



26 June 2014

Dear Colleague,

The National Assembly for Wales's Health and Social Care Committee is undertaking post-legislative scrutiny to assess the implementation and operation of the Mental Health (Wales) Measure 2010, in particular by:

- assessing the extent to which the stated objectives of the Measure are being achieved;
- identifying whether there are any lessons which can be learned or good practice shared from the making and implementation of the Measure and the associated subordinate legislation and guidance;
- assessing whether the Measure has represented, and will continue to represent, value for money.

In undertaking our work, we intend to take account of relevant findings from the Children, Young People and Education Committee's inquiry into Child and Adolescent Mental Health Services.

### **Invitation to contribute to the inquiry**

To inform the inquiry the Committee would welcome your views in relation to the questions set out in Annex A to this letter. Responses will be collated and analysed, and will inform an oral evidence session with the Minister for Health and Social Services, scheduled to take place in autumn 2014.

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A list of those to whom this consultation has been sent is attached at Annex B to this letter. If you are aware of other individuals or organisations who may be interested in responding to this consultation, please do draw this letter to their attention.

The Committee welcomes evidence from both individuals and organisations. If you are responding on behalf of an organisation, please provide a brief description of the role of your organisation.

Generally, we ask for submissions to be made in writing, because it is normal practice for the National Assembly to publish evidence provided to a Committee on our internet site so that it becomes part of the public record. However, we are also able to accept evidence in audio or video format. The Committee welcomes contributions in English or Welsh, and we ask organisations with Welsh Language policies / schemes to provide bilingual responses, where applicable, in line with their public information policies.

If you wish to submit evidence, please send an electronic copy of your submission to [HSCCommittee@wales.gov.uk](mailto:HSCCommittee@wales.gov.uk). Alternatively, you can write to: Committee Clerk, Health and Social Care Committee, National Assembly for Wales, Cardiff Bay, CF99 1NA.

**Submissions should arrive by Friday 12 September 2014.** It may not be possible to take responses received after this date into account.

Submissions should:

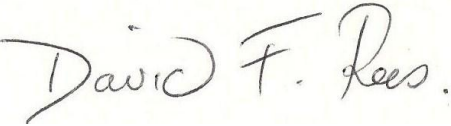
- be no longer than five sides of A4;
- contain numbered paragraphs;
- (if submitted electronically) should preferably be Word documents, not pdf files; and
- should focus on the questions set out in Annex A to this letter.

## Disclosure of Information

You can find further details about how we will use your information at <http://www.assemblywales.org/help/privacy/help-inquiry-privacy.htm>.

Please ensure that you have considered these details carefully before submitting information to the Committee.

Yours faithfully,

A handwritten signature in black ink that reads "David F. Rees." The signature is written in a cursive style with a small dot above the 'i' in David and a period at the end.

**David Rees AM**  
Chair

## **Annex A**

The Health and Social Care Committee is undertaking post-legislative scrutiny on the implementation and operation of the Mental Health (Wales) Measure 2010, in particular by:

- assessing the extent to which the stated objectives of the Measure are being achieved;
- identifying whether there are any lessons which can be learned or good practice shared from the making and implementation of the Measure and the associated subordinate legislation and guidance;
- assessing whether the Measure has represented, and will continue to represent, value for money.

To inform its inquiry, the Committee would welcome your views in relation to the following questions on which you feel able to comment:

### **Theme 1 (achievement of stated objectives):**

The Measure was implemented during 2012. Please answer any of the following questions in relation to the impact of the Measure on which you feel able to comment.

- a) Do primary mental health services now provide better and earlier access to assessment and treatment for people of all ages? Are there any barriers to achieving this?
- b) What has been the impact of the Measure on outcomes for people using primary mental health services?
- c) What has been the impact of the Measure on care planning and support for people in secondary mental health services?
- d) Has there been a change to the way in which service users in secondary mental health services are involved in their care and treatment?

- e) What impact has the Measure had on service users' ability to re-access secondary services? Are there any barriers to achieving this?
- f) To what extent has the Measure improved outcomes for people using secondary mental health services?
- g) To what extent has access to independent mental health advocacy been extended by the Measure, and what impact has this had on outcomes for service users? Are there any barriers to extending access to independent mental health advocacy?
- h) What impact has the Measure had on access to mental health services for particular groups, for example, children and young people, older people, 'hard to reach' groups?
- i) To what extent has the Measure helped to raise the profile of mental health issues within health services and the development of services that are more sensitive to the needs of people with mental health problems?
- j) To what extent has the implementation of the Measure been consistent across Local Health Board areas?
- k) Overall, has the Measure led to any changes in the quality and delivery of services, and if so, how?

**Theme 2 (lessons from the making and implementation of the legislation):**

The proposed Measure was scrutinised by the Assembly during 2010 and implemented during 2012. Please answer any of the following questions in relation to the making and implementation of the Measure on which you feel able to comment.

