

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

DYDDIAD Y CYFARFOD: DATE OF MEETING:	2 nd September 2021
EITEM AR YR AGENDA: TITLE OF REPORT:	Section 117 Register
ARWEINYDD CYFARWYDDWR: EXECUTIVE LEAD:	Mr Andrew Carruthers, Director of Operations
SWYDDOG ADRODD: REPORTING OFFICER:	Ruth Bourke, Mental Health Act Administration Lead

**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

Work is ongoing between Hywel Dda and the three Local Authorities on the review of the Section 117 Aftercare Policy as per the Written Control Documents Group three yearly review. Aside from the policy update there is also a further piece of work to look at the Section 117 information that is held by all parties. To date the three Local Authorities, Long Term Care, Learning Disabilities, Older Adult, CAMHS, Commissioning and the MHA Admin team have collated the information they hold and the Commissioning team and MHA Admin team are currently checking the information within a master spreadsheet.

Cefndir / Background

We have so far confirmed that there are currently over 500 people subject to Sec 117 that match with Commissioning and the Local Authorities.

There are 120 with funding queries which the Local Authorities are checking to confirm their status.

There are a further 700 people who have been detained under relevant Sections of the Mental Health Act since Sec 117 commenced in 1983. Confirmation of their Sec 117 status is required because they do not appear to be in receipt of Section 117 aftercare so may have been discharged or no longer receive any services by Community Teams.

The rest of the people checked either were deceased or had been discharged from Sec 117 aftercare and a separate list has been retained for those.

Assesiad / Assessment

A workshop was held and all attendees were in agreement that the Sec 117 Register should sit within the MHA Administration Team with an additional part time Administrator dedicated to that role.

A Sharepoint form was devised so that at some point in the future we will have a live Section 117 Register on MS Teams for staff to access. This will have the ability for new additions to be added automatically to the list by completing a Sharepoint form and we hope to roll this out in October 2021.

There is still a considerable amount of work to do in getting the information checked to ensure what is transferred over to Sharepoint is correct. Agreement has been reached on the information the Register will hold when the Excel spreadsheets are migrated across. There is a financial implication for both the Health Board and the Local Authorities if we do not maintain this information correctly and there is also the reputational risk to be considered if we have been incorrectly charging or not paying for services.

The development of a Sec 117 Administrator's role will ensure that the Register is kept up to date with new additions to it and ensure we continue to keep the system running. The expectation is that the CMHTs will continue to carry out annual reviews and answer queries in respect of Sec 117 patients.

We are requesting that the 3 local authorities and Health consider making an equal contribution for a Band 3 post for 15 hours per week to cover this role (The cost of a mid point Band 3 working 15 hours per week is £10,540).

Argymhelliad / Recommendation

For the three Local Authorities to seek agreement for funding the post so that we can proceed with the work that needs to be undertaken on the Register.

Amcanion: (rhaid cwblhau)

Objectives: (must be completed)

Cyfeirnod Cofrestr Risg Risk Register Reference:	Not applicable
Safon(au) Gofal ac Iechyd: Health and Care Standard(s): Hyperlink to NHS Wales Health & Care Standards	Governance, Leadership and Accountability
Amcanion Strategol y BIP: UHB Strategic Objectives: Hyperlink to HDdUHB Strategic Objectives	All Strategic Objectives are applicable

<p>Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Statement</p>	<ol style="list-style-type: none"> 1. Improve population health through prevention and early intervention 2. Support people to live active, happy and healthy lives 3. Improve efficiency and quality of services through collaboration with people, communities and partners
<p>Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 - Pum dull o weithio:</p> <p>The Well-being of Future Generations (Wales) Act 2015 - 5 Ways of Working:</p> <p>Hyperlink to Well-being and Future Generations Act 2015 - The Essentials Guide</p>	<p>Please explain how each of the '5 Ways of Working' will be demonstrated</p>
	<p>Long term – can you evidence that the long term needs of the population and organisation have been considered in this work?</p>
	<p>Prevention – can you evidence that this work will prevent issues or challenges within, for example, service delivery, finance, workforce, and/or population health?</p>
	<p>Integration – can you evidence that this work supports the objectives and goals of either internal or external partners?</p>
	<p>Collaboration – The Mental Health Legislation Committee comprises external agencies, carer representatives and local authorities</p>
<p>Involvement – can you evidence involvement of people with an interest in the service change/development and that this reflects the diversity of our population?</p>	

Gwybodaeth Ychwanegol: Further Information:	
<p>Ar sail tystiolaeth: Evidence Base:</p>	<p>Agendas, papers and minutes of the Mental Health Legislation Committee, Power of Discharge sub committee and scrutiny group</p>
<p>Rhestr Termau: Glossary of Terms:</p>	<p>Included within the body of the report.</p>
<p>Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Cyfarfod Bwrdd Iechyd Prifysgol: Parties / Committees consulted prior to University Health Board:</p>	<p>The Mental Health Legislation Scrutiny Group</p>

Effaith: (rhaid cwblhau) Impact: (must be completed)	
<p>Ariannol / Gwerth am Arian: Financial / Service:</p>	<p>Not Applicable</p>
<p>Ansawdd / Gofal Claf: Quality / Patient Care:</p>	<p>SBAR template in use for all relevant papers and reports.</p>

Gweithlu: Workforce:	Not Applicable
Risg: Risk:	<p>Risk of non-compliance with the 1983 Act and with the Welsh Government's <i>Mental Health Act 1983 Code of Practice for Wales</i>; the <i>Mental Health (Wales) Measure 2010 Code of Practice</i>; and with the <i>Good Governance Practice Guide – Effective Board Committees (Supplementary Guidance) Guidance</i>.</p> <p>Safety of patients</p> <p>Assurance – use of statutory mechanisms</p>
Cyfreithiol: Legal:	Non-compliance with the Mental Health Act could result in legal proceedings being brought against the Health Board who is the detaining authority.
Enw Da: Reputational:	Not Applicable
Gyfrinachedd: Privacy:	Not Applicable
Cydraddoldeb: Equality:	Not Applicable