

# Supported Decision Making Key Points

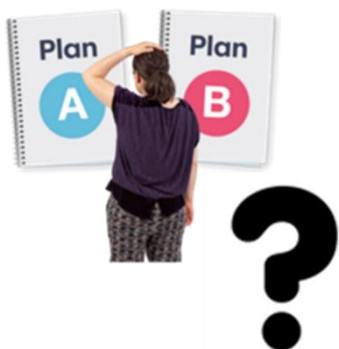
## Easy Read Version

What is supported decision making?



Supported decision making is sometimes called SDM.

Supported decision making is a way of helping people with learning disabilities to make their own decisions.



There are many different types of supported decision making and it can be done in different ways.



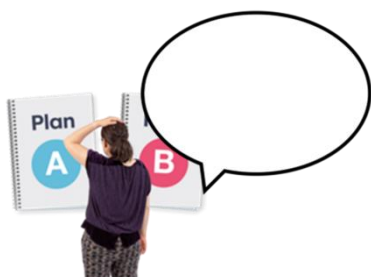
Supported decision making can be both **formal** and **informal**.



**Formal** supported decision making can be from people with official roles such as independent advocates or support workers.



**Informal** supported decision making can be from people who know the person such as friends and family.



Supported decision making is there to make sure that everybody is heard.



Supported decision making is also important because it makes sure that people's **will and preferences** are followed.



**Will and preferences** are what people want in their life.

## Supported decision making and human rights law



In recent years there have been many changes in human rights law.



One of these changes is the introduction of the **UNCRPD**.

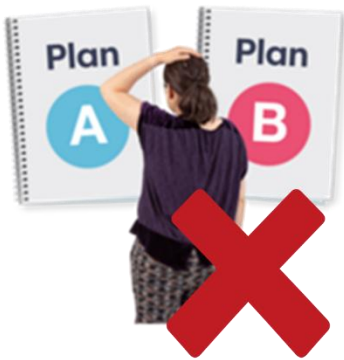


The **UNCRPD** is the international disability human rights convention.



This has led to people demanding that laws which can stop people with learning disabilities making their own decisions are changed and replaced with supported decision making.

## Issues with the current system in Scotland



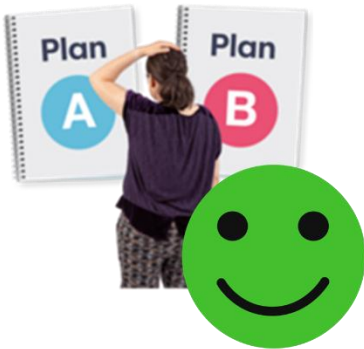
In Scotland some people with learning disabilities have decisions made for them based on what others feel is best for them.



This can mean that some people with learning disabilities are not able to build their skills in decision making.



This can also mean that some people with learning disabilities can have their will and preferences ignored.

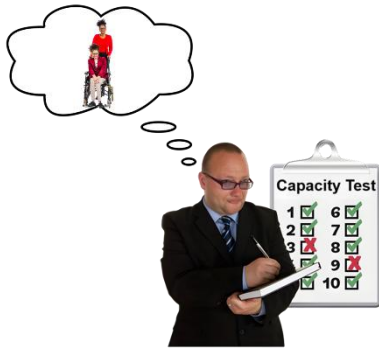


People with learning disabilities say they feel more independent and able to do what they want when they are given the chance to have choice and control and support to make decisions.

## Capacity tests



A lot of people are not happy that capacity tests can sometimes be used to take away people's legal right to make their own decisions.



This is because the result of these tests can be based on the views and opinions of the people carrying them out.

## Research and awareness



A lot of people still do not understand what supported decision making is and how it works.



Many people feel that there needs to be more research on supported decision making.



It is also felt that there needs to be more education and training for professionals on supported decision making.



It is important to think about how to manage risky decisions made by people with learning disabilities when using supported decision making.

## Learning from Australia



There are many studies from Australia which may give useful learning for the introduction of supported decision making in Scotland.



There is learning for Scotland on how important it is to give training and raise awareness on supported decision making.





There is learning on making guidelines on how to make supported decision making the best it can be.

## Learning from Sweden



There is much to be learned from how the Swedish education system helps people build skills on supported decision making.



The Swedish system helps to build confidence in people and make them aware of the different types of decisions that they could face throughout their life.



## Scottish Government reviews



There have been 2 reviews in Scotland which have made recommendations to the Scottish Government on supported decision making.

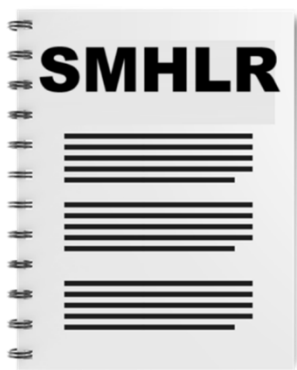
The Independent review of  
Learning Disability  
and Autism  
in the Mental Health Act

Final report

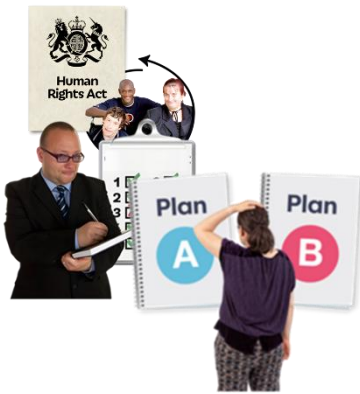
December 2019



These reviews are the Rome Review and the Scottish Mental Health Law Review (SMHLR).



The Scottish Mental Health Law Review recommends replacing capacity tests for people with learning disabilities and other groups.



The review recommends that capacity tests should be replaced with a new test which makes sure people's human rights are respected and that supported decision making should be introduced in services across the country.

## Delivery Plan



The Scottish Government has made a report which has actions on how to increase supported decision making in Scotland.



This is called the Mental Health and Capacity Reform Programme Delivery Plan 2023-25.

## Planning for the future



It should be recognised by the government and services that supported decision making is essential to help people with learning disabilities to live independent lives in their community.



This includes support for people with learning disabilities to make choices across many areas including education, housing, benefits, their family, and sexual relationships.



To introduce supported decision making properly in Scotland the law will need to change.

And people will have to change their views and attitudes towards people with learning disabilities.



Strong leadership and a lot of money and time over a few years will be needed to deliver these changes.

