



A Briefing Note for GPs and Primary Care Practitioners

The Mental Health (Wales) Measure 2010 Issue 2, April 2012

The Mental Health (Wales) Measure 2010 is a piece of law made by the National Assembly for Wales and it has similar legal status to an Act of Parliament. The Measure introduces a number of important changes relating to the assessment and treatment of people with mental health problems within primary and secondary mental health services in Wales, from January 2012 onwards. The intended effect of the Measure is to:

- expand the provision of local primary mental health support services (**Part 1**)
- Ensure that all service users within secondary care have a care coordinator and a care plan (**Part 2**)
- Provide a mechanism for re-access to secondary care services for previous service users (**Part 3**)
- expand statutory independent mental health advocacy to certain 'short term' sections of the Mental Health Act 1983 and to non-detained inpatients (**Part 4**)

Part 1 – Local Primary Mental Health Support Services

The provisions of Part 1 will come into force on 1 October 2012.

Part 1 of the Measure seeks to strengthen the role of primary care in delivering effective mental health care and treatment and to support primary care providers in working with individuals of all ages with mental health needs. It places a statutory duty on all Health Boards and Local Authorities in Wales to work together to provide these local primary mental health support services which are expected, in the main, to operate within or alongside existing GP practices.

Part 1 – Local Primary Mental Health Support Services—continued

These services will provide local access to support for people of all ages who have mild to moderate and/or stable severe and enduring mental health problems, including psychosocial, behavioural and emotional difficulties experienced by children and young people and memory impairment in older people. The local primary mental health support services will comprise:

- comprehensive mental health assessments for individuals who have first been seen by a GP, but for whom the GP considers a more detailed assessment is required (in some cases, individuals may be referred into the primary care service by secondary mental health services);
- treatment, by way of short-term interventions, either individually or through group work, if this has been identified as appropriate following assessment. Such treatment may include counselling, a range of psychological interventions including cognitive behavioural therapy, solution-focused therapy, stress management, anger management and education;
- provision of information and advice to individuals and their carers about treatment and care, including the options available to them, as well as 'signposting' them to other sources of support (e.g. third sector);
- provision of support and advice to GPs and other primary care workers to enable them to safely manage and care for people with mental health problems;
- supporting the onward referral and co-ordination of next steps with secondary mental health services, where this is felt to be appropriate for an individual;

Part 1 – Local Primary Mental Health Support Services—continued

To support the development and delivery of these services the Welsh Government has published a National Service Model which provides strategic and operational guidance for service planners and providers. The National Service Model can be accessed at:

<http://wales.gov.uk/docs/dhss/publications/110914mhnatservicemodalen.pdf>

The Welsh Government has produced two sets of draft regulations under Part 1 of the Measure.

- **The Mental Health (Regional Provision) (Wales) Regulations 2012**

will provide for Local Health Boards (LHB) and Local Authorities to enter into regional working arrangements based on the area covered by the LHB, rather than on a local authority basis.

- **The Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments) (Wales) Regulations 2012**

will enable GPs to refer individuals to the local primary mental health support service for assessment, even if that individual is not registered with that GP practice and /or does not usually live within the local authority area of the practice. It will also set out eligibility requirements for those who may undertake primary mental health assessments.

Local implementation leads have been appointed in each LHB area to co-ordinate the development and implementation of local primary mental support services and further information about these services can be obtained from:

Aneurin Bevan Health Board:

Email: John.Burgess@wales.nhs.uk

ABM University Health Board:

Email: Alison.Davies24@wales.nhs.uk

Betsi Cadwaladr University Health Board:

Email: Sarah.Tillman2@wales.nhs.uk

Cardiff and Vale University Health Board:

Email: Julian.Willett@wales.nhs.uk

Cwm Taf Health Board:

Email: James.McMahon@wales.nhs.uk

Hywel Dda Health Board:

Email: Lesley.Harvey2@wales.nhs.uk

Powys Teaching Health Board:

Email: Margaret.Meredith2@wales.nhs.uk

Part 2—Care Coordination and Care and Treatment Planning

The Statutory duties of Part 2 will come into force on 6 June 2012

Part 2 of the Measure places duties on LHBs and Local Authorities in Wales to act in a coordinated manner to improve the effectiveness of the secondary mental health services they provide to an individual. It also requires that care and treatment plans be provided for service users of all ages who have been assessed as requiring care and treatment within secondary mental health services.

The Mental Health (Care Coordination and Care and Treatment Planning) (Wales) Regulations 2011 made under Part 2 of the Measure set out the content and the form of the care and treatment plan which all care coordinators will be required to use. These regulations also set out requirements relating to the appointment of care coordinators and the making, reviewing and revising of care and treatment plans.

The Mental Health (Secondary Mental Health Services) (Wales) Order 2012 will provide clarity as to what services and treatments are to be considered as secondary mental health services for the purposes of parts 2 and 3 of the Measure.

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Wales Mental Health in Primary Care

Regus House, Falcon Drive, Cardiff Bay, Cardiff CF10 4RU

Part 3—Assessments of Former Users of Secondary Mental Health Services

The Statutory duties of Part 3 will come into force on 6 June 2012

The aim of this Part of the Measure is to enable eligible individuals who have been discharged from secondary mental health services, but who subsequently believe that their mental health is deteriorating to such a point as to require such care and treatment again, to refer themselves back to secondary services directly, without necessarily needing to first go to their general practitioner or elsewhere for a referral.

Part 3 of the Measure requires that LHBs and Local Authorities have arrangements in place to receive self-referrals of this kind, and to undertake timely assessments.

The Mental Health (Assessment of Former Users of Secondary Mental Health Services) (Wales) Regulations were made by the National Assembly for Wales in 2011. These set out the length of time an individual will be eligible for such an assessment following their discharge from services (3 years from the date of discharge) and arrangements for dealing with requests where the individual's place of usual residence is disputed.

The Welsh Government has published a draft Code of Practice to Parts 2 and 3 of the Measure. This Code contains guidance for Local Authorities, LHBs and their staff in relation to their functions under Parts 2 and 3 of the Measure and also provides information for patients, their families, carers and advocates.

The Mental Health (Secondary Mental Health Services) (Wales) Order 2012 (referred to above) will seek to ensure that people who have previously received certain secondary mental health services in other parts of the United Kingdom, but who are currently usually resident in Wales, receive the same right to request an assessment as individuals who have previously received secondary mental health services delivered in Wales.

Part 4 – Independent Mental Health Advocacy

The Statutory duties set out in Part 4 of the Measure came into force, fully, on 2 April 2012

Part 4 of the Measure introduces an expanded statutory scheme of independent mental health advocacy, both for patients subject to compulsion under the Mental Health Act 1983, and for those in hospital voluntarily.

The Mental Health (Independent Mental Health Advocates) (Wales) Regulations 2011, made by the National Assembly under this Part of the Measure, set out requirements relating to the provision of IMHA services, appointment and independence requirements for advocates, and who the IMHA may visit and interview in undertaking their role.

Further Information:

For further information on any aspect of this information sheet please contact:

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