
WELSH STATUTORY INSTRUMENTS

2011 No. 2942

The Mental Health (Care Co-ordination and Care and Treatment Planning) (Wales) Regulations 2011

Part 2 —

Care coordinators

Identification of relevant mental health service provider

3.—(1) Where a Local Health Board is responsible for providing a secondary mental health service⁽¹⁾ to a relevant patient and a local authority is also responsible for providing such a service, then the provisions of this regulation apply.

(2) The Local Health Board is the relevant mental health service provider for a relevant patient unless paragraphs (3) or (4) apply.

(3) A local authority is the relevant mental health service provider for a relevant patient if that patient is the subject of—

- (a) a guardianship application made under section 7 of the 1983 Act; or
- (b) a guardianship order made under section 37 of the 1983 Act.

(4) A local authority is the relevant mental health service provider for a relevant patient if that patient is under the age of eighteen years and—

- (a) is looked after by a local authority within the meaning of section 22(1) (general duty of local authority in relation to children looked after by them) of the 1989 Act;
- (b) is a relevant child within the meaning of section 23A (the responsible authority and relevant children) of the 1989 Act;
- (c) qualifies for advice and assistance under section 24(1A) (persons qualifying for advice or assistance) or section 24(1B) of the 1989 Act; or
- (d) is admitted to a school in accordance with a statement of special educational needs made under section 324 (statement of special educational needs) of the Education Act 1996⁽²⁾ that names the school.

Eligibility requirements for care coordinators

4.—(1) A person is eligible to be appointed as a care coordinator if that person—

- (a) fulfils one or more of the professional requirements in Schedule 1 to these Regulations; and
- (b) has demonstrated to the satisfaction of the relevant mental health service provider that he or she has appropriate experience, skills or training, or an appropriate combination of experience, skills and training.

(1) See section 49 of the Measure (meaning of secondary mental health services) for the definition of secondary mental health services.

(2) 1996 c. 56.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(2) When determining whether a person satisfies the appointment requirement in paragraph (1)(b) regard must be had to standards in any Codes of Practice issued under section 44 (codes of practice) of the Measure, and any guidance that may be from time to time issued by the Welsh Ministers.