

Consultation response form

The Draft Code of Practice to Parts 2 and 3 of the Mental Health (Wales) Measure 2010

Please use this section to tell us about yourself –

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If you are a representative of a group or organisation, please tell us a little bit about that organisation or group –

<p><u>Carers Wales is part of Carers UK, a campaigning, policy and information organisation of and for carers. Carers Wales makes a difference to carers' lives by</u></p> <ul style="list-style-type: none"> <u>• Campaigning for a better deal for carers;</u> <u>• Informing carers of their rights and what help is available</u> <u>• Training and advising professionals who work with Carers</u> <u>• Work across the UK through its membership and networks of branches and affiliates</u> 	Formatted: Bullets and Numbering
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Consultation questions on the draft Code of Practice

Question 1

Do you agree with the structure, style and tone of the draft Code?

Yes No

Comments –

Question 2

Are the guiding principles in Chapter 1 suitable for the Code? If not, how could they be improved?

Yes No

Comments –

We are pleased that the guiding principles include carers as a key part of the planning, development and delivery of the patient's care to the fullest extent possible.

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Carers have previously been excluded from the process and including them as key partners in care is vital in the overall treatment plans.

If it is decided that parts of the care and treatment plan cannot be shared with the carer, then there must be separate information given to the carer on what they can do in circumstances where the person they care for is deteriorating. This could be a checklist with contact telephone numbers and include information on how they can instigate a review of the care and treatment plan should circumstances change.

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Question 3

Are issues relating to the Welsh language adequately covered? If not, what could be added or improved?

Yes No

Comments –

Question 4

Does the draft Code provide sufficient guidance in relation to planning outcomes for the care and treatment plan? If not in what way could it be improved?

Yes No

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Comments –

The Care and Treatment planning section could be strengthened by re-iterating at the very beginning of Chapter 4 that the care coordinator must collaborate with family carers as well as mental health service providers and others. This should be a requirement at the beginning of the process and should not merely be a “take reasonable steps” approach. If carers are to be seen as important members of the care delivery team and partners in care then this is a must. It is the carer who has the biggest insight into an individuals mental health problems and the carer who has to deal with a person’s problems on a daily basis.

At 4.24 the regulations state “that the care coordinator may also decide to withhold a copy of the plan, or provide a copy of part of a plan, to a carer, if they believe it is in the patient’s best interests to do so”. We would like to stress that health and social services also have a duty of care to the carer and that carers should be able to request information. If it is in the best interests of the carer, this information should not be withheld.

Question 5

Do you think that the guidance set out regarding the carrying out of reviews is adequate? If not, what could be added or improved?

Yes

No

Comments –

If a care and treatment plan is not shared wholly with the carer then the carer must be given information on how and when they can request a review if circumstances change or they can see a deterioration in a patient’s mental health.

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Question 6

Does the Code provide sufficient guidance on the Role and Functions of Care Coordinators? If not what should be added or improved?

Yes

No

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Comments –

This can be improved by ensuring that the Care Coordinators are aware that their role involves consulting with the family carer. This will reinforce the role of carers as key partners within the treatment process.

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Question 7

Is the guidance in relation to “frivolous or vexatious requests” in Chapter 8 clear? If not, what would improve the guidance?

Yes

No

Comments –

Question 8

Are there any issues that the draft Code ought to cover, but doesn't?

Yes

No

Comments –

If carers are to be seen as key partners in care and are refused a copy of, or part of, a patient's care and treatment plan then there should be a formal complaints procedure that they are able to follow in order to challenge the decision.

Question 9

Is there material in the draft Code that could be cut down, left out or could more appropriately and usefully be covered in other guidance?

Yes

No

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Comments –

Question 10

We would welcome your views on the potential impact of the draft Code on:

- a) Disability
- b) Race
- c) Gender and gender reassignment
- d) Age
- e) Religion and belief and non-belief
- f) Sexual orientation
- g) Human Rights

Question 11

We have asked a number of specific questions. If you have any related issues which we have not specifically addressed, please use this space to report them:

Confidentiality

Responses to consultations may be made public – on the internet or in a report. If you would prefer your response to be kept confidential, please tick here:

Returning this form

The closing date for replies is the 16th of January 2012.

Please send this completed form to:

Mental Health Legislation Team
Welsh Government
Cathays Park
Cardiff
CF10 3NQ

Email: mentalhealthlegislation@wales.gsi.gov.uk

If you are sending your response by email, please mark the subject of your email: **Consultation on Draft Code of Practice.**