- a) During scrutiny the scope of the Measure was widened from adult services to include services for children and young people. What, if any, implications has this had for the implementation of the policy intentions set out in the Measure as it was proposed, and as it was passed by the Assembly?

- b) How effective were the consultation arrangements with stakeholders and service users during the development, scrutiny and implementation of the Measure?
- c) How effective were the consultation arrangements with stakeholders and service users during the development, making and implementation of the associated subordinate legislation and guidance?
- d) Has sufficient, accessible information been made available to service users and providers about the Measure and its implementation?
- e) How effective was the support and guidance given to service providers in relation to the implementation of the Measure, for example in relation to transition timescales, targets, staff programmes etc?
- f) Did any unforeseen issues arise during the implementation of the Measure? If so, were they responded to effectively?
- g) Are there any lessons which could be learned, or good practice which should be shared, for the development and implementation of other legislation?

**Theme 3 (value for money):**

The Welsh Government prepared and laid an Explanatory Memorandum to accompany the proposed Measure when it was introduced, including a Regulatory Impact Assessment. Please answer any of the following questions on which you feel able to comment.

- a) Were assumptions made in the Regulatory Impact Assessment about the demand for services accurate? Were there any unforeseen costs, or savings?
- b) Have sufficient resources been allocated to secure the effective implementation of the Measure?

- c) What has been the impact of the Welsh Government's policy of ring-fencing the mental health budget on the development of services under the Measure?
- d) What work has been done to assess the costs of implementing the Measure, and to assess the benefits accruing from the Measure?
- e) Does the Measure represent value for money, particularly in the broader economic context? What evidence do you have to support your view?

## Annex B

This consultation has been sent to the following individuals and organisations. If you are aware of other individuals or organisations who may be interested in responding to this consultation, please do draw this letter to their attention.

- Academy of Royal Colleges in Wales
- Action for Advocacy
- Action for Children
- Adoption UK
- Advocacy Matters Wales
- Advocacy Support Cymru
- Age Alliance Wales
- Age Concern Morgannwg
- Age Cymru
- All Wales Forum of Parents and Carers
- Alzheimer’s Society
- Association of Chief Police Officers
- Association of Child Psychotherapists
- Association of Directors of Education in Wales
- Association of Directors of Social Services
- Association of Educational Psychologists
- Association of the British Pharmaceutical Industry
- Auditor General for Wales
- Bangor University School of Social Services
- Barnardo’s
- Bevan Foundation
- British Association for Adoption and Fostering
- British Association for Counselling and Psychotherapy
- British Association of Social Workers Cymru
- British Medical Association Wales
- British Psychological Society
- British Red Cross
- Cardiff University Law School
- Care and Social Services Inspectorate Wales
- Care Council for Wales
- Care Forum Wales
- Carers Trust
- Carers Wales
- Chartered Society of Physiotherapy
- Children in Wales
- Children’s Commissioner for Wales
- Citizens Advice Cymru



- College of Occupational Therapists
- Comic Relief
- Community health councils
- Community Housing Cymru Group
- Community Pharmacy Wales
- Conwy and Denbighshire Mental Health Advocacy Service
- Council for Wales of Voluntary Youth Services
- Cymorth Cymru
- Dementia UK
- Disability Wales
- Diverse Cymru
- Downs Syndrome Association Wales
- Equality Advisory and Support Service
- Equality and Human Rights Commission in Wales
- Estyn
- Flintshire Advocacy Services
- Fostering Network Wales
- General Medical Council
- General Pharmaceutical Council
- Gofal Cymru
- Hafal
- Healthcare Inspectorate Wales
- Learning Disability Wales
- Local authorities
- Local health boards and NHS Trusts
- Mencap Cymru
- MAP
- Mental Health Advocacy Scheme
- Mental Health Matters Wales
- Mind Cymru
- Nacro
- National Association of Probation Officers
- National Autistic Society Cymru
- National Deaf Children’s Society
- National Institute for Social Care and Health Research
- National Offender Management Service
- New Pathways
- NSPCC
- Older People’s Advocacy Alliance
- Older People’s Commissioner for Wales
- PACE
- Patients Association
- Police Federation
- Royal College of General Practitioners
- Royal College of Nursing
- Royal College of Paediatricians and Child Health
- Royal College of Physicians of Edinburgh
- Royal College of Physicians of Glasgow

- Royal College of Physicians of London
- Royal College of Psychiatrists
- Royal Pharmaceutical Society
- Scope Cymru
- Sense Cymru
- Shelter Cymru
- SNAP Cymru
- Stonewall Cymru
- The Disability Can Do Organisation
- The Princess Royal Trust for Carers
- Together
- Tros Gynnal
- UK Advocacy Network
- Wales Carers Alliance
- Wales Carers Workers network
- Wales Council for Voluntary Action
- Welsh Institute for Health and Social Care
- Welsh Language Commissioner
- Welsh NHS Confederation
- Welsh Local Government Association
- Young Minds
- Youth Justice Board
- Youth offending teams