and Recommendations from Pathfinder Sites in Scotland* report proposes a "stepped care pathway model" that offers supports before, during, and after diagnosis, blending third sector and community services with clinicians. We welcome, also, their recommendation that a neurodevelopmental pathway be extended to every Board to replace "single condition approaches".

Mental Health

Whilst neurodivergence is *not* predicated on mental ill-health, we know that neurodivergent people are far more likely to report a lower level of wellbeing and life satisfaction. This is, in part, due to the feelings of isolation that lots of people with social communicatory differences can experience; for instance, research shows that an autistic person is eight times more likely to consider themselves as lonely than the population overall⁷. This is a product of many of the themes we have spoken to elsewhere in this response, such as poorer experiences in education and inability to access appropriate services. Early access to robust diagnostic pathways has positive impacts for many neuro-divergent young people, both in terms of an improved understanding of self and 'unlocking' access to services.

Review of the *Mental Health (Care and Treatment) (Scotland) Act 2003* must be prioritised. The Act's definition of 'mental disorder', incorporating learning disability and autism, is stigmatising and offensive to those communities. As well as being factually inaccurate – autism, for instance, is a lifelong neuro-

⁷ 2021, National Autistic Society, [Good practice guide for mental health professionals](#).

developmental difference, and not a mental health condition – terminology such as this perpetuates pathologising narratives around neurodivergence and makes it harder for us to shift the dial on neuro-inclusion and respecting difference.

As well as enjoying overwhelming support amongst those it impacts, reform to the definition enjoys support in Rome’s *Independent Review of Autism and Learning Disability in the Mental Health Act*⁸, a report commissioned by the Scottish Government. The Review’s recommendation that learning disability and autism be removed from a legal definition on ‘mental disorder’, that new laws be drafted to deliver access to ‘positive rights’, and that Scotland work toward law removing discrimination in detention and compulsory treatment on the basis of disability should *all* be taken forward as soon as possible. We remain disappointed that John Scott KC’s wider review of mental health law in Scotland has attempted to row back on some of these recommendations and we would urge a future Scottish Government to continue to engage with voices of lived experience in this space.

We are aware of arguments around safeguarding of vulnerable people with mental ill-health and co-occurring neurodivergence and the role of this Act in their wellbeing. We would argue that the absence of effective community support is the main driving factor here, and that hesitancy to develop badly needed reforms to and investment in Scottish social care is not a reason for mental health law not to be reformed. It is fundamentally a question of social care delivery, not mental health law. The *Coming Home*⁹ agenda highlights that there have been instances where appropriate care and support has not been in place for neurodivergent people within the community, precipitating the crises of inappropriate treatments and detentions.

--

⁸ 2019, Andrew Rome, [Independent Review of Autism and Learning Disability in the Mental Health Act](#).

⁹ 2022, SG, [Coming Home Implementation Report](#).

Commission 3: From cradle to career to give young people best start in life

School Curriculum

Several of the bulleted points that we set out above are education-focused, a product of our long-term experience with education provision through SLC, our Grant-Aided Special School (GASS) in Linlithgow. SLC offer individualised and skills-based learning to neurodivergent children and young people with a range of social-communicatory differences.

To this end, we are keen to meet with representatives from Scottish Labour to discuss approaches to ASN and special education. We would facilitate a session with some of the young people we support in service, too, if this could be of benefit. It is important to us that the voices of neurodivergent children and young people are heard loud & clear on issues important to them, such as on their experience of 'mainstream' schools.



THE
DONALDSON
TRUST

Contact:

Address: The Donaldson Trust, Preston Road, Linlithgow, West Lothian,
EH49 6HZ

Phone: 01506 841900

Email: info@donaldsons.org.uk