

RESEARCH

# England's most disadvantaged groups: People with learning disabilities

An *Is England Fairer?* review spotlight report (3 of 4)



Equality and Human Rights Commission  
[www.equalityhumanrights.com/IsEnglandFairer](http://www.equalityhumanrights.com/IsEnglandFairer)  
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# About this publication

## What is the purpose of this publication?

The Equality and Human Rights Commission's first-ever report on equality and human rights progress for England, *Is England Fairer?*, highlighted the plight of four of the country's most disadvantaged groups:

- Gypsies, Travellers and Roma
- Homeless people
- People with learning disabilities
- Migrants, refugees and asylum seekers

To facilitate further discussion, the Commission has drawn from the report to create a series of spotlight reports. This spotlight report focusses on the experiences of **people with learning disabilities**.

## Who is it for?

This report is intended for policy makers and influencers across all sectors and the general public.

## What is inside?

The report includes findings on the experiences of people with learning disabilities in relation to:

- education
- work
- health and care, and
- prisons.

## When was it published?

The report was published in March 2016.

## Why did the Commission produce the report?

The Equality and Human Rights Commission promotes and enforces the laws that protect our rights to fairness, dignity and respect. As part of its duties, the Commission provides Parliament and the nation with periodic reports on equality and human rights progress in England, Scotland and Wales.

## What formats are available?

The full report is available in PDF and Microsoft Word formats at:

[www.equalityhumanrights.com/IsEnglandFairer](http://www.equalityhumanrights.com/IsEnglandFairer)

# The experiences of people with learning disabilities

Some people in our society are being left further behind because they face particular barriers in accessing important public services and are locked out of opportunities.

There are several factors that may contribute to this, including socio-economic deprivation, social invisibility, poor internal organisation of the group, distinctive service needs that are currently not met, cultural barriers, stigma and stereotyping, small group size, and very importantly, a lack of evidence which limits us in our ability to assess the multiple disadvantages these people face.

Although there are many people facing multiple disadvantages in England, here we have focussed on the experience of one specific group: **people with learning disabilities**.

There is increased recognition of the disadvantages that people with learning disabilities face. However, change has been slow and many people with learning disabilities are still 'cared for' rather than 'supported with'. The result is that many learning disabled people are still excluded and continue to face inequality in every aspect of their lives.

## Education<sup>1</sup>

Some children with learning disabilities have special educational needs. The evidence shows that children with special education needs (SEN) have lower levels of educational attainment than those without SEN. This is evident in the data for 2013/14, with 18.5% of children with SEN achieving a 'good level of development' in their early years (EYFS), compared with 65.6% for those without. Similarly, at GCSE level, in 2012/13 children with SEN were over three times less likely to achieve at least five A\*-C GCSEs or equivalent including English and mathematics compared

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<sup>1</sup> The figures reported in this section, are from analysis specifically for the *Is Britain Fairer?* review, using data from the Department for Education. See data tables CE1.1, CE1.5 and CE2.10.

with children without SEN (23.4% compared with 70.4%). Although the percentage of children achieving this attainment level in 2012/13 increased for both groups, the increase was lower for children with SEN (6.9 percentage points) compared with children without SEN (9.1 percentage points) resulting in the gap between the two groups being larger in 2012/13 compared with 2008/09.

Despite a narrowing of the gap in exclusion rates between children with SEN (a reduction of 35.7 exclusions per 1,000 pupils) compared to children without SEN ( a reduction of 5.2), children with SEN still had a vastly higher rate of exclusions from school (116.2 exclusions per 1,000 pupils compared with 17.0 per 1,000) in 2012/13.

A greater number of learning disabled people are currently in higher education than in previous years. Between 2003/04 and 2013/14, the proportion of first year students who disclosed as disabled increased by 4.6 percentage points, from 5.4% in 2003/04 to 10.0% in 2013/14. This represents an 85.2% increase from 2003/04 levels. In 2013/14, the most commonly disclosed impairments among disabled students were a specific learning disability (48.0%), mental health condition (12.8%), long-standing illness or health condition and an impairment other than those listed (each at 10.3%). Some 45.6% of disabled female students and 51.4% of disabled male students had a specific learning difficulty (ECU, 2015).

## Work

According to the Destinations of Leavers from Higher Education survey, six months after qualifying, leavers with a specific learning disability were less likely to be in full-time work: 60.5% of non-disabled leavers were in full-time work. Of those who had a specific learning disability, 58.3% were in full-time work (ECU, 2015).

The Health and Social Care Information Centre reports data from local authority returns on the employment of 18 to 64-year-old adults with learning disabilities:

- in 2012 to 2013, 7% of working-age adults with learning disabilities (9,845 people) were reported to be in some form of paid or self-employment;
- most of those (70.3%) in paid/self-employment worked for less than 16 hours per week;
- men were more likely to be in paid/self-employment than women and were more likely to be working 30+ hours per week than women;
- employment rates varied considerably across local authorities, ranging from 0% to 20.4% of working-age adults with learning disabilities known to local authorities;
- an additional 9,245 working-age adults with learning disabilities were engaged in unpaid voluntary work only (PHE, 2014).

