

# P-05-1045 To make shared-decision making and monthly mental health care plan reviews a legal requirement

Y Pwyllgor Deisebau | 1 Rhagfyr 2020  
Petitions Committee | 1 December 2020

Reference: RS20/14409-6

**Petition Number:** P-05-1045

**Petition title:** To make shared-decision making and monthly mental health care-plan reviews a legal requirement.

**Text of petition:** On the 27th of August 2020 our darling Bronwen took her life after a long battle with her mental health. We as a family truly believe that it could have been prevented. During the last 6 months of her life, Bronwen's mental health deteriorated drastically. She was making multiple attempts to take her life, putting herself in dangerous situations on a regular basis. Bronwen was hopeless, her current care-plan was not fit for purpose and she and the family were begging for something to change.

We begged to be listened to, so did Bronwen. We were ignored.

We are striving for shared decision making and regular reviews of mental health care and treatment plans. We also call for an opportunity for next of kin to contribute to those reviews. The current NICE guidelines state that shared decision making is essential in order to meet the needs of the patient.

NICE states that shared decision making is important for:

- Different choices to be made available to the patient and are discussed openly.
- The ultimate decision to be reached together by the health professional and the patient.



- To help health and social care professionals to tailor the care or treatment to the needs of the individual.

This in was NOT the case for Bronwen. Shared decision making is ESSENTIAL for patients to receive the best care that is tailored to their individual needs.

## 1. Background

### Care and Treatment Planning

Part 2 of the Mental Health (Wales) Measure 2010 gives all people who receive secondary mental health services the right to have a Care and Treatment Plan.

The Guiding Principles are set out in the Code of Practice for Parts 2 and 3. There are six in total and they are as follows;

- Patients and their carers should be involved in the planning, development and delivery of care and treatment to the fullest possible extent.
- Equality, dignity and diversity
- Clear communication in terms of language and culture is essential to ensure relevant patients and carers are truly involved, and receive the best possible care and treatment.
- Care and treatment should be comprehensive, holistic and person-focussed
- Care and treatment planning should be proportionate to need and risk
- Care and treatment should be integrated and co-ordinated

The Code of Practice is clear that professionals should seek to involve a patient and their carers' as fully as possible in their care and treatment.

Local Health Boards and Local Authorities have a joint duty to implement Part 2 of the Mental Health (Wales) Measure 2010. The accompanying Code of Practice sets out the patient's rights, including;

- a **holistic assessment** of the patient's health and social care needs

- a **written care and treatment plan** agreed with all those involved in the delivery of the patient's care
- **allocation of a Care Co-ordinator** to act as the main of point contact, and who is responsible for working with the patient to agree a care and treatment plan
- **monitoring and review** of the patient's care and treatment plan. The Care Co-ordinator has ongoing responsibility for monitoring the implementation of the plan, including continuing assessment of the patient's mental health needs and risks, and ensuring that services are being delivered as agreed. There is a duty to have a formal review at least once a year. The Code of Practice does say that "reviews should be needs-led" and can be triggered by the patient, carer or service provider as well as by the Care Co-ordinator.

Hafal has detailed publications on Care and Treatment Planning.

The Welsh Government **has not yet responded** to the Committee's letter.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.