



**PWYLLGOR DEDDFWRIAETH IECHYD MEDDWL
MENTAL HEALTH LEGISLATION COMMITTEE**

DYDDIAD Y CYFARFOD: DATE OF MEETING:	03 March 2026
TEITL YR ADRODDIAD: TITLE OF REPORT:	Mental Health Legislation Scrutiny Group Update
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Andrew Carruthers, Chief Operating Officer
SWYDDOG ADRODD: REPORTING OFFICER:	Sarah Roberts, Mental Health Legislation Manager

**Pwrpas yr Adroddiad (dewiswch fel yn addas)
Purpose of the Report (select as appropriate)**

Ar Gyfer Trafodaeth/For Discussion

**ADRODDIAD SCAA
SBAR REPORT**

Sefyllfa / Situation

The Mental Health Legislation Scrutiny Group (MHLSG) is a Group of the Mental Health Legislation Committee (MHLC).

The purpose of this paper is to present the MHLC an update from the MHLSG meeting held on 12 February 2026.

Cefndir / Background

The following papers are submitted as standing items on the MHLSG agenda in line with the principal duty of the scrutiny group as described within the Terms of Reference alongside any other relevant reports.

- Mental Health Act Use which includes a Specialist Child & Adolescent Mental Health Service (SCAMHS) report on admissions to the designated bed on Morlais Ward
- Mental Health Measure performance report
- Three County Local Authority Mental Health Act Data reports
- Quality Assurance and Practice Development – Care and Treatment Plan Audit

Papers are issued to members of the MHLSG seven days in advance of the meeting and members are expected to read all papers to allow for scrutiny and discussion in respect of information provided.

Asesiad / Assessment

The February 2026 meeting had good representation from all agencies, reports were shared ahead of the meeting to facilitate both discussion and scrutiny in respect of mental health legislation.

Additional actions agreed:

- Further discussion at Medical Staff Committee to understand the current use of short-term Community Treatment Orders as opposed to Section 17 leave.
- Section 15 rectifiable errors – to be discussed at the next Ward Managers Forum

S136 Review - Multi- Agency Options Appraisal Review update

The options appraisal has concluded, a proposal now required to be submitted to the Board seeking approval to undertake a wider programme of engagement with communities. This work is currently on hold due to local housing development actively taking place in close proximity to Cwm Seren. Executive colleagues are in ongoing discussions with partner agencies regarding this matter. Once clarification is provided by Executive colleagues, the work will be progressed.

Risk Register Update

There are two service risks on the Mental Health and Learning Disabilities (MH&LD) Clinical Care Group Risk Register relating to legislation.

- Temporary closure of the Community Place of Safety at Gorwelion, Aberystwyth.

This remains unchanged whilst the S136 Multi Agency Option's Appraisal progresses to a conclusion.

- Medical and nursing staff deficits in Gorwelion Community Mental Health Centre remain on the risk register.

This situation remains unchanged with no Approved Clinicians working within the Community Mental Health Team. A service change whereby routine GP referrals are advised to contact the Single Point of Contact Team 111#2 continues to be in place.

Mental Health (MH) Measure Report

The MH Measure Report which provides activity and performance data in respect of Wales Measure was shared prior to the MHL SG meeting. The report presented was very positive with the majority of data compliant with targets. This report was scrutinised and debated and the Mental Health Measure report on the Committee agenda will cover the salient points arising from this.

Independent Mental Health Advocacy (IMHA) Report

Referrals remained high to the IMHA service during the quarter. All key criteria were met where IMHAs met their targets of responding to referrals within 5 days. There was a decrease in Section 2 referrals. The IMHA service responded to issues that included access to services, hospital discharge, legal rights and accessing Section 17 leave. Feedback from patients in relation to the Mental Health Review Tribunal and their decision to return to Microsoft Teams only hearings was noted.

Mental Health Act Report

The Mental Health Act Report containing activity and performance data was shared prior to the MHL SG meeting. This report was scrutinised and debated and the Mental Health Act Report on the agenda will cover the salient points arising from this.

An increase was noted in the use of Community Treatment Orders for the quarter and information was provided to the group that a number seem to be used for short periods of time.

It was agreed that this would require further discussion at the next Medical Staff Committee meeting to understand the reasoning for this.

Section 4 emergency admissions were high which was attributed to the lack of Section 12 doctors.

An increased number of MHRT discharges and more challenges of detention criteria by MHRT panels was also discussed.

