MENTAL HEALTH AND SOCIAL CARE DIRECTORATE
MHSCD : COMPLEX CARE AND RIGHTS

Scottish Government
Riaghaltas na h-Alba
gov.scot

[redacted]
hello@adhdscot.co.uk

Our Reference: 202600539240

16 October 2026

Dear [redacted]

Thank you for your request for information about the decision not to proceed with the Learning Disabilities, Autism and Neurodivergence (LDAN) Bill.

We identified seven documents that fall within the scope of your request and copies are attached.

Some information has been redacted from the attached documents under the following provisions of FOISA:

- Section 29(1)(a) (formulation or development of Government policy), for information relating to advice, recommendations and options concerning the future development of Government policy and reform activity following the decision not to proceed with the LDAN Bill.
- Section 30(b)(ii) (free and frank exchange of views), for a limited amount of information relating to internal stakeholder assessments and engagement planning.
- Section 36(1) (confidentiality in legal proceedings), for information attracting legal professional privilege, including legal advice.
- Section 38(1)(b) (personal information), for personal information relating to officials and third parties.

Of the seven documents identified within scope of your request, six are released in full or in part. One document has been withheld under section 29(1)(a) of FOISA (formulation or development of Government policy) as it contains information relating to the development of future Government policy concerning Learning Disability and Neurodivergence reforms.

In applying the public interest test to the information withheld under sections 29(1)(a), 30(b)(ii) and 36(1), we recognised the public interest in openness and transparency regarding the decision not to proceed with the Bill and the actions being taken in its place. However, we concluded that this was outweighed by the public interest in protecting the space for policy development, maintaining candid internal discussion, and preserving the confidentiality of legal advice.

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

I hope you find this information helpful.

Yours sincerely

Brendan Nisbet
CCR : LDAN BILL

Scottish Ministers, special advisers and the Permanent Secretary are covered by the terms of the Lobbying (Scotland) Act 2016. See www.lobbying.scot

St Andrew's House, Regent Road, Edinburgh EH1 3DG
www.gov.scot

INVESTORS IN PEOPLE™ We invest in people Silver
disability confident LEADER