

PWYLLGOR MONITRO'R DDEDDF IECHYD MEDDWL MENTAL HEALTH LEGISLATION ASSURANCE COMMITTEE

DYDDIAD Y CYFARFOD: DATE OF MEETING:	May 11 th 2023
TEITL YR ADRODDIAD: TITLE OF REPORT:	Mental Health Legislation Scrutiny Group Update
ARWEINYDD CYFARWYDDWR: EXECUTIVE LEAD:	Andrew Carruthers
SWYDDOG ADRODD: REPORTING OFFICER:	Kay Isaacs, Chair of Mental Health Legislation Assurance Scrutiny Group

Pwrpas yr Adroddiad (dewiswch fel yn addas) Purpose of the Report (select as appropriate)
Er Gwybodaeth/For Information

ADRODDIAD SCAA SBAR REPORT
<p><u>Sefyllfa / Situation</u></p> <p>The Mental Health Legislation Scrutiny Group is a Sub-Group of the Mental Health Legislation Assurance Committee (MHLAC).</p> <p>The purpose of this paper is to present the Mental Health Legislation Assurance Committee an update from the Mental Health Legislation Scrutiny Group meeting held on Thursday May 11th 2023.</p>
<p><u>Cefndir / Background</u></p> <p>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 relevant reports or memorandum of understanding</p> <ul style="list-style-type: none"> • Mental Health Act Use which includes a SCAMHS update report on admissions to the designated bed on Morlais Ward • Mental Health Measure performance report • Three County Local Authority Data • Quality Assurance and Practice Development Team Paper <p>Papers are sent out to members of the MHLSG at least 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. Unfortunately, ahead of the May meeting a virus prevented some members of the group having access to all of the papers via email for the meeting. Ahead of the August meeting we will revert to use of postal services to avoid a repeat occurrence.</p> <p>The May agenda had been rearranged to focus on Local Authority (LA) Data at the beginning of the meeting but unfortunately Pembrokeshire and Ceredigion representatives were absent although reports were submitted. The Chair took an action to address the attendance issue before the next meeting.</p>

The data provided by Ceredigion included use of the S136 in Gorwelion and also when detention under S136 was avoided and an informal assessment undertaken instead, the figures were;

GORWELION UNDER S136	3
GORWELION	5

The number of MHAAs that did not require admission as an outcome were only three out of forty two, further exploration of this data would be helpful with respect to these numbers to determine whether the Act was engaged when all informal community options had been exhausted. The figure for S136 detentions in Pembrokeshire was nil due to the centralised place of safety in Carmarthenshire, it will be helpful to understand the impact of this change with regard to Carmarthenshire services although it was not highlighted in the Carmarthenshire report. The presence of the Carmarthenshire LA representative stimulated a helpful debate in relation to the training provided to the police by health and local authority staff. There was a consensus, that in future training should be co-produced with the police, ourselves and West Wales Action on Mental Health (WWAMH) this will be progressed with the force mental health advisor. The other information of note was that one student will attend the Approved Mental Health Professional training course at the University of West England which will enable a comparative evaluation with Swansea University on completion.

Review of Terms of Reference:

The Terms of Reference agenda item was deferred as guidance in respect of the Terms of Reference, the membership of the group and the length of term to be served by members not in substantive roles, will be provided by the Director & Clinical Director & Associate Medical Director for MH&LD, this will also include the term to be served by the Chair and Deputy Chair.

Mental Health Act Report

The data report was circulated by the Mental Health Act Administration lead prior to the meeting. The data was scrutinised and debated at SG and the Mental Health Act Committee report outlines this detail alongside any actions required. This is contained as an appendix to this report and salient points will be presented verbally at Committee by the author.



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Health Legislation C

Measure Report

The Measure data report was presented by the Head of Service for Adult Mental Health and circulated to Scrutiny members ahead of the meeting. The Measure committee report outlines the scrutiny and any actions allocated by MHLSC. This is contained as an appendix and salient points will be presented verbally at Committee by the author.

Quality Assurance and Practice Development (QAPD) Report

Prior to the meeting, the QAPD report was circulated to enable members to read the content. The report highlighted the Care and Treatment Plan Audit outcomes for Quarter four which included

information on the sample audits that are being conducted to ensure required standards of quality are adhered to. The attainment of CTP standards are fairly constant and overall the quality is reasonably good in terms of having the necessary information in the correct domains.

Regarding Part One of the Measure, the audit outcomes demonstrated variability in respect of engagement which requires a process to ensure all teams provide data. A recent Health Inspectorate Wales Improvement Plan relating to another Health Board requires all Health Boards to review services against the recommendations issued which will assist the Directorate to improve Part One reporting processes.

The QAPD team continue to undertake Healthy Ward Checks with positive learning outcomes. The team are now looking to developing a similar process for the Community teams. The inclusion of persons with lived experiences and carers was raised at the meeting as this was the arrangement previously, the Senior Nurse for QAPD will reinstate this.

Policies

The Sec 5(4) nurses holding power policy and the Independent Mental Health Advocacy (IMHA) Policy were circulated to the group for comment following the meeting.

Out of Area Patients Governance and Assurance Process:

This is on the agenda for August 2023, the meeting will be attended by the Head of Service and the Senior Nurse from Commissioning with out of area data provided ahead of the meeting as well as a revised Community Mental Health Team matrix to identify the numbers of Relevant Patients per CMHT placed out of area.

Argymhelliad / Recommendation

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 Risk Register Reference:	
Safon(au) Gofal ac Iechyd: Health and Care Standard(s):	Governance, Leadership and Accountability
Amcanion Strategol y BIP: UHB Strategic Objectives:	All Strategic objectives are applicable
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDD UHB Well-being Statement	Improve population health through prevention and early intervention Support people to live active, happy and healthy lives

	Improve efficiency and quality of services through collaboration with people, communities and partners
Deddf Llesiant Cenedlaethau'r Dyfodol (Cymru) 2015 - Pum dull o weithio: The Well-being of Future Generations (Wales) Act 2015 - 5 Ways of Working:	Long term - the importance of balancing short-term needs with the need to safeguard the ability to also meet long-term needs
	Prevention – the importance of preventing problems occurring or getting worse
	Integration - the need to identify how the Health Board's well-being objectives may impact upon each of the well-being goals, on its other objectives, or on the objectives of other public bodies
	Collaboration – acting in collaboration with anyone else (or different parts of the organisation itself) which could help the Health Board to meet its well-being objectives
	Involvement - the importance of involving people with an interest in achieving the well-being goals, and ensuring that those people reflect the diversity of the area which the Health Board serves

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
Parties / Committees consulted prior to the Mental Health Legislation Assurance 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/Cyfreithiol: Risk/ Legal:	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> . Safety of patients Assurance – use of statutory mechanisms
Enw Da: Reputational:	Not Applicable
Gyfrinachedd: Privacy:	Not Applicable
Cydraddoldeb: Equality:	Not Applicable