Section 136

There was a decrease in Section 136 attending A&E departments during Quarter 3, it was significantly lower than the previous quarter and attendance was for medical need as opposed to place of safety unavailability. It was noted that during the first part of February 2026 there had been a spike in Section 136s again and patients going to general hospitals which will be highlighted in the Quarter 4 report at the next meeting.

Local Authority Reports

Pembrokeshire:

Mental Health Act data was provided, it showed a slight increase in the number of assessments. Use of Section 136 increased due to one person repeatedly being placed on 136, no actions required.

Carmarthenshire:

There was a slight decrease in number of assessments during the quarter, compared to last year. One Adult Mental Health Practitioner (AMHP) is trialling hybrid working within the AMHP hub working 3 days from 11:00 – 20:30 which is working well. Most assessments are undertaken out of hours. The AMHPs reported that the assessment room within Glangwili Hospital A&E is not suitable when patients are being brought in by police. The rooms used are often repurposed spaces and not provide a safe or suitable environment.

Ceredigion:

Prior to the meeting, a report was distributed in which members reviewed full details of mental health act activity in Ceredigion.

Reduction in Section 2 and 3 and an increase in Section 4 due to Doctor unavailability. Concerns raised by AMHPs regarding the availability of Section 12 Doctors, with increased workload and limited staff capacity.

Miscellaneous

The Mental Health Act update, Mental Health Review Tribunal for Wales Membership Bill and the Section 117 aftercare desktop review are addressed in a separate paper submitted to this Committee.

Argymhelliad / Recommendation

The Committee is asked to **RECEIVE** the Mental Health Legislation Scrutiny Group Update.

Objectives: (must be completed)	
Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	10.4.1 Report formally, regularly and on a timely basis to the Board on the Scrutiny Groups activity. This includes the submission of a Committee update report, as well as the presentation of an annual report within six weeks of the end of the financial year.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	Not Applicable
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	7. All apply
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	6. All Apply
Amcanion Strategol y BIP: UHB Strategic Objectives:	All Strategic Objectives are applicable
Amcanion Cynllunio Planning Objectives	All Planning Objectives Apply
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	4. Improve Population Health through prevention and early intervention, supporting people to live happy and healthy lives 8. Transform our communities through collaboration with people, communities and partners

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Agendas, papers and minutes of the Mental Health Legislation Scrutiny Group.
Rhestr Termiau: Glossary of Terms:	MHLSG – Mental Health Legislation Scrutiny Group MHLOG – Mental health Legislation Operational Group CWCDG – Clinical Written Control Document Group MH/LD – Mental Health / Learning Disabilities WCDG – Written Control Document Group WMF – Ward Managers Forum CRHT – Crisis Resolution Home Treatment QAPD – Quality Assurance Practice Development AMH – Adult Mental Health IMHA – Independent Mental Health Advocate SSWA – Social Services and Wellbeing Act MHA – Mental Health Act MHM – Mental Health Measure

	<p>DOL – Deprivation of Liberty HIW – Healthcare Inspectorate Wales CIW – Care Inspectorate Wales CHC – Community Health Council CTP – care and Treatment Plan CMHT – Community Mental Team CTLD – Community team Learning Disability OAMH – Older Adult Mental Health</p>
<p>Partion / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Deddfwriaeth Iechyd Meddwl: Parties / Committees consulted prior to Mental Health Legislation Committee:</p>	<p>MHLSG Mental Health Act Legislation Manager</p>

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	<p>Non-compliance with Mental Health Legislation could result in legal proceedings being brought against the University Health Board.</p>
Ansawdd / Gofal Claf: Quality / Patient Care:	<p>SBAR template in use for all relevant papers and reports.</p>
Gweithlu: Workforce:	<p>SBAR template in use for all relevant papers and reports.</p>
Risg: Risk:	<p>Risk of non-compliance with the 1983 Act and with the Welsh Government's Mental Health Act 1983 Code of Practice for Wales; the Mental Health (Wales) Measure 2010 Code of Practice; and with the Good Governance Practice Guide – Effective Board Committees (Supplementary Guidance) Guidance.</p> <p>Safety of patients</p> <p>Assurance – use of statutory mechanisms</p>
Cyfreithiol: Legal:	<p>Not Applicable.</p>

Enw Da: Reputational:	Not Applicable.
Gyfrinachedd: Privacy:	Not Applicable.
Cydraddoldeb: Equality:	Not Applicable.