



**COFNODION Y CYFARFOD**  
**PWYLLGOR SICRWYDD DEDDFWRIAETH IECHYD MEDDWL**  
**HEB EU GYMERADWYO / UNAPPROVED**  
**MINUTES OF THE**  
**MENTAL HEALTH LEGISLATION COMMITTEE (MHLC)**

Date and Time of Meeting:	09.30-10:30am, Monday 13 <sup>th</sup> March 2023
Venue:	Via MS Teams

Present:	<ul style="list-style-type: none"> <li>Mrs Judith Hardisty, Vice Chair of Hywel Dda University Health Board</li> <li>Mr Iwan Thomas, Independent Member</li> <li>Ms Ann Murphy, Independent Member</li> </ul>
In Attendance:	<ul style="list-style-type: none"> <li>Mr Andrew Carruthers, Director of Operations</li> <li>Ms Liz Carroll, Director of MH&amp;LD</li> <li>Dr Warren Lloyd, Associate Medical Director/Consultant Psychiatrist CAMHS</li> <li>Mrs Becky Temple-Purcell, Assistant Director of Nursing MH&amp;LD</li> <li>Ms Ruth Bourke, Mental Health Act Administration Lead</li> <li>Ms Kay Isaacs, Assistant Director of MH&amp;LD</li> <li>Ms Amanda Davies, Head of Service Adult Mental Health</li> <li>Ms Jane Hitchings, Pembrokeshire County Council</li> <li>Ms Angie Darlington, Director of West Wales Action for Mental Health</li> <li>Mr Clive Smith, Carer Representative</li> <li>Ms Natasha Fox, Chief Officer for Advocacy West Wales</li> <li>Ms Carys Lewis-Thomas, Carmarthenshire County Council</li> <li>Ms Grace Elms, Advanced Nurse Practitioner</li> <li>Mr Simon Thomas, Ceredigion County Council</li> <li>Mr Neil Mason, Head of Service Older Adult Mental Health</li> <li>Secretariat: Ms Manon Horscroft, MH&amp;LD PA</li> </ul>

	<b>GOVERNANCE</b>	
<b>Agenda Item</b>	<b>Introductions and Apologies for Absence</b>	<b>Action</b>
1.1	<p>Mrs Judith Hardisty welcomed all attendees to the meeting. Introductions were made for the new Assistant Director of Nursing MH&amp;LD.</p> <p>The following apologies for absence were received:</p> <ul style="list-style-type: none"> <li>Angela Lodwick, Hywel Dda University Health Board</li> <li>Supt Ross Evans, Dyfed-Powys Police</li> <li>John Forbes-Jones, Ceredigion Local Authority</li> <li>Sarah Roberts, Hywel Dda University Health Board</li> <li>Mark Evans, Carmarthenshire Local Authority</li> <li>Winston Weir, Independent Member</li> <li>Mel Evans, Head of Strategy &amp; Service Planning</li> <li>Richard Jones, Consultant Nurse</li> <li>Stuart Bevan, SCAMHS Service Manager</li> </ul>	
1.2	<p><b>Declarations of Interests</b></p> <p>No declarations of interest were made.</p>	

