
WELSH STATUTORY INSTRUMENTS

2011 No. 2501

The Mental Health (Independent Mental Health Advocates) (Wales) Regulations 2011

Appointment requirements for independent mental health advocates

- 4.—(1) The appointment requirements referred to in regulation 3(6) and (7) are that a person—
- (a) has appropriate experience or training or an appropriate combination of experience and training;
 - (b) is of integrity and good character; and
 - (c) is not employed under a contract of service by the Local Health Board for whose area the appointment is made.
- (2) In determining whether a person satisfies the appointment requirement in paragraph (1)(a) regard must be had to standards in any Codes of Practice issued by the Welsh Ministers under section 118 (codes of practice) of the Act, and any guidance that may be from time to time issued by the Welsh Ministers.
- (3) For the purposes of paragraph (2) standards may include any qualifications that the Welsh Ministers may determine as appropriate.
- (4) Before a determination is made for the purposes of paragraph (1)(b) in relation to any person, there must be obtained in respect of that person, an enhanced criminal record certificate issued pursuant to section 113B (enhanced criminal record certificates) of the Police Act 1997⁽¹⁾ which includes—
- (a) where the person is to provide advocacy services for Welsh qualifying compulsory patients and Welsh qualifying informal patients who have not attained the age of 18, suitability information relating to children (within the meaning of section 113BA of the Police Act 1997); and
 - (b) where the person is to provide advocacy services for Welsh qualifying compulsory patients and Welsh qualifying informal patients who have attained the age of 18, suitability information relating to vulnerable persons (within the meaning of section 113BB of the Police Act 1997).