



Defence
Safety Authority

**Defence Medical Services
Regulator (DMSR)**

Regulatory Instruction

DMSR/RI/2024/01: Training for staff in learning disability and autism

Edition and amendment information

DMSR Regulatory Instruction implementation date: 8 Apr 2024

DMSR Regulatory Instruction expiry date: 8 Apr 2025

Summary

1. A legal requirement was introduced by the [Health and Care Act 2022](#) for all NHS health and social care providers to obtain training for their staff, appropriate to their role, in learning disability and autism.
2. The Health and Care Act 2022 applies, in the main, to NHS England, and it amends the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. This act does not apply to Defence. Head DMSR is authorised to regulate healthcare activity across Defence where there are Disapplications, Exemptions or Derogations (DEDs) from statutory requirements; therefore, DMSR guidance concerning this DED is required. DSA02.DMSR [Defence healthcare regulations](#) are published by DMSR, and supporting guidance can be found in DSA03.DMSR [Healthcare Defence Code of Practice \(DCOP\)](#).
3. The DMSR expect all providers of Defence delivered healthcare to review the training and support they provide to staff in various roles, to ensure they are meeting their regulatory responsibilities. This applies to all staff who have contact with, or may potentially have contact with, an autistic person or a person with a learning disability, whether that person is using the service themselves or if they are accompanying somebody. It includes all patient facing staff, for example receptionists.

Scope

4. This Regulatory Instruction advises the Regulated Community (RC) of the DMSR regulatory position regarding learning disability and autism training for staff.

Aim

5. The aim of this Regulatory Instruction is to ensure the RC is aware of their responsibilities for staff training in respect of learning disability and autism; and, to communicate, in advance, the proposed changes to the DMSR healthcare regulatory publications in order to maintain the highest degree of compliance across Defence.

Implementation

6. This Regulatory Instruction is effective immediately from date of issue. This Regulatory Instruction will be followed by an amendment of DSA03.DMSR DCoP:
 - a. Providers shall ensure that all staff receive training in how to interact appropriately with people with a learning disability and autistic people, at a level appropriate to their role.
 - b. Staff shall receive appropriate supervision in their role to ensure they demonstrate and maintain competence in understanding the needs of people with a learning disability and autistic people, including knowing how to support them in the best way.

Requirement

7. All Defence healthcare facilities should be able to meet the needs of their patients and staff. Training staff appropriately will help to improve the experience and outcomes for all patients.
8. The DMSR expects all providers of Defence delivered healthcare to review the training and support they provide to staff in various roles, to ensure they are meeting their regulatory responsibilities.
9. This applies to all staff who have contact with, or may potentially have contact with, an autistic person or a person with a learning disability, whether that person is using the service themselves or if they are accompanying somebody.

Guidance

10. When assessing the safety of care provided by a service, the DMSR will expect to find staff are competent to deliver care and treatment to all people using services, including those with a learning disability and autistic people.
11. The DMSR does not prescribe how to meet training requirements. The Chain of Command is responsible for ensuring staff are appropriately trained to meet the requirements of DMSR Healthcare Regulations.
12. The [Skills for Health](#) capabilities frameworks for supporting autistic people and/or people with a learning disability provides guidance to staff and will be included within the amendment to DSA03.DMSR DCoP.

Training to consider

13. The NHS mandatory training is named after Oliver McGowan. Oliver was a young man whose death highlighted the need for healthcare staff to have better skills, knowledge and understanding of the needs for autistic people and people with a learning disability.
14. The Oliver McGowan Mandatory Training on Learning Disability and Autism is the Government's preferred and recommended training for health and social care staff. More information can be found at [e-learning for health](#). Oliver's training is delivered in 2 Tiers:

- a. **Tier 1.** Tier 1 is for people who require general awareness of the support autistic people or people with a learning disability may need.
- b. **Tier 2.** Tier 2 is for people who may need to provide care and support for autistic people or people with a learning disability.

Queries

15. The regulated community are invited and encouraged to engage with the DMSR on any issue related to the content of this Regulatory Instruction. Any queries or requests for further guidance may be submitted by email to DSA-DMSR-Gp@mod.gov.uk.

[Original Signed]

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