

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

DYDDIAD Y CYFARFOD: DATE OF MEETING:	11 March 2025
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:	Kay Isaacs, Chair, Mental Health Legislation Scrutiny Group

Pwrpas yr Adroddiad (dewiswch fel yn addas)

Purpose of the Report (select as appropriate)

Er Gwybodaeth/For Information

**ADRODDIAD SCAA
SBAR REPORT**

Sefyllfa / Situation

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

The purpose of this paper is to present the Mental Health Legislation Committee an update from the Mental Health Legislation Scrutiny Group (MHLSG) meeting held on 13th February 2025.

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 sent out 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.

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

There were no outstanding actions from SG or committee and the group were able to finalise discussions in respect of the 'S136 Frequently Asked Questions' leaflet to progress this to the next phase, the Written Controlled Document Group for ratification.

S136 Review - Multi- Agency Meeting

A meeting is scheduled for late February to complete a Quality Impact Assessment document and then complete a final paper for board in May 2025.

Right Care Right Place

As agreed at committee, Right Care Right Person (RCRP) is now a standing MHLSG agenda item. To summarise, Right Care, Right Person is being implemented by police forces across England and Wales to enable them to undertake management of the highest risk of mental healthcare work enabling them to focus on maintaining community law and order. A national toolkit has been developed by the National Police Chiefs' Council (NPCC) and the College of Policing to support police forces in implementing Right Care Right Person, which will see vulnerable people receiving the specialist health support they need. Locally, there has been a high uptake on RCRP training and Dyfed Powys Police are now focusing now on the next phases, committee will be updated on progress by subsequent reports from MHLSG.

Risk Register

There are three legislation service risks on the MH&LD Risk Register which is an increase of one.

- The temporary closure of the Community Place of Safety at Gorwelion, Aberystwyth. This remains unchanged whilst the S136 Multi Agency Review Meeting progresses to a conclusion.
- Delayed admission to hospital post recommended detention under the Act, following a Mental Health Act Assessment (MHAA). This was added to the risk register last year as an action from MHLSG. There were some recent incidents highlighted by Carmarthenshire Local Authority, so this risk remains and continues to be reviewed in accordance with process.
- Medical and nursing staff deficits in Gorwelion Community Mental Health Centre have been added to the risk register. This situation is impacting compliance with part two of Mental Health (Wales) Measure and mental health act activity data shows an increase in S4 assessments. A paper has been submitted to the executive team to request approval for a temporary service change to the GP referral pathway for routine assessments to be assessed by the Single Point of Contact Service 111#2 to create service capacity for the community team and ensure timely assessment

Measure Report

The Measure report containing activity and performance data was shared prior to the MHLSG meeting. This report was scrutinised and debated and the Mental Measure report on the agenda will cover salient points.

Mental Health Act Report

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

Local Authority Reports

Pembrokeshire:

Mental Health Act data provided, but the prevailing concern noted was acute social work staffing deficits which are impacting on both MHA work and roles and responsibilities under Measure legislation. This has been escalated in the LA but no solution has been reached, this will be escalated further on an operational level between health and local authority.

Carmarthenshire:

Increase noted in the requirement for MHAA of children with a number of those living in residential homes, local authority is managing this situation with the support of CAMHS doctors to undertake the assessments required.

Ceredigion:

As referenced earlier under risk register, the deficit in medical staff has seen an increase in S4 activity, S4 allows an Approved Mental Health Professional (AMHP) to consult with one doctor not two when there is risk and an urgency to undertake a MHAA. The potential concern now is that one doctor is used due to lack of availability of a second doctor.

The AMHP service is reliant on agency staff, but an exciting development now enables AMHP students to complete training at Chester University which is expected to improve this situation. From 33 assessments in total and 21 detained in the last quarter, just under 50% were older adults, SG have noted this and will continue to monitor and explore further if a consistent pattern emerges.

Quality Assurance and Practice Development -Care and Treatment Plan Audit

A task and finish group from the Clinical Audit and Effectiveness Group have reviewed and improved the previous care & treatment plan audit. The revised audit now includes in the cycle an audit of the Comprehensive Assessment Tool, Wales Applied Risk Research Network, which is a risk assessment and management document and an audit of demographics and activity records, which are personal details held and ensuring standards are met in respect of record keeping.

Community team leaders will pilot the documentation March and then implement the new audit programme in April. Audit results will be reported to MHLSG for scrutiny and committee updated accordingly.

Argymhelliad / Recommendation

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

Amcanion: (rhaid cwblhau)**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 Termau: 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 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
Partion / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Deddfwriaeth Iechyd Meddwl: Parties / Committees consulted prior to Mental Health Legislation Committee:	MHLSG Mental Health Act Legislation Manager

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Arian: Financial / Service:	Non-compliance with Mental Health Legislation could result in legal proceedings being brought against the University Health Board.
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:	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. Safety of patients Assurance – use of statutory mechanisms
Cyfreithiol: Legal:	Not Applicable.
Enw Da: Reputational:	Not Applicable.

Gyfrinachedd: Privacy:	Not Applicable.
Cydraddoldeb: Equality:	Not Applicable.