



The Proposed Mental Health (Wales) Measure

Health, Risk and Regulatory – June 2010

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Summary

On 10 February 2010 the National Assembly for Wales gained competence to legislate on the issue of mental health services in Wales. The Proposed Mental Health (Wales) Measure was laid before the Assembly on 22 March 2010 and is now at the Stage One Committee, which will report by 2 July 2010.

The proposed Measure applies to adults only, and focuses on the development of primary mental health services in Wales. In addition, it provides for:

- better coordination of secondary mental health services;
- the self-referral back to secondary mental health services by former service users; and
- the expansion of Independent Mental Health Advocate (IMHA) services.

If the proposed Measure becomes law, mental health service providers, in particular local authorities and health boards, will be subject to a number of new duties. The Minister for Health and Social Services has indicated that around £2 million of additional funding will be provided to LHBs and local authorities to cover implementation costs during 2010-11, with a further £2 million being made available in 2011-12 and £5 million from 2012-13.

Primary Mental Health services

A key objective of the proposed Measure is to ensure that adults who may be experiencing mental health problems can get an assessment and treatment at primary care level. A key new duty for partners will be a requirement to carry out primary mental health assessments which will act as a 'gateway' to primary mental health and other services. In essence, assessments must be made available to any adult

resident in the local authority area who is referred by their GP (eligibility to assess will be set out in subsequent Regulations).

LHBs and local authorities will be under a new duty to work together as "local mental health partners" to plan and provide local primary mental health services in designated areas. As well as the initial assessments, the primary mental health services to be provided include:

- treatment, such as counselling, stress management and cognitive behavioural therapy;
- onward referral to secondary mental health services;
- the provision of information to all adults who have or may have a mental disorder (and their carers) about available services to them.

Coordination of services for secondary mental health service users

The proposed Measure aims to improve the coordination of secondary mental health services. All adults receiving secondary mental health services will have a care coordinator who will:

- work with the patient and service providers to establish a written care plan;
- oversee the delivery of services outlined in the plan;
- advise service providers on how services can be better coordinated.

Either the LHB or the local authority will be responsible for appointing the care coordinator, depending on the services the person is receiving. A plan will be required for all people receiving services, including those who are unable or unwilling to get involved, and must be kept under review. Regulations will set out what should be included in the content of care plans, and who should be consulted in developing the plan.

Assessments for former users of secondary mental health services

The proposed Measure aims to enable people who have been discharged from secondary mental health services to refer themselves back if they feel their condition is deteriorating, without having to go through their GP or another health professional. Local mental health partners will be required to put arrangements in place to enable former users of mental health services to request and receive a timely new assessment of their needs.

Once any services have been identified as a need for the person, the assessing partner must:

- consider whether to provide them;
- refer the person on to any relevant community services; or
- provide the person with a written report of their assessment, including a statement of the services which have been identified as a need.

Miscellaneous

The proposed Measure also seeks to:

- promote cooperative and joint working between LHBs and local authorities through pooling funds and providing resources, such as staff and premises, to each other; and
- extend access to Independent Mental Health Advocates (IMHAs) to all people subject to Act (rather than just those receiving mental health services compulsorily).

What happens next?

Once the Stage One Committee has reported, the Assembly will consider the general principles of the proposed Measure and any recommendations of the Committee report. If the Assembly agrees the general principles, the proposed Measure will progress to a detailed line-by-line consideration of the proposed Measure and any proposed amendments. After this it will be subject to a vote by all AMs.

More information

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