STATUTORY INSTRUMENTS

1962 No. 1999

MENTAL HEALTH

The Conduct of Mental Nursing Homes Regulations 1962

Made - - - -	10*th September* 1962
Laid before Parliament	12*th September* 1962
Coming into Operation	13*th September* 1962

The Minister of Health, in exercise of the powers conferred on him by section 16 (1) of the Mental Health Act 1959(a) and of all other powers enabling him in that behalf, hereby makes the following regulations:—

Citation, Commencement and Interpretation

1.—(1) These regulations may be cited as the Conduct of Mental Nursing Homes Regulations 1962 and shall come into operation on 13th September 1962.

(2) In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby assigned to them:—

"the Act" means the Mental Health Act 1959;

"the Minister" means the Minister of Health;

"registration authority" has the meaning assigned to it by section 14 (3) or, in the case of London, section 24 (*c*) of the Act;

"the managers" means the person or persons registered in respect of a mental nursing home under Part VI of the Public Health Act 1936(b) or Part XI of the Public Health (London) Act 1936(c).

(3) Any reference in these regulations to the provisions of any enactment or instrument shall be construed, unless the context otherwise requires, as a reference to those provisions as amended by any subsequent enactment or instrument.

(4) The Interpretation Act 1889(d) applies to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

Provision of facilities and services

2. The managers of a mental nursing home registered under Part VI of the Public Health Act 1936 or Part XI of the Public Health (London) Act 1936 shall—

(*a*) provide for each patient efficient nursing care and for this purpose employ by day and night suitably qualified and competent staff in numbers which are adequate having regard to the size of the home and the number and condition of the patients received there;

(*b*) provide for each patient in the home by day and by night reasonable accommodation and space having regard to his age and sex and the nature and degree of the mental disorder or other illness or disability from which he is suffering;

(a) 7 & 8 Eliz. 2. c. 72. (b) 26 Geo. 5 & 1 Edw. 8. c. 49.
(c) 26 Geo. 5 & 1 Edw. 8. c. 50. (d) 52 & 53 Vict. c. 63.

(*c*) provide adequate and suitable furniture, bedding, curtains and, where necessary, screens and floor covering in rooms occupied or used by patients;

(*d*) provide appropriate and suitable medical and nursing equipment, having regard to the condition of the patients received there;

(*e*) provide for the use of patients a sufficient number of wash-basins and baths fitted with a hot and cold water supply, a sufficient number of water-closets and any necessary sluicing facilities;

(*f*) provide adequate light, heating and ventilation in all parts of the home occupied or used by patients;

(*g*) keep all parts of the home occupied or used by patients in good structural repair, clean and reasonably decorated;

(*h*) take adequate precautions against the risk of fire and accident, having regard in particular to the mental and physical condition of such patients as are received there;

(*i*) provide sufficient and suitable kitchen equipment, crockery and cutlery, together with adequate facilities for the preparation and storage of food;

(*j*) supply adequate, suitable and properly prepared food for every patient;

(*k*) arrange for the regular laundering of linen and articles of clothing;

(*l*) arrange as may be necessary for the provision for any patient of medical and dental services, whether under Part IV of the National Health Service Act 1946(**a**), or otherwise;

(*m*) make suitable arrangements for the safe keeping and handling of drugs.

Offences

3.—(1) Where the registration authority consider that the managers of a mental nursing home have failed or are failing to conduct the home in accordance with the provisions of regulation 2 of these regulations the authority may give written notice by post to the managers, specifying in what respect the managers, in the opinion of the authority, have failed or are failing to comply with the requirements of that regulation and what, in the opinion of the authority, it is necessary for the managers to do so as to comply with the said requirements.

(2) Where notice has been given in accordance with the preceding paragraph of this regulation and a period of three months, or such shorter period as may have been specified in the notice, beginning with the date of the notice, has expired, any manager who contravenes or fails to comply with any provision of regulation 2 of these regulations mentioned in the notice shall be guilty of an offence against these regulations.

Given under the official seal of the Minister of Health on 10th September 1962.

(L.S.)

J. Enoch Powell
Minister of Health.

(a) 9 & 10 Geo. 6. c. 81.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These regulations make provision governing the conduct of mental nursing homes. They require the managers (the person or persons registered in respect of a mental nursing home) to provide accommodation, care and staff of a satisfactory standard.

If the registration authority (the local authority) consider that the regulations are not being complied with they may give notice to the managers to this effect, specifying what they consider should be done to satisfy the regulations. If, after the prescribed period of notice, the regulations are not complied with, summary proceedings may be brought under section 16 (2) of the Mental Health Act 1959.