

Mental Health Legislation Committee (MHLC) Self-Assessment 2021/22

Draft Format for Consideration

The vision for this self assessment exercise is to generate valuable learning, upon which the Committee can build and improve proactively over the coming year. In order to achieve this, we want to elicit the collective wisdom of the Committee's participants. As such, the questions focus on gathering thoughts and ideas about how the Committee functions and how it might improve. They do not cover areas of enquiry which can be settled by a simple audit (e.g. meeting frequency, membership, attendance, existence of Terms of Reference, etc.).

Intentionally, we have constructed and focussed the questions to elicit narrative rather than tick-box rating. Each question begins with a statement which sets out 'what good looks like'. We could describe these domains as the building blocks of effective assurance. You are then asked to provide examples and ideas in relation to the relevant domain. This is a new approach, similar to the one undertaken previously by the Quality, Safety & Experience Committee, which we hope will improve over time. It is intended to facilitate a more dynamic process of continuous improvement, rather than a traditional annual stock take.

Questions

1. The purpose of the Mental Health Legislation Committee is to assure the Board on the functions of the Mental Health Act 1983, as amended, which have been delegated to officers and staff are being carried out correctly; and that the wider operation of the 1983 Act in relation to the UHB's area is operating properly.
 - Those functions of the Mental Health Act 1983, as amended, which have been delegated to officers and staff are being carried out correctly; and that the wider operation of the 1983 Act in relation to the UHB's area is operating properly;
 - The provisions of the Mental Health (Wales) Measure 2010 are implemented and exercised reasonably, fairly and lawfully;
 - The UHB's responsibilities as Hospital Managers are being discharged effectively and lawfully;
 - The UHB is compliant with Mental Health Act, 1983 Code of Practice for Wales;
 - The Committee will also advise the Board of any areas of concern in relation to compliance with mental health legislation and agree issues to be escalated to the Board with recommendations for action.

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

2. The Committee works **strategically**. This means it aligns its work with the Health Board's overarching strategic priorities and delivery plans. It commissions work in support of those priorities in line with the Mental Health legislation, providing the Board with the assurance necessary to have confidence in its ability to deliver.

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

3. The Committee works **systemically**. This means it works effectively with the Board, other Board Committees, its sub-committees and other relevant parts of the organisation's governance and assurance system, in order to ensure that we spot connections and themes which have an impact on Mental Health services in accordance with the legislation. It guards against silo working. It gives balanced and meaningful 'air time' to the full range of the Health Board's service portfolio.

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

4. The Committee works **intelligently**. This means it draws on a diverse range of reliable data (both quantitative and qualitative) provided through both the Mental Health Legislation Scrutiny Group and the quarterly Mental Health Performance Report, to triangulate information and reveal themes or patterns in regard to. It uses a dashboard of key quality indicators to inform improvement. This relies on accurate interpretation of the data, which requires skill from both the providers and readers of the data.

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

5. The Committee facilitates **learning**. This means it works openly and honestly, encouraging contributions from attendees which are a fair and reasonable reflection of the realities faced across all Mental Health services. The Chair sets the leadership tone and is supported by other Independent Members and the

Executives to hold this learning space. The style is one of high support/high challenge.

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

6. The Committee champions **continuous improvement**. This means it uses an improvement mindset, as well as methodologies, which enable it to lead and oversee a clear journey of improvement in respect of the 'Mental Health Transformation Programme'

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

7. The Committee works **proactively**. This means it is organised in its workplan, sensitive to the dynamic environment in which the Health Board operates, and searching in its enquiries. It is curious, and willing to pursue demanding issues in the interests of excellent patient care. It uses the organisation's risk management processes effectively to scrutinise risks relating to compliance with Mental Health legislation and ensure that longstanding risks and issues do not become normalised or tolerated beyond the Board's risk appetite.

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

8. Are there any domains of effective assurance which you think are not covered above? What are they?

For that missing domain/s.....

Please describe at least one example during the previous 12 months in which the Committee has been effective in this domain.

Please share at least one idea for improving the Committee's effectiveness in this domain over the coming year.

Extraordinary question for 2022 only relating to COVID-19

9. The Committee has sought to play a proactive role in the COVID-19 response, specifically in terms of assurance around the continued compliance with Mental Health legislation and implications arising from it. It has made a range of adjustments to reflect the rapidly changing circumstances that the Health Board has faced. In your view:
 1. What went well?

 2. Even better if...?

 3. What learning points should we take with us post-COVID-19?

Thank you for taking the time to respond. If you would like to have a conversation to share your views in more depth, please contact Mrs Judith Hardisty, MHLC Chair, via the following e-mail address:
judith.hardisty@wales.nhs.uk

Sources used to inform this format:

- MHLC Terms of Reference
- Published guidance from the Good Governance Institute