1.3	<b>Minutes of the meeting held on 12<sup>th</sup> December 2022</b>	
	The minutes of the meeting held on <b>12<sup>th</sup> December 2022</b> were <b>APPROVED</b> as an accurate reflection of the previous meeting.	
	The Committee <b>NOTED</b> and <b>APPROVED</b> the minutes from the previous MHLC meeting held on the <b>12<sup>th</sup> December 2022</b> .	
1.4	<b>Table of Actions from the meeting held on 12<sup>th</sup> December 2022</b>	
	<p>The Table of Actions was reviewed, and the following was noted:</p> <p><b>MHLC (22) 03-</b> Ms Ruth Bourke, provided a detailed update on the progress of the action. Committee members were advised for all queries to be referred to Mr Neil Mason. Ms Manon Horscroft will share the update with members following the meeting.</p> <p>All other actions were marked as completed and will be removed from the Table of Actions.</p>	
	The Committee <b>NOTED</b> and <b>AGREED</b> the MHLC Table of Actions.	
1.5	<b>MHLC Self-Assessment Outcome Report 2021-2022</b>	
	<p>Members received an update from Ms. Liz Carroll regarding the MHLC Self-Assessment Outcome Report 2021–2022. The assessment was conducted using a different methodology; this procedure is applied to all Health Board Committees, where a higher response was received than the previous year.</p> <p>Ms Liz Carroll and the Vice-Chair of the Health Board met with the Board Secretariat to discuss the feedback received. The purpose of the Self-Assessment was to address the questions and determine whether any changes to the Committee's current Terms of Reference were necessary. All comments received have been incorporated into the report.</p> <p>The main body of the report in green indicates that no changes are needed, but the comments in amber will be considered in how the meeting is approached. There was a request for the Committee to cover additional areas that are not covered by legislation, but Ms Liz Carroll noted that Committee Members will see the response to why the Committee cannot extend the business beyond the current Terms of Reference.</p> <p>Mrs Becky Temple-Purcell observed that this demonstrates a great process on the group's effectiveness. Mrs Becky Temple-Purcell noticed while reading the report that there is a need to differentiate the role of this Committee as an assurance group.</p> <p>Ms Angie Darlington agreed with the comments made by members in the report and plans to work with the Mental Health Legislation Scrutiny Group to establish relationships with other planning committees and boards. Mrs. Judith Hardisty stated that it is critical to consider the local Mental Health Partnership Board, which is spread across the entire Health Board and feeds into the National Partnership Board; they are currently working on</p>	

	<p>the national Mental Health Strategy, which will be fed back to the local Mental Health Partnership Board.</p> <p>Mr. Clive Smith raised concerns about the issues with Health Board professionals, who believe that the Code of Practice is not part of the legislation. Mrs. Judith Hardisty assured the Committee that the Mental Health Legislation Committee is aware of the provisions of the Mental Health Measure and Act and that they are reported to the Committee</p> <p>Committee Members will be able to view the recommendations of the Self-Assessment towards the end of the report.</p>	
	The Committee <b>RECEIVED</b> and <b>AGREED</b> the MHLC Self-Assessment Outcome Report 2021-2022.	

	<b>Assurance and Risk</b>	
2.1	<p><b>Scrutiny Group Update</b></p> <p>Ms Kay Isaacs was unable to Chair the previous MHLC Scrutiny Group which took place on the 21<sup>st</sup> of February 2023. The meeting was deputised by the Vice-Chair Ms Sarah Roberts.</p> <p>The report does not identify any actions that were required as a result of the Scrutiny that was conducted during the meeting. Members received data on the Mental Health Act from Ms Ruth Bourke, as well as a report on the Mental Health Measure from Ms Amanda Davies. The reports allow the group to scrutinise the data and take action as needed.</p> <p>The next meeting will focus on the review and agreement of the Terms of Reference.</p> <p>The Committee <b>RECEIVED</b> and <b>NOTED</b> the Scrutiny Group Report.</p>	
2.2	<b>The Mental Health (Wales) Measure 2010 Report</b>	
	<p>Ms Amanda Davies noted that the report was highlighted on Part one of the Measure with targets not being met. Discussions of the targets were made at the Scrutiny Group for more detail requirement to be included.</p> <p>Part two of the Measure showed increase targets with focus around Adult and Older Adult Service but Learning Disabilities and CAMHS Service were slightly under target.</p> <p>Ms Liz Carroll noted that some of the RAG rating is incorrect within the report where the Services have scored or attained 80% performance. CAMHS RAG rating should show as 86.5% which is within target of Part 1A of the Measure. It was also noted that no representation of CAMHS was present at the Committee meeting, but Ms Liz Carroll will liaise with Ms Angela Lodwick for input on the Targets for the service as this is targeted intervention for Part 1A of the Part 1B. There has been a decline with the trajectory of the targets that was given.</p>	<b>LC/AL</b>

