

British Medical Association

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All GPs (England)

General Practitioners Committee

13 November 2007

Dear Colleague

Mental Health Act: Code of Practice

The revised Mental Health Act comes into force in November 2008 and there is a Code of Practice that gives guidance on how the Act should be applied. The consultation process, organised by the Department of Health, for the Code of Practice began on the 25th October 2007, and runs for 13 weeks. This is an important code that will have implications for the way that GPs work. This Code applies to England only, although the Welsh Assembly Government is conducting similar consultation exercises on a Code of Practice and secondary legislation for Wales.

It is important that all GPs familiarise themselves with the code and raise any concerns during the consultation period. The consultation on the code can be found at the link below.

http://www.dh.gov.uk/en/Consultations/Liveconsultations/DH_079842

The Department of Health is seeking comments on the content of the Code, and suggestions for additional material. There are eight specific questions asked as part of the consultation to inform the Department but comments are welcomed on any aspect of it. GPs may have comments or concerns on all of the code, and we would advise that GPs familiarise themselves with all of it, but the chapters which may have particular implications for GPs include;

- Chapter 1 – The statement of guiding principles
- Chapter 17 – Confidentiality and information sharing
- Chapter 25 – Treatment regulated by the Act
- Chapter 26 – Second Opinion Appointed Doctors (SOADs)
- Chapter 28 – Supervised Community Treatment

The Act could mean that GPs find themselves increasingly responsible for a greater number of mental health patients. Supervised Community Treatment (SCT) is an area that may impact on GP workload as there is likely be some role for the patient's GP (if they have one) in clinical oversight of the SCT.

The Code of Practice does not set out precisely how GPs should be involved in this treatment, nor does it set out the procedures that should be followed to ensure good communication between hospitals, out-of-hours services and GPs. These issues will be raised during the consultation period. Your views and opinions are therefore important as it will ensure that the Code of Practice is practical and effective.

Chief Executive/Secretary: Tony Bourne

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The General Practitioners Committee (GPC) of the British Medical Association will work to identify and resolve any resource impact with the Department of Health and keep the profession updated on progress. The Royal College of General Practitioners (RCGP) will ensure that training materials are available, and appropriate, for GPs. The RCGP, together with the GPC, will ensure that information about how the new law will work and its impact for GPs' working practice is developed as necessary.

We urge as many GPs, or groups of GPs, as possible to respond to this consultation on this Code of Practice to ensure that your views are heard.

Yours faithfully



Dr Laurence Buckman
Chairman
General Practitioners Committee



Dr Mayur Lakhani
Chairman
Royal College of General Practitioners