

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:	14:00-17:00pm, Thursday 7 th September 2023
Venue:	Wellfield Resource Centre and Via MS Teams

Present:	Mrs Judith Hardisty, Vice Chair of Hywel Dda University Health Board Mr Iwan Thomas, Independent Member Professor Chantal Petal, Independent Member
In Attendance:	Ms Liz Carroll, Director of Mental Health & Learning Disabilities Dr Warren Lloyd, Associate Medical Director/Consultant Psychiatrist CAMHS Ms Kay Isaacs, Assistant Director Mental Health & Learning Disabilities Ms Angela Lodwick, Assistant Director Mental Health & Learning Disabilities Ms Ruth Bourke, Mental Health Act Administration Lead Ms Amanda Davies, Head of Adult Mental Health Service Mr Clive Smith, Carer Representative Ms Melanie Evans, Head of Strategy & Service Planning Mr Richard Jones, Consultant Nurse/ Responsible Clinician MH&LD
	Secretariat: Ms Manon Horscroft, MH&LD PA

MHLC (23) 01	Introductions and Apologies for Absence	Action
	<p>Mrs Judith Hardisty welcomed all attendees to the meeting.</p> <p>The following apologies for absence were received:</p> <ul style="list-style-type: none"> • Mr Andrew Carruthers, Director of Operations • Mrs Becky Temple-Purcell, Assistant Director of Nursing Mental Health & Learning Disabilities • Ms Angie Darlington, Director of West Wales Action Mental Health • Mrs Sarah Roberts, Mental Health Legislation Manager • Ms Catrin Convery, Welsh Ambulance Service • Ms Lisa Bassett-Gravelle, Head of Adult Mental Health Inpatient Wards and Learning Disabilities • Ms Jane Hitchings, Pembrokeshire Local Authority • Ms Avril Bracey, Carmarthenshire Local Authority • Ms Ann Murphy, Independent Member • Mr Winston Weir, Independent Member • Mr Neil Mason, Head of Service for Older Adult MH Service 	
MHLC (23) 02	Declarations of Interests	
	No declarations of interest were made.	
MHLC (23) 03	Minutes of the meeting held on 15th June 2023	
	Ms Ruth Bourke raised a correction in the minutes prior to the meeting under Agenda item 2.3 paragraph two. Ward Manager will be renamed Hospital Manager.	MH

	<p>Mr Clive Smith stated that his attendance at the prior meeting was quite limited and that he only attended part of it.</p> <p>The minutes of the meeting held on 15th June 2023 were APPROVED as an accurate reflection of the previous meeting.</p>	
	<p>The Committee NOTED and APPROVED the minutes from the previous MHLC meeting held on the 15th June 2023.</p>	

MHLC (23) 04	Table of Actions from the meeting held on 15th June 2023	
	<p>The Table of Actions was reviewed, and the following was noted:</p> <p>Mr Neil Mason declared his apologies to the meeting, and no update was received prior to the meeting. Ms Kay Isaacs acknowledged that no conversations took place during the Mental Health Legislation Scrutiny Meeting, but she noted that this will be added to the agenda for the next meeting.</p> <p>All other actions were marked as completed and will be removed from the Table of Actions.</p>	
	<p>The Committee NOTED and AGREED the MHLC Table of Actions.</p>	

MHLC (23) 05	Scrutiny Group Update	
	<p>The previous meeting of the Mental Health Legislation Scrutiny Group was held on August 10th. Ms Kay Isaacs remarked that attendance was excellent, but that this is the second meeting without participation from Ceredigion Local Authority.</p> <p>The meeting's focus was on reviewing the Terms of Reference, and Ms Kay Isaacs stated that it was beneficial to examine the Committee's Terms of Reference prior to this meeting. The Terms of Reference of the Mental Health Legislation Scrutiny Group have been amended and changed. Ms Kay Isaacs said that the group membership was considered, and that the group welcomed the new Medical Representative, and that Dr Bevan was appreciated for his contributions to the group. Ms Kay Isaacs will be standing down as chair of the group and Ms Melanie Evans, Head of Strategy & Service Planning has been appointed as the new chair.</p> <p>A further significant admission from the organisation's membership is that there is no representation in the group with Lived Experiences, but it was highlighted that West Wales Action Mental Health had attempted to recruit in the past. Ms Kay Isaacs and Ms Angie Darlington have agreed to meet further on this to ensure that representation from the Mental Health Legislation Scrutiny Group attends the sessions.</p> <p>The Head of Service for Commissioning Mr Matthew Richards presented a report to the group concerning Hywel Dda Patients in Commissioned Residential or Low Secure Hospital Placements. A lot of data and positive information was included within the report. Mr Iwan Thomas queried on page three of the report on Carmarthenshire Local Authority Data, whether this was being mapped out to see a visual</p>	

