

Denbighshire County Council's response dated 24th April 2008

Proposed Provision of Mental Health Service LCO Committee – The National Assembly for Wales (Legislative Competence) (No6) Order 2008 (Relating to Provision of Mental Health Services).

Response to the Public Consultation - Invitation to Respond. This response is specific to items 1 – 8 as detailed in the Invitation to Respond.

- 1) The terms of the proposed Order would appear to confer the appropriate powers of the National Assembly for Wales to allow for the implementation of the policy proposals outlined in the Explanatory Memorandum.
- 2) The scope of the proposed Order appears to be sufficient to address the issues specified.
- 3) In many parts of Wales, mental health services are provided jointly by local health and social care services. If a duty to assess and provide treatment were to be introduced then it may be more appropriate to consider imposing this duty on local health and social care services.
- 4) This Authority tends to refer to secondary care services in Wales therefore by limiting the proposals to “the health service in Wales” would have little impact locally. However for those Authorities who access part of their secondary care services in England this could be more problematic and may lead to confusion and inequity.
- 5) Arrangements for the provision of Advocacy Services to people who have mental health needs vary considerably across Wales. The introduction of an Advocacy Service to those detained under the 2007 mental health act is clearly welcomed. However there is already some concern that confusion may develop for service users, carers and professionals about the different roles of the new 2007 Mental Health Act Advocacy, and existing locally commissioned Advocacy arrangements. While any additional resource allocation into this area would be welcomed it may be more logical to encourage local commissioners to consider the extension of existing provisions rather than the development of a separate service.
- 6) The limiting of legislative competence to exclude those detained under Mental Health act 1983 appears appropriate.
- 7) This definition appears appropriate.
- 8) Given the range of interventions available to support people with mental health needs it would seem appropriate to make clear that any treatment may include a range of therapeutic interventions.