

*dros adferiad
o afiechyd
meddwl difrifol*

hafal

*for recovery
from serious
mental illness*

The Mental Health Measure



11/09/08 Consultation by the Welsh Assembly Government on the Mental Health Act Code of Practice for Wales

Jo's Blog

...a patient's response

Dear Reader

I just wanted to write to you one more time to say:



well done!



This is me!
This is my story: I've been subject to compulsory treatment a few times in my life and was sectioned for long periods. I am still subject to a Home Office section (37/41). Having been through this, I strongly feel that we need a service that works as hard as possible to prevent people from needing to go to hospital, and that treats them with respect when there's no choice but to compel them.

...and to let you know that thanks to the contribution of over 450 readers of my blog, the Mental Health Act Code of Practice for Wales now has a real **patient focus**.

If you remember I was in touch with you several times at the end of last year when the Assembly Government was consulting people about the Mental Health Act Code of Practice for Wales. The Code of Practice will determine how the Mental Health Act is implemented in Wales, so it's very important to us all. The responses I had came in from every county in Wales – an amazing result – with over half from patients and most of the rest from carers.

Morgan supports Wales Alliance for Mental Health vision for Welsh Mental Health Measure

20 Jan 2009 (updated: 26 Jan 2009)



Shadow Health and Social Services Minister Jonathan Morgan AM has pledged his full support for the Wales Alliance for Mental Health (WAMH) vision for a Mental Health Measure (Welsh law).

Mr Morgan, who proposed the Mental Health Legislative Competency Order to develop a Measure and has overseen its progress at the Assembly, said he agreed with all the principles in the WAMH vision, including the creation of a legal right to an holistic care plan for all patients who are assessed as needing secondary or specialist mental health services.

Speaking to John Abbott, Hafal's Campaigns Manager, Mr Morgan stated: "I want to put patients' rights at the heart of a new Measure, including rights to early treatment and rights to a comprehensive care plan.

"I would like to see a fair and balanced Measure with a focus on supporting patients towards recovery."

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[To visit Hafal's young people's site click here](#)

News

People Power Gets Wales New Mental Health Laws

11 Feb 2010 (updated: 11 Feb 2010)

A National Assembly for Wales event to be held at mental health charity Hafal's National Resource Centre at St Fagans, Cardiff, on Thursday 11th February will mark the Royal Approval of the Mental Health Legislative Competence Order

Today the National Assembly for Wales has been granted legislative competence to create an Assembly Measure (or 'Welsh Law') dealing with assessment, treatment and advocacy in mental health.

The Mental Health Legislative Competence Order (LCO) was put forward by Assembly Member Jonathan Morgan following calls from service users for an improved mental health service in Wales - meaning that some of the most disadvantaged people in society will have found a voice in the proposed new legislation. It is the first ever LCO from a backbench Assembly Member.

Bill Walden-Jones, Chief Executive of service-user led Welsh mental health charity Hafal, said: "This is brilliant news for the people of Wales. Following the passing of a disappointing Mental Health Act in 2007, service users in Wales were calling for a better deal. Jonathan Morgan picked up on these concerns and introduced a compelling Member-proposed LCO which gained the support of all parties.

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WELSH ASSEMBLY GOVERNMENT CONSULTATION ON MENTAL HEALTH (WALES) MEASURE DRAFT REGULATIONS FEB 21 - MAY 16 2011

March 1st 2011



SUE'S VIEW

THE MENTAL HEALTH MEASURE (Welsh law) WAS PASSED IN LATE 2010 AND THE ASSEMBLY GOVERNMENT IS CURRENTLY CONSULTING SERVICE USERS, CARERS AND OTHERS ABOUT THE ACCOMPANYING REGULATIONS.

May I take five minutes of your time to give an initial response to the draft Regulations which were published last week by the Assembly Government?

I can report that, on the whole, service users I have spoken to so far have responded positively to the Regulations. There is just one key area of concern relating to Care and Treatment Plans (the Measure gives a legal right to all patients receiving secondary mental health services to have a Care Plan).