	<p>cluster and concentrations to see where the assessments are being conducted. The replication of this map by the three Counties will provide a regional picture from which we will be able to focus on the services in the geographical areas. Ms Liz Carroll agreed with this approach because it could help with staff resource allocation.</p> <p>Ms Kay Isaacs stated that Ceredigion and Pembrokeshire Local Authorities will use the same reporting style where the data and number of assessments are extremely useful information, but Carmarthenshire Local Authority will utilise what they submit for their local approved Mental Health Professional Forum.</p> <p>Mrs Judith Hardisty will query at the next National Mental Health Partnership Board whether Wales has a standard reporting form that Local Authority Counties can use. It was also mentioned that while the new strategy is being developed, local authorities will need to collect data on how the new strategy is operating.</p> <p>Mr Clive Smith stated that demographic data is critical since the organisation needs to know what type of illness has been identified and where it is coming from. Mrs Judith Hardisty inquired whether discussions can take place with the new Director of Public Health Wales, since she is highly interested in studying population health data.</p> <p>Mrs Judith Hardisty formally expressed her gratitude to Ms Kay Isaacs for her leadership of the Mental Health Legislation Scrutiny Group and extended her best wishes for Ms Melanie Evans.</p> <p>The Committee RECEIVED and NOTED the Scrutiny Group Report.</p>	<p>JH</p> <p>LC</p>
<p>MHLC (23) 06</p>	<p>Mental Health Act Report</p>	
	<p>Ms Ruth Bourke presented the report detailing Mental Health Act activity within the Health Board during the period of April 2023 to June 2023. Within the SBAR report a comprehensive embedded document was submitted on the use of the Mental Health Act activity.</p> <p>It was reported that the Mental Health Legislation Scrutiny Group had noted the increase of using the Mental Health Act within general hospital ward and A&E settings. This would include Section 136s, Doctors Holding Powers as well as the longer term detention orders. It was reported that this can pose operational problems and could compromise some service delivery expectations as set out within the Code of Practice.</p> <p>This has been addressed with an action for the Head of Adult Mental Health services and Mental Health Act Management team to meet with the liaison groups across the three counties in order to strengthen the support and knowledge base within the general hospitals. Mrs Judith Hardisty suggested that this should also be considered for inclusion on a risk register.</p> <p>Mr Clive Smith expressed concerns about the Code of Practise and requested that they be reissued at the Mental Health Legislation Scrutiny Group meeting. Dr Warren Lloyd mentioned the principle of the Code of Practise and what is recorded in terms of activities under the Mental Health Act. Individual patient care and how a specific clinical condition is addressed are details that will be extremely difficult to convey within this</p>	<p>LC</p>

	<p>Committee. Mrs. Judith Hardisty stated that the purpose of this committee is to report on and scrutinise compliance with the Act. Mrs Judith Hardisty proposed that Ms Liz Carroll, Mr Richard Jones, and Dr Warren Lloyd explore what information is available.</p> <p>Professor Chantal Patel questioned the percentage of Section 2 patients who then required Section 3 status. Dr Warren Lloyd explained that both detention orders had the same rules with regards to treatment and therefore some detentions, not all, would require further detention if the 28 day period under Section 2 was not sufficient. The majority of new assessments would be detained under Section 2 but occasionally patients better known to services may be detained under Section 3 in the first instance.</p> <p>Ms Liz Carroll questioned whether ethnicity figures could amount to a breach of confidentiality considering numbers were minimal. Guidance to be sought from Information Governance. Ms Liz Carroll also noted the number of occasions where it is reported that ethnicity had not been reported and whether any action was required to improve data reporting.</p> <p>The Committee RECEIVED and NOTED the Mental Health Act Report.</p>	<p>LC, WL, RJ</p> <p>RB</p> <p>RB</p>
MHLC (23) 07	The Mental Health (Wales) Measure 2010 Report	
	<p>Ms Amanda Davies stated to Committee members that the way the report is presented has been changed during the previous Mental Health Legislation Scrutiny Group where Ms Amanda Davies used to collate all feedback from the Heads of Service to receive exception on why targets were not being met. Ms Amanda Davies noted that the information is now being put in the report and then discussions on the information will be held during the meeting.</p> <p>Under part one of the Measure, discussions took place regarding Adult Mental Health Service were not meeting some of the targets and under part two the focus was around CAMHS.</p> <p>Part two of the Care and Treatment Plan indicated that the Adult Mental Health Service was not meeting the objective, with Ms Amanda Davies stating that the service is now experiencing recruiting challenges in South Carmarthenshire, North Pembrokeshire, and Ceredigion. Ms Amanda Davies has noted a decrease in the number of candidates for CMHT positions, however effort is being done to remedy this, and the teams have been placed on the Risk Register.</p> <p>Ms Amanda Davies has begun to look at individuals who are new to Secondary Services and those who have been discharged from Secondary Services as part of this report. The number of people who are care coordinated within Adult, Older Adult, and CAMHS Services has increased.</p> <p>The report that was distributed to members prior to the meeting included 111 option 2 data, which showed an increase in calls to 1073 in June. Ms Amanda Davies indicated that they received over 300 answered calls in the week commencing August 28th, 2023, with this trend continuing. It was noticed that the number of people seeking the service and being referred to the Secondary Mental Health Service remains low.</p>	

