Mental Health (Wales) Measure 2010

2010 nawm 7

PART 3

ASSESSMENTS OF FORMER USERS OF SECONDARY MENTAL HEALTH SERVICES

Assessment process

25 Purpose of assessment

An assessment under this Part is an analysis of an adult's mental health which identifies–

(a) the secondary mental health services (if any) which might improve or prevent a deterioration in the mental health of the person being assessed;

(b) the community care services, not being secondary mental health services, (if any) which might improve or prevent a deterioration in the mental health of the person being assessed; and

(c) the housing or well-being services (if any) which might improve or prevent a deterioration in the mental health of the person being assessed.

26 Assessments: further provision

(1) An assessment under this Part must be carried out as soon as is reasonably practicable after the request referred to in section 22(1) is made.

(2) The local mental health partners must ensure that–

(a) an assessment results in a single report in writing which records whether the assessment has identified any services in accordance with section 25; and

(b) a copy of that report is provided to the adult who has been assessed within such period following completion of the assessment as is specified in regulations made by the Welsh Ministers.

(3) Where a sole local mental health partner has carried out an assessment under this Part, the partner must, if it considers it appropriate to do so, provide a copy of the report to the other partner as soon as it is reasonably practicable to do so.

Commencement Information

I1 S. 26 in force in so far as not already in force at 6.6.2012 by S.I. 2012/1397, **art. 2(o)**

I2 S. 26 partly in force; s. 26 in force at 15.2.2011 in so far as it confers power to make subordinate legislation see s. 55

27 Action following an assessment

(1) Subsection (2) applies where an assessment under section 25(a) or (b) has identified secondary mental health services or community care services (not being secondary mental health services) which might help to improve, or prevent a deterioration in, an adult's mental health.

(2) Where one of the local mental health partners would be the responsible authority in relation to any such service, that partner must decide whether the provision of the service is called for.

(3) In this section "responsible authority" means the authority which would be responsible for providing services if a decision were made to do so.

28 Referrals relating to housing or well-being services

(1) Unless subsection (2) applies, where a secondary mental health assessment has under section 25(c) identified a housing or well-being service which might help to improve, or prevent a deterioration in, an adult's mental health, the partner must ask the responsible service provider to consider whether to provide the service to the adult or, if that is not appropriate, whether to invite the adult to apply for the service.

(2) Where the local authority mental health partner would be the responsible service provider in relation to such a housing or well-being service, the authority must decide whether the provision of the service is called for or, if that is not appropriate, whether to invite the adult to apply for the service.

(3) In subsections (1) and (2), "responsible service provider" means a person carrying out activities in Wales who would provide the service if a decision were made to do so.

Changes to legislation:
There are currently no known outstanding effects for the Mental Health (Wales) Measure 2010, Cross Heading: Assessment process.