Service users know from experience that a Care Plan needs to be *holistic*. A Care Plan that just covers medication, for example, is not enough. But we are concerned that the Regulations do not ensure that all areas of life will be addressed in the Care Plan.

What does the new Measure say about the Care Plan?

The Measure *requires* at least one or more of the following eight areas of life to be addressed in the Care Plan:

- accommodation
- education and training
- finance and money
- medical and other forms of treatment, including psychological interventions
- parenting or caring relationships
- personal care and physical well-being
- social, cultural and spiritual
- work and occupation.

WHO'S SUE?

I'm Sue Barnes and I'm National Service User Champion for Welsh mental health charity Hafal. My mission is to listen to the concerns of those in a similar situation to me and to campaign for the rights of people with a mental health problem.





New law enables Wales to lead the way in better mental health services

by Sue Barnes, Western Mail | Mar 7 2011

IN MY first column, in December, I told you how excited I felt about the Mental Health (Wales) Measure – the first new Welsh mental health law to be passed since the 10th century.

The Measure, which received royal assent in December, offers Wales the chance to lead the way in the provision of mental health services in the UK.

For the Measure to bring about the change service users want, it is absolutely essential that its accompanying regulations are up to scratch.

This is why today is such an important day, as it marks the beginning of an Assembly Government consultation programme on three sets of draft regulations.

For service users like me, the most important regulations concern care planning. There's a lot of talk about the importance of care planning in the arena of mental health, but for those who know nothing about care plans, this is what they are for.

Put simply, a care plan should set out the long-term goals and objectives of a service user in all areas of life, and the actions that need to be taken to achieve those goals.

The Measure says all patients receiving secondary mental health services have the right to a care plan and that the planned outcomes must relate to...

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Getting the Measure of Mental Health?

Eve Piffaretti

Partner



Made to Measure ?

- Part 1 : Local Primary Mental Health Support Services
- Part 2 : Coordination of and Care and Treatment Planning for Secondary Mental Health Users
- Part 3 : Assessment of Former Users of Secondary Mental Health Services
- Part 4: Mental Health Advocacy



Part 1 : Local Primary Mental Health Support Services

- Part 1 places statutory duties on Local Health Boards and local authorities in Wales to work together to develop joint schemes for the provision of local primary mental health support services and to provide such services in all local authority areas in Wales.



Part 1 : Local Primary Mental Health Support Services

- **‘local mental health partners’** are the bodies (local authorities and Local Health Boards (LHBs)) which are responsible for providing primary mental health support services.
- Local mental health partners are also responsible for making arrangements for the assessment of former users of secondary mental health services (under Part 3 of the Measure).
- The term is of relevance to the whole Measure, not just Part 1.



Local Primary Mental Health Support Services

- Local mental health partners are required to take reasonable steps to agree a scheme which secures the provision of primary mental health support services for the local authority area.
- The schemes will set out the arrangements for the services, including the type and extent of the local primary mental health treatment that will be made available as part of the services, and which partner is responsible for the different aspects of the service.



Local Primary Mental Health Support Services

- The primary mental health assessment operates as ‘gateway’ to the other services
- There is a right to an assessment where an individual (of any age) is referred by their GP, or where a GP refers an individual who is not registered with the GP but who falls within a category of additional persons listed in the regulations
- The scheme may confer rights to assessment on other categories or groups, such as individuals receiving secondary mental health services, and those subject to compulsion under the Mental Health Act 1983.



Part 2 : Coordination of and Care and Treatment Planning for Secondary Mental Health Users

- Duty placed on mental health service providers (Health Boards and Local Authorities) to act in a coordinated manner to improve the effectiveness of the mental health services they provide to an individual.
- A care and treatment plan is required for service users of all ages who have been assessed as requiring care and treatment within secondary mental health services.



Care and treatment plans

- Developed by a care coordinator in consultation with the service user and mental health service providers;
 - Outlines the expected outcomes of services, and the how those outcomes are to be achieved;
 - In writing;
 - Kept under review and may be updated to reflect any changes in the type of care and treatment which may be required by the service user over time.