	<p>Ms Angela Lodwick represented Ms Liz Carroll at the Welsh Government Quality and Performance Committee, where the targets were scrutinised. Ms Liz Carroll noted that there was a surge in referrals in November 2022, which influenced the trajectory.</p> <p>Mr Andrew Carruthers noted that Welsh Government have been pleased with the progress made in the CAMHS escalation position. It was noted that figures on the trajectories had slightly dipped, but they recognised that this could have been more of a blip than a cause for concern. Neurodevelopmental Services are seen to be more of an issue within Mental Health and Learning Disabilities. The Welsh Government's overall tone was positive, and they would like to see consistent improvement.</p> <p>Mrs. Judith Hardisty mentioned the Sanctuary for Children and Young People, which will allow children and youth to be seen more quickly. Dr Warren Lloyd confirmed that the Sanctuary will help children and young people, as well as their carers, when there is a crisis in the community. Dr Warren Lloyd stated that the current emphasis is on avoiding unnecessary admissions. The Sanctuary provision will be a collaborative effort with a 24-hour Crisis Centre.</p> <p>A presentation was provided to the Ministerial Mental Health Oversight Board on the 111 Press 2 but it did indicate that at least 80% of the people who are phoning are known to the service. This figure covers the whole of Wales. Ms Amanda Davies will create a separate report on the 111 service under part three of the Measure.</p> <p>Ms Liz Carroll noted that the Part three of the Measure was built into the Pathway development of the 111 service. There may be a slight change in calls following the national launch.</p> <p>Mr Andrew Carruthers raised on the national data and analysis of the 111 service and would like to see this item being raised at the Scrutiny Group. There is a need to understand what Hywel Dda is currently looking at in terms of their own figures and how they compare to national Wales figures.</p>	
	The Committee <b>RECEIVED</b> and <b>NOTED</b> The Mental Health (Wales) Measure 2010 Report.	
2.3	<b>Power of Discharge Sub-Committee (8th December 2022)</b>	
	<p>Ms Ruth Bourke provided a report from the previous meeting which was held on the 8<sup>th</sup> of December 2022. The meeting was chaired by Chantel Patal. The issues that were discussed at the meeting have now been resolved.</p> <p>Ms. Ruth Bourke noted that the Tribunals have introduced a hybrid approach as of March 1, 2023, giving patients the option of attending their hearing in person or through Microsoft Teams. The next Power of Discharge Sub-Committee will take place on the 4<sup>th</sup> of April 2023.</p> <p>Ms Natasha Fox noted that they have advocated very strongly over patient choice. Restrictions were put in place for Part three Patients being given the choice to receive their hearings in person. Ms Natasha Fox is expecting some positive news as the organisation have been working with</p>	

	several people who have been holding back on arranging the hearings due to the concerns around the remoteness.	
	The Committee <b>RECEIVED</b> and <b>NOTED</b> the of Discharge Sub-Committee (8 <sup>th</sup> December 2022).	
2.4	<b>Risk Register</b>	
	Ms Liz Carroll stated that there was no legislation to report on the Risk Register.	
	The Committee <b>RECEIVED</b> and <b>NOTED</b> the Risk Register update.	