## Health and care

People with learning disabilities have considerably poorer health than the general population. The number of reported learning disability health checks<sup>2</sup> in England has continued to rise, but the rate of increase in the number of checks reported has slowed down and did not keep pace with the increase in numbers of people identified as having a learning disability (Glover, 2014).

Joint Strategic Needs Assessments offer a means to analyse the current and future health needs of local populations, including people with learning disabilities. A review of Joint Strategic Needs Assessments in England found that there was a reduction between 2013 and 2014 in the proportion of Joint Strategic Needs Assessments that mentioned people with learning disabilities (from 82% to 72%). Three quarters of Joint Strategic Needs Assessments included no information on the number of children with learning disabilities in their area, and 19 out of 20 gave no indication of future prevalence (Baines and Hatton, 2014).

People with learning disabilities have a higher rate of admission to hospital: 76 admissions for every 1,000 adults per year, compared with 15 per 1,000 adults without learning disabilities (Glover and Evison, 2013). There is also a low uptake of health promotion or screening activities among people with learning disabilities (summarised by Emerson et al., 2012).

There are major concerns about the quality of healthcare that people with learning disabilities have received, sometimes leading to unnecessary deaths. For example, 42% of 238 deaths of people with learning disabilities in five Primary Care Trusts in the South West of England in 2010–12 were assessed as being premature (Heslop et al., 2013).

The Winterbourne View Hospital Serious Case Review (Flynn, 2012) related to a private facility providing healthcare and support for adults with learning disabilities, including those detained under mental health legislation. It found systematic mistreatment and abuse of patients by staff; dangerous and illegal methods of restraint and punishment; the needless suffering of patients; and transgression of professional boundaries. The national response (Department of Health, 2012) and the Care Act 2014 introduced new quality standards. However, an initial target for all people with learning disabilities and/or autism who were inappropriately housed in hospitals to be moved out of those settings by June 2014 was missed. NHS England

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<sup>2</sup> Health checks have been found to be an effective way of improving the health of people with learning disabilities by identifying previously unrecognised health needs, including life-threatening conditions.

commissioned Sir Stephen Bubb to produce a report on how to transform care for people with learning disabilities. His first report noted a lack of progress and called for work to be taken forward in partnership with people with learning disabilities and organisations in the health and care system (Bubb, 2014). A second report stated that the pace of change was unacceptably slow (Bubb, 2015) and data showed that there was almost no change in the number of people in in-patient hospital settings (HSCIC, 2015). His final report, in February 2016, noted that there were signs of progress, though the task remained great (Bubb, 2016).

Between 2009 and 2012, 13% of people with learning disabilities (around 23,800 people) were being prescribed anti-psychotic medication in the absence of a psychotic illness, and 10% were being prescribed anti-depressants in the absence of a depressive illness (roughly 19,500 people) (Glover and Williams, 2015).

Failures in community support have prompted legislative and policy changes for learning disabled people in residential and inpatient care across Britain. Evidence for England reflects these failures. Learning disabled people in residential and inpatient care were admitted for disproportionately long spells (CQC, 2012), in inappropriate settings, often a very long distance away from family and home (TCCSG, 2014). A lack of good quality local care options means over one in three patients were placed in hospitals over 50 kilometres from their homes and a fifth of people in inpatient settings had been there for over five years (TCCSG, 2014).

The average age at death of people whose death certificates indicate they had a learning disability was 58 years compared with 82 years for other people (PHE, 2014a). Among people with learning disabilities, men died on average 13 years earlier than in the general population, while women died 20 years earlier (Heslop et al., 2013). While there is evidence that people with mild learning disabilities have a life expectancy approaching that of the national average, mortality rates among people with moderate to severe learning disabilities were three times greater than in the general population (BMA, 2014). Respiratory disease, linked to pneumonia, swallowing and feeding problems, remains the leading cause of death: it is estimated to be responsible for between 46% and 52% of deaths compared with 15% in the general population (BMA, 2014).

## **Prisons**

A joint report by the prisons and probation inspectorates found that prison and probation staff were failing to identify people with learning disabilities, and opportunities to help such offenders were missed. The report followed the second joint inspection into people with learning disabilities in the criminal justice system. Few

prisons could state how many prisoners with learning disabilities they held, or shared information effectively within the prison. The recommendations for improvement included: ensuring that prison and probation services comply with the requirements of the Equality Act 2010 by making necessary adjustments to services for those with learning disabilities; introducing a screening tool for learning disabilities across the prison estate; and adapting interventions for people with learning disabilities to help reduce the risk of reoffending (Criminal Justice Joint Inspection, 2013).

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# Contacts

*England's most disadvantaged groups: People with learning disabilities* is published by the Equality and Human Rights Commission.

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