Part 3: Assessment of Former Users of Secondary Mental Health Services

- To enable adults 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.
- Health Boards and Local Authorities will be required to have arrangements in place to receive self-referrals of this kind, and to undertake timely assessments



Part 4 : Mental Health Advocacy

- Expands statutory scheme of independent mental health advocacy, both for patients subject to compulsion under the Mental Health Act 1983, and for those in hospital informally (i.e : not subject to the 1983 Act).



Subordinate legislation

- Mental Health (Care Coordination and Care and Treatment Planning) (Wales) Regulations 2011
- The Mental Health (Independent Mental Health Advocates) (Wales) Regulations 2011
- Mental Health (Assessment of Former Users of Secondary Mental Health Services) (Wales) Regulations 2011
- Mental Health (Regional Provision) (Wales) Regulations 2012
- Mental Health (Primary Care Referrals and Eligibility to Conduct Primary Mental Health Assessments)(Wales) Regulations 2012



Code of Practice

- Prepared and is issued under section 44 of the Mental Health (Wales) Measure 2010
- Guidance for Local Health Boards, local authorities, care coordinators and any other person with functions in relation to Parts 2 and 3 of the Measure.
- Status of Code

CARE AND TREATMENT PLAN

Gall y cynllun hwn cael ei gwblhau yng Nghymraeg neu yn Saesneg
This plan may be completed in either the Welsh or the English language

Mental Health (Wales) Measure 2010 Section 18 – Care and Treatment Plan

This care and treatment plan has been prepared under section 18 of the Mental Health (Wales) Measure 2010, and in accordance with the requirements of the Mental Health (Care Coordination and Care and Treatment Planning) (Wales) Regulations 2011.

This is the care and treatment plan of

Name of relevant patient

who lives at

Full usual address of relevant patient

The care coordinator who has prepared this care and treatment plan is

Name of care coordinator

who can be contacted at

Telephone number, postal address, and where appropriate, email address of care coordinator

The care coordinator has been appointed by, and is acting on behalf of,

Name of Local Health Board or Local Authority that appointed the care coordinator

This plan was made on

This part of the care and treatment plan records the outcomes which the provision of mental health services are designed to achieve, details of those services that are to be provided, and the actions that are to be taken with a view to achieving those outcomes.

*The planned outcome(s) included in the following part of the plan must relate to **one or more** of the areas listed, and include an explanation of how each outcome relates to each area. Outcomes also may be achieved in other areas, and are to take into account any risks identified in relation to the relevant patient. This part of the plan should also set out details of the services that are to be provided, or actions taken, to achieve the planned outcomes, including when, and by whom those services are to be provided or actions taken.*

Outcomes to be achieved must be agreed in relation to at least one of the following areas:

Outcome to be achieved	What services are to be provided, or actions taken	When	Who by
a) accommodation			
b) education and training			
c) finance and money			
d) medical and other forms of treatment, including psychological interventions			

	Outcome to be achieved	What services are to be provided ,or actions taken	When	Who by
<i>) parenting or caring responsibilities</i>				
<i>) personal care and physical well-being</i>				
<i>) social, cultural and spiritual</i>				
<i>) work and occupation</i>				
<i>Outcomes to be achieved may also be agreed in relation to other areas</i>				

