



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

DYDDIAD Y CYFARFOD: DATE OF MEETING:	03 March 2026
TEITL YR ADRODDIAD: TITLE OF REPORT:	395 – Section 136 Joint Procedure
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 Penderfyniad/For Decision

ADRODDIAD SCAA

SBAR REPORT

Sefyllfa / Situation

An extension is being sought to the current Section 136 Procedure past it's three yearly review date of 24 March 2025 due to outstanding actions relating to the provision of a Section 136 place of safety and the review of the Mental Health Act which gained Royal Ascent in December 2025 we are requesting a further extension of 6 months..

Cefndir / Background

Policy 190 – *Written Control Documentation* has been followed in the review of the Policies. The document aligns with all relevant legislation and regulations, and it remains fully implemented across the Health Board.

The Section 136 procedure was scheduled for its three-year review by 24 March 2025. An initial six-month extension was approved, extending the review date to 24 September 2025. Following discussions with the Clinical Care Group Senior Management Team, a further six-month extension is now being requested.

Asesiad / Assessment

There have been no changes in legislation since the policy was last updated, and the appendices and Section 136 forms are still in use by Dyfed Powys Police.

There is also an ongoing review being undertaken of the Hywel Dda Places of Safety and following an options appraisal this work is still ongoing with a view to launching an engagement programme.

Argymhelliad / Recommendation

- The Committee are asked to approve a six-month extension of the 395 S136 Joint Procedure.

Amcanion: (rhaid cwblhau) Objectives: (must be completed)	
Committee ToR Reference: Cyfeirnod Cylch Gorchwyl y Pwyllgor:	Approve organisational policies, procedures, guidelines and codes of practice (policies within the scope of the Committee)
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:	Not applicable
Amcanion Cynllunio Planning Objectives	Not applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	Not applicable

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Agendas, papers and minutes of the Mental Health Written Control Documents Group.
Rhestr Termiau: Glossary of Terms:	Contained within the body of the policy
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Deddfwriaeth lechyd Meddwl: Parties / Committees consulted prior to Mental Health Legislation Committee:	Mental Health and Learning Disabilities Written Control Documents Group 10 th February- Approved.

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian:	Not applicable

Financial / Service:	
Ansawdd / Gofal Claf: Quality / Patient Care:	SBAR template in use for all relevant papers and reports.
Gweithlu: Workforce:	SBAR template in use for all relevant papers and reports.
Risg: Risk:	<p>HDdUHB must have an up to date and accurate written policies to avoid risk</p> <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 Page 6 of 6 Practice Guide – Effective Board Committees (Supplementary Guidance) Guidance. Safety of patients Assurance – use of statutory mechanisms</p>
Cyfreithiol: Legal:	Mental Health Act 1983 Mental Health (Wales) Measure 2010
Enw Da: Reputational:	Not applicable
Gyfrinachedd: Privacy:	Not applicable
Cydraddoldeb: Equality:	Not applicable