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WELSH STATUTORY INSTRUMENTS

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**2002 No. 325**

**Private and Voluntary Health Care (Wales) Regulations 2002**

**PART IV**

**ADDITIONAL REQUIREMENTS APPLYING TO INDEPENDENT HOSPITALS**

**CHAPTER 3**

**MENTAL HEALTH HOSPITALS**

**Application of regulations 43 to 46**

**42.** Regulations 43 to 46 apply to independent hospitals of the following kinds—

- (a) those the main purpose of which is to provide medical or psychiatric treatment for mental disorder; and
- (b) those in which treatment or nursing (or both) are provided for persons liable to be detained under the Mental Health Act 1983(1).

**Safety of patients and others**

**43.—**(1) The statement of policies and procedures which is to be prepared and implemented by the registered person in accordance with regulation 8(1)(e) shall include policies and procedures in relation to—

- (a) assessment of a patient's propensity to violence and self harm;
- (b) the provision of information to employees as to the outcome of such an assessment;
- (c) assessment of the effect of the layout of the hospital premises, and its policies and procedures, on the risk of a patient harming himself or another person; and
- (d) the provision of training to enable employees to minimise the risk of a patient harming himself or another person.

(2) The registered person shall in particular prepare and implement a suicide protocol in the hospital which requires—

- (a) a comprehensive examination of the mental condition of each patient;
- (b) an evaluation of the patient's history of mental disorder, including identification of suicidal tendencies;
- (c) an assessment of the patient's propensity to suicide; and
- (d) if necessary, appropriate action to reduce the risk of the patient committing suicide.

**Management of disturbed behaviour**

**44.** The registered person shall prepare and implement a written policy setting out—

- (a) how disturbed behaviour exhibited by a patient is to be managed;
- (b) permitted measures of restraint and the circumstances in which they may be used;
- (c) requirements for employees to report serious incidents of violence or self harm, including guidance as to how those incidents should be classified; and
- (d) the procedure for review of such incidents and determination of the action which is to be taken subsequently.

### **Visitors**

**45.** The registered person shall prepare and implement written policies and procedures in the hospital in relation to patients receiving visitors.

### **Mental health records**

**46.** The registered person shall ensure that any records which are required to be made under the Mental Health (Hospital, Guardianship and Consent to Treatment) Regulations 1983(2), and which relate to the detention or treatment of a patient in an independent hospital, are kept for a period of not less than five years beginning on the date on which the person to whom they relate ceases to be a patient in the hospital.