Training

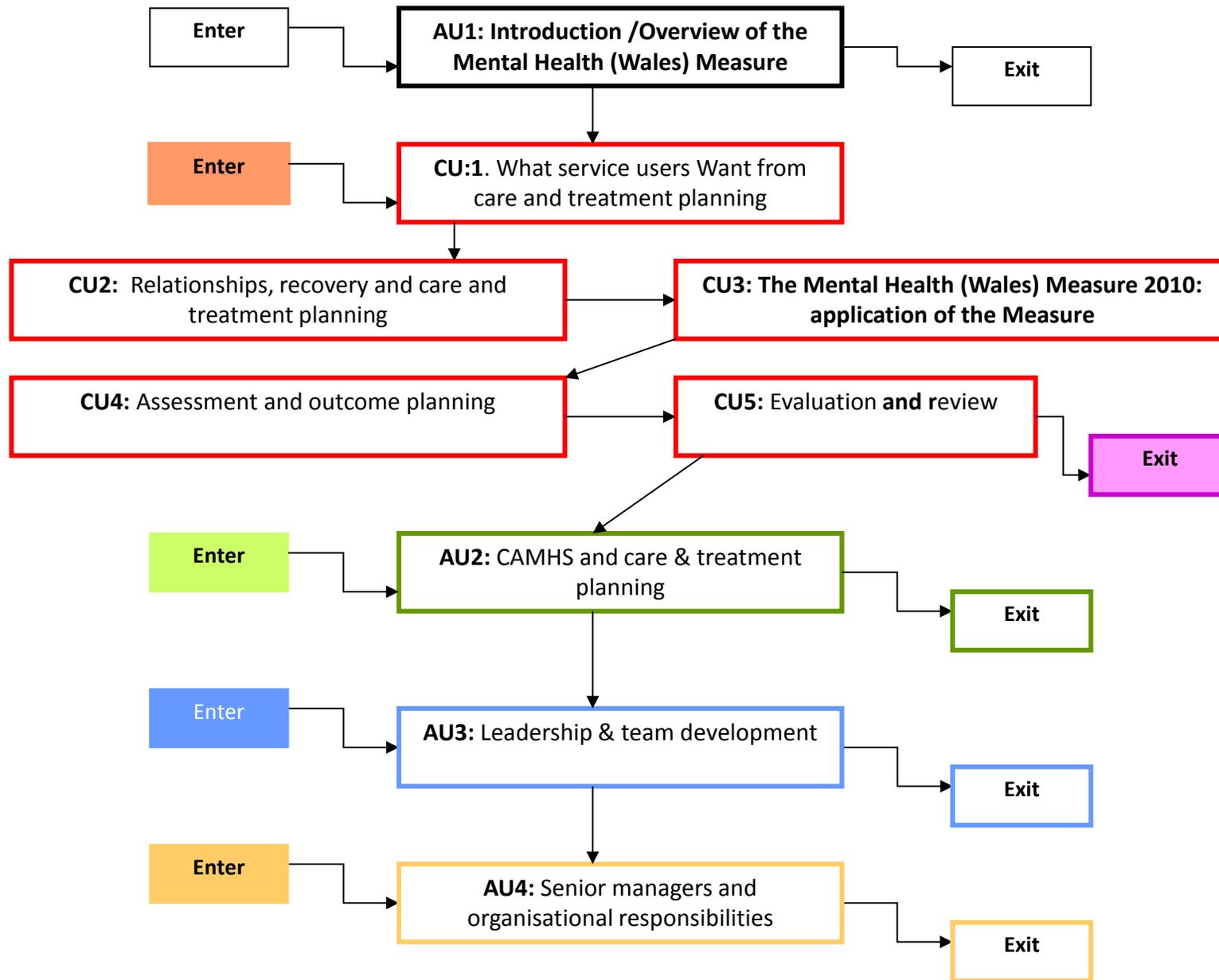
- WG have commissioned training on the implementation of the Measure (£70k)
- Lincoln University leading; Hafal provided Expert patient Trainers
- Comprehensive training package
- Not mandatory for Care Co-ordinators!

The Guiding Principles (1)

- Patients and their carers should be involved in the planning, development and delivery of the patient's care and treatment to the fullest extent possible
- Clear communication in terms of language and culture is essential to ensure patients and their carers are truly involved, and receive the best possible care and treatment. In Wales, this means bilingual (Welsh and English) services should, where possible be available

The Guiding Principles (2)

- Care and treatment should be comprehensive, holistic and person-focused
- Care and treatment planning should be proportionate to need and risk
- Care and treatment should be integrated and coordinated



Concerns

- Practitioner sign-up
- Quality
- Training
- Recourse if not happening
- What if clients do not engage in plans
- Secondary care v Primary care



Concerns

- The challenge of implementation
 - training
 - resources
 - complexity
- Enforcement
- Engagement and Awareness raising
- Cross border issues
- Impact



Discussion