

## **EXPLANATORY NOTES**

### **MENTAL HEALTH (WALES) MEASURE 2010**

#### **INTRODUCTION**

#### **COMMENTARY ON SECTIONS**

Section 1 – Meaning of “local mental health partners”

Section 2 – Joint schemes for the provision of local primary mental health support services

Section 3 – Duty to provide local primary mental health support services

Section 4 – Failure to agree schemes

Section 5 – Meaning of “local primary mental health support services”

Sections 6 to 8 – Duties to carry out primary mental health assessments (various)

Section 9 – Conduct of primary mental health assessments

Section 10 – Action following a primary mental health assessment

Section 11 – Inclusion of schemes under this Part in Children and Young People’s plans

Section 12 – Meaning of “relevant patient”

Section 13 – Meaning of “mental health service provider”

Section 14 – Duty to appoint care coordinator for a relevant patient

Section 15 – Identification of the relevant mental health service provider for a relevant patient

Section 16 – Further provision about the appointment of care coordinators

Section 17 – Duty to coordinate provision of mental health services

Section 18 – Functions of the care coordinator

Section 19 – Arrangements for assessment of former users of secondary mental health services

Section 20 – Duty to carry out assessments

Section 21 – Failure to agree arrangements

Section 22 – Entitlement to assessment

Section 23 – Assessments: the relevant discharge period

Section 24 – Provision of information about assessments

Section 25 – Purpose of assessment

Section 26 – Assessments: further provision

Section 27 – Action following an assessment

Section 28 – Referrals relating to housing or well-being services

Section 29 – Determination of usual residence

Section 30 – Application of this Part to persons under local authority guardianship

#### **PART 4: MENTAL HEALTH ADVOCACY**

Section 31 – Independent mental health advocates: Wales

Section 32 – Further provision about independent mental health advocacy for Welsh qualifying compulsory patients

Section 33 – Further provision about independent mental health advocacy for Welsh qualifying informal patients

Section 34 – Independent mental health advocates: supplementary powers and duties

Section 35 – Welsh qualifying compulsory patients

Section 36 – Welsh qualifying informal patients

Section 37 – Duty to give information about independent mental health advocates to Welsh qualifying compulsory patients

Section 38 – Duty to give information about independent mental health advocates to Welsh qualifying informal patients

Section 39 – Application of the Mental Health Act 1983 code of practice to Welsh independent mental health advocates

Section 40 – Procedures for making regulations under the Mental Health Act 1983

Section 41 – Cooperative and joint working between Local Health Boards and local authorities

Section 42 – Information sharing

Section 43 – Amendment of the Local Authority Social Services Act 1970

Section 44 – Codes of Practice

Section 45 – Part 1: power to secure regional provision

Section 46 – Part 3: power to secure regional provision

*These notes refer to the Mental Health (Wales) Measure 2010 (c.7)*

Section 47 – Regulations as to the individuals who may carry out mental health assessments and act as care coordinators

Section 48 – Duty to review the Measure

Section 49 – Meaning of secondary mental health services

Section 50 – Meaning of housing or well-being services

Section 51 – General interpretation

Section 52 – Orders and regulations

Section 53 – Consequential etc amendments

Section 54 – Repeals

Section 55 – Commencement

Section 56 – Short title

Schedule 1

Schedule 2

**RECORD OF PROCEEDINGS IN THE NATIONAL ASSEMBLY FOR WALES**