

MENTAL HEALTH (WALES) MEASURE 2010

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 41 – Cooperative and joint working between Local Health Boards and local authorities

72. This section provides for co-operative and joint working between local authorities and LHBs for the purposes of their functions under Parts 1, 2 and 3 of the Measure. Different working arrangements can be reached in respect of the differing aspects of the Measure.
73. A diverse range of delivery options is available. For example, even if a LHB was responsible (under the scheme for local primary mental health support services) for providing all services, a local authority could provide premises for a mental health support services team; the team could all be employed by a LHB and the work could be funded by a joint-budget into which the authority and the Board make contributions. Alternatively, some of the team could be employed by a local authority but be put at the disposal of the LHB using the local authority's power in section 41(1)(a) to provide staff to the Board.
74. Subsection (3) makes clear that in relation to Parts 1 and 3 of the Measure the partners are empowered to 'act jointly' if, in the circumstances, they consider this appropriate.