

Introduction and summary

1 We very much welcome the proposed Competence Order and the opportunity to comment on it. We welcome this initiative to address broader issues for mental health services than those covered by the Mental Health Act 2007. We suggest the scope of the proposed Order is widened further. In responding to the consultation we briefly explain the CHC's involvement in mental health services and then the background to our proposals for widening the scope to cover local authority services, the needs of carers and planning for mental health services. We then set out the specific amendments that we suggest and answer the specific consultation questions that you ask.

Cardiff Community Health Council (CHC): Mental Health Services

2 Cardiff CHC has a longstanding interest in the development of mental health services. It currently has a team of four members supported by the Chief Officer who focus on mental health services. As well as undertaking regular monitoring visits to services (some 5 or 6 a year some of which have been unannounced) we run groups for carers and are involved in regular meetings and forums about the development of these services. While we welcome and support many of the developments in services in Cardiff we think there is considerable scope for improvement in the planning, management and delivery of these services. While we think the proposed Legislative Competence Order (LCO) will support such improvement we suggest amendments to take this further.

Considerations

Local authority role

3 We think the proposed provisions should be applied equally to local authorities. They also have statutory responsibility for the planning and provision of services for and the assessment of the needs of people with mental health problems. Much of the "stigma", to which paragraph 13 of the explanatory memorandum refers, is due to the isolation of current services from the mainstream. Many of the needs of service users are met through the provision of social services, housing and employment services that support them in daily living. Such services also support the objective at paragraph 9 of the memorandum in reducing "deterioration" and "minimising the distress experienced by service users and their families". We think extending the scope of the proposed Order will support better integration between health and social services and related areas of support.

Carers

4 We propose that paragraphs 2(a) and 2(c) should include carers in their scope. Carers currently have a right to assessment under community care legislation as applied to local authorities but there are not such rights in relation to health services. We welcome the fact that there is also a proposed Legislative Competence Order before the Assembly to support the identification of and giving information to carers by health and social services. But in view of the pivotal role that many carers play in mental health services, we think it is overdue for them also to have similar right to assessment for health services as for social services. In applying this to mental health services this could be an important additional step for the Assembly.

Planning and management

5 We propose an additional subsection to cover planning for these services. We have concerns that the present arrangements for planning and management of these services are not sufficiently robust. We have already referred to welcome improvements to mental health services in Cardiff. However, we have concerns that they are piecemeal developments that do not form a coherent whole clearly related to the needs of the population. There is a risk that some of the services are not well targeted and do not achieve best value for money. We had hoped that the framework provided by the Health Social Care and Well-being Strategy would have supported a more comprehensive assessment of the overall pattern of needs and resources. However, the current approach is at such a level of generality as not to provide the necessary foundations for this.

6 We have a number of specific examples of the need for improved planning, coordination and delivery of these services

There is currently up to a 2 year wait for access to psychology services in Cardiff yet this issue is not covered in the Health Social Care and Well-Being Strategy for mental health. We are aware that the Assembly Health Well-Being and Local Government Committee has recently completed an Inquiry into workforce planning and placed considerable emphasis on the need for improved data on the workforce and planning for it. But without the necessary coverage in service planning it is difficult to make headway in workforce planning to make necessary service improvements

There has been raised with us an issue about care for patients with diabetes in a mental health hospital setting for older people where patients were not receiving the regular sight checks that they would have received if living at home. While we have not fully explored the issue the fact that it has been raised with us illustrates a concern about access to and coordination

of health services as between mental health services and other primary and secondary care services

There is differential access to and availability of therapy services as between adult mental health services and services for older people who have a more restricted service if at all

7 Such issues highlight problems in the planning and delivery of these services and additional powers from the Assembly should provide the opportunity to address them more comprehensively.

Proposed amendments to paragraph 2 of the proposed Order

8 Suggested amendments shown in bold as follows-

Provision for and in connection with-

the assessment by the health service and local authorities in Wales of persons who are or may be mentally disordered persons and their carers;

duties on the health service and local authorities in Wales to provide treatment and services for mentally disordered persons

independent mental health advocacy for persons who are or may be mentally disordered persons and their carers

the planning of services for mentally disordered persons by health and local authorities in Wales

Response to questions

Questions 1 and 2. Terms and scope of the proposed Order

See above. It should include local authorities, the needs of carers, the provision of services as well as treatment and the planning arrangements for services.

Question 3. Duties on other bodies.

Yes, it should include duties on local authorities. See above.

Question 4. Cross border issues

No comment. This is a technical matter on which we have no competence.

Questions 5 Assessment and advocacy services

We think these should also apply to carers.

Question 6 People detained under the Mental Health Act 1983

We see no particular reason for excluding them from these provisions.

Questions 7 and 8 Definitions of mentally disordered persons and treatment

Again these are mainly technical matters but we do think that the term person with a mental illness or mental health problem is better than "mentally disordered person". We have also suggested that the Order is extended to include services as well as "treatment" as treatment mainly suggests a medical intervention whereas we think the approach should be broader.

Cardiff CHC April 2008