	<b>PERFORMANCE</b>	
3.1	<b>Quarterly Performance Report – Quarter 3</b>	
	<p>Ms Ruth Bourke provided a report on the Quarterly Performance Report-Quarter three prior to the meeting. The data in the report corresponds to the information in the Scrutiny Report. The majority of the figures on Mental Health Act use during the third quarter were standard, with the exception of Older Adult Service, where it was slightly higher.</p> <p>The number of section 4 use tend to be small but within this quarter it was shown above average. All section 4 used were converted to section 2 within 24 hours. Three out of the four Section 4's were undertaken by section 12 Doctors, meaning that this section was used due to urgent need of detention taken into the consideration the risks of the patient and situation.</p> <p>During Quarter 3 there were two unlawful detentions on statutory forms which was acted on very quickly by the administration team. Regarding section 136 Ms Ruth Bourke noted that the figures are still decreasing, this could be in result of better consultation or the 111 service.</p> <p>Ms Liz Carroll noted that the Directorate is seeing the benefits of the strengthened Out of Hours provision in terms of the 111 press 2 but also the impact of the CAMHS Crisis, Adult Crisis Team, and the Out of Hours Band 7 Practitioner, which has also become a very strong area within the Directorate.</p> <p>Mrs Becky Temple-Purcell believes that the Scrutiny Group should investigate and dissect the figures' evidence base in depth. Mrs Becky Temple-Purcell suggested that admissions and activity related to the Mental Health Act be included in future reports alongside overall bed utilisation and admissions.</p> <p>Mr Andrew Carruthers stated that now that WPAS is operational, it will be easier to access the data. The Health Board can also access benchmarking data and opportunities from other national groups.</p>	<b>RB</b>
	The Committee <b>RECEIVED</b> and <b>NOTED</b> the Quarterly Performance Report for Quarter 3.	

	<b>POLICIES</b>	
<b>5.1</b>	<b>Extension Request- The provision and access to the IMHA service policy</b>	
	<p>Ms Ruth Bourke provided a verbal update to Committee on the Extension Request for the provision and access to the IMHA service policy.</p> <p>Ms Sarah Roberts has taken the lead on the policy and has completed a document approval form and has included the Quality Impact Assessment. These are supporting papers that have to be undertaken before writing your policy review.</p> <p>The draft policy has now been shared with stakeholders and interested parties, and any comments should be returned to Ms Roberts. Following this, the Policy will be submitted for approval to the MH&amp;LD Written Control Documentation Group before being finalised at this Committee.</p> <p>Ms Ruth Bourke proposed that the Written Control Document Group submit a paper to this Committee requesting ownership of the Mental Health Legislation Committee's policies.</p> <p>Mrs. Judith Hardisty stated that determining which policies are owned by which group will be an operational issue. If a policy expires, a request for an extension must be approved by the Committee.</p> <p>Ms Liz Carroll proposed for Chairs Action on the approval of the policy extension until an SBAR is produced and submitted to the Chair, Mrs Judith Hardisty.</p> <p>An operational discussion will be held to determine where the policies will be implemented. Ms Liz Carroll proposed including all policies on the Written Control Document Group Tracker to provide regular reminders for them to be reviewed within the timeframe.</p>	<b>LC/RB</b>
	The Committee <b>RECEIVED</b> and <b>AGREED</b> the Extension Request through Chairs Action of The provision and access to the IMHA service policy.	

<b>5.2</b>	<b>Review of Mental Health Act</b>	
	<p>Ms Sarah Roberts provided a report prior to the meeting on the Review of the Mental Health Act. The Bill is currently still in draft, but changes are being made to the Act which will impact on services.</p> <p>The Mental Health Act is being designed to ensure a maximised equality for the Ethnic Minorities where Ms Ruth Bourke is happy to include data on Ethnic Minorities within future reports.</p> <p>Mrs Judith Hardisty noted that Welsh Government have confirmed that the Bill will be issued in November 2023.</p>	
	The Committee <b>RECEIVED</b> and <b>NOTED</b> the Review of Mental Health Act.	

	<b>For Information</b>	
7.1	<b>Schedule of Meetings 2023-2024</b>	
	For information only.	
7.2	<b>Annual Work Plan 2023-2024</b>	
	For information only.	

8.1	<b>Any Other Business</b>	
	No further up updates were received.	

7.	<b>Date, Time and Venue of Next Meeting</b>	
	The next meeting of the Mental Health Legislation Committee will be held on Monday, 15th June 2023 at 10:30am. This may be in person and via MS Teams from 10.30am – 13.30pm. The venue for the in person meeting will be notified nearer to the date of the meeting.	