



# Mental Health (Wales) Measure 2010

2010 nawm 7

## PART 1 **W**

### LOCAL PRIMARY MENTAL HEALTH SUPPORT SERVICES

#### *Local primary mental health support services*

#### **2 Joint schemes for the provision of local primary mental health support services **W****

- (1) The local mental health partners for a local authority area must take all reasonable steps to agree a scheme—
- (a) which identifies the treatment which is to be made available for that area for the purposes of this Part (“local primary mental health treatment”); and
  - (b) for securing the provision for that area of the services, including local primary mental health treatment, described in section 5 (“local primary mental health support services”).

- (2) If a scheme is agreed, the partners must ensure that it is recorded in writing.

[<sup>F1</sup>(2A) A scheme may be recorded by including it within a local well-being plan published under section 39 [<sup>F2</sup>, 44(5) or 47(6) or (11)] of the Well-being of Future Generations (Wales) Act 2015 (anaw 2) by a public services board of which each of the partners is a member.]

- (3) A scheme must identify the extent to which each of the partners is to be responsible for providing local primary mental health support services.

- (4) A scheme may provide that—

- (a) one of the partners is to be responsible for providing all local primary mental health support services for the local authority area;
- (b) primary mental health assessments are to be made available in respect of all or particular descriptions of the individuals described in section 8(1);

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*Changes to legislation: There are currently no known outstanding effects for the  
Mental Health (Wales) Measure 2010, Section 2. (See end of Document for details)*

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- (c) primary mental health assessments are to be carried out in respect of particular categories of individual who would not otherwise be entitled to an assessment.
- (5) If a scheme makes provision under subsection (4)(b), it must also provide for particular descriptions of staff working in secondary mental health services to be able to refer an individual referred to in that subsection for a primary mental health assessment.
- (6) The partners may alter a scheme (including a scheme determined by the Welsh Ministers under section 4 and a scheme which has already been altered) if they agree the alterations.
- (7) If a scheme is altered under subsection (6), the partners must ensure that the alterations are recorded in writing.

#### **Textual Amendments**

- F1** S. 2(2A) inserted (1.4.2016) by [Well-being of Future Generations \(Wales\) Act 2015 \(anaw 2\)](#), s. 56(2), [Sch. 4 para. 29](#); S.I. 2016/86, art. 3
- F2** Words in s. 2(2A) substituted (20.3.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(3)(q), [Sch. 14 para. 7](#)

#### **Commencement Information**

- I1** S. 2 in force at 8.5.2012 by S.I. 2011/3046, [art. 4\(b\)](#) (with [art. 5](#))

**Changes to legislation:**

There are currently no known outstanding effects for the Mental Health (Wales) Measure 2010, Section 2.