	<p>Part three figures were at 100% for this quarter with an advocacy report submitted that was circulated to members of the Committee prior to the meeting.</p> <p>Mrs. Judith Hardisty stated that part one of the Measure is extremely concerning in terms of Local Primary Mental Health. Ms Liz Carroll stated that there was a fall in Adult Mental Health data under Part One, which was associated with ongoing sickness. A monitoring group was formed, and the status has now improved for July and is back in compliance. When compliance fell, it was not recorded on the Risk Register, but it was tracked on Timely Access.</p> <p>Mrs Judith Hardisty noted the improvement within CAMHS although this is still in red but it has gone from 45% in April to 72% in June, this is currently being reported to Welsh Government as this is part of the targeted intervention.</p> <p>The Committee RECEIVED and NOTED The Mental Health (Wales) Measure 2010 Report.</p>	
MHLC (23) 08	Power of Discharge Sub-Committee (1st August 2023)	
	<p>The previous Power of Discharge Sub-Committee took place on the 1st of August 2023 with a newly appointed Chair, Mr Iwan Thomas.</p> <p>The sub-committee had discussed cases and hearings and any challenges that had been encountered for a learning perspective. They also received a short training presentation on IT skills.</p> <p>The only area of concern raised by the group was around the suitability of rooms for the purposes of patient reviews at Hospital Managers and Tribunals and the need to ensure there are rooms on wards that remain fit for purpose. This follows where a particular ward had some building work which has now finished. The members had been informed to contact the MHA Administration Team directly if there were any particular concerns but no further feedback has been provided.</p> <p>Mr Iwan Thomas added the meeting in August had been productive and beneficial. He expressed his thanks to Ms Ruth Bourke and the administration team for the support provided as well as to former Chair, Chantel Patel for the comprehensive handover of the meeting.</p> <p>The Committee RECEIVED and NOTED the of Discharge Sub-Committee (4th April 2023).</p>	
MHLC (23) 09	Risk Register	
	<p>Ms Liz Carroll indicated that the Directorate is currently conducting deep dives on each service on their Risk Register. During these sessions, Ms Liz Carroll was observed asking a question concerning legislation during the deep dive.</p> <p>The Committee RECEIVED and NOTED the Risk Register update.</p>	
MHLC (23) 10	SBAR Document Approval Forms for 596 Section 5(2) Nurses Holding Policy and 625 Community Treatment Order Policies	

	<p>Mrs Judith Hardisty introduced the items on the agenda explaining that there appears to be an historical error meaning that the Committee are recorded as the Owing Group and the MH Written Control Group are the Approvers.</p> <p>As a result the Owing Group are required to approval the Document Approval Forms. This was agreed however with immediate effect the Ownership of all future MHA policies are to be transferred to the MH Written Control Group and the Committee will become the Approver.</p>	
	<p>The Committee RECEIVED and AGREED SBAR Document Approval Forms for 596 Section 5(2) Nurses Holding Policy and 625 Community Treatment Order Policies</p> <p>The Committee RECEIVED and AGREED with immediate effect the Ownership of all future MHA policies are to be transferred to the MH Written Control Group and the Committee will become the Approver.</p>	
MHLC (23) 11	Document Approval Form Section 5(2) Dr holding power policy	
	The Document Approval Form for Section 5(2) Dr holding power policy was circulated for information and agreement prior to the meeting.	
	The Committee RECEIVED and AGREED Document Approval Form Section 5(2) Dr holding power policy.	
MHLC (23) 12	Document Approval Form Community treatment order policy	
	The Document Approval Form for Community treatment order policy was circulated for information and agreement prior to the meeting.	
	The Committee RECEIVED and AGREED the Document Approval Form Community treatment order policy	

MHLC (23) 13	Schedule of Meetings 2023-2024	
	For information only.	
MHLC (23) 14	Annual Work Plan 2023-2024	
	For information only	

MHLC (23) 15	Any Other Business	
	No further up updates were received.	

MHLC (23) 16	Date, Time and Venue of Next Meeting	
	The next meeting of the Mental Health Legislation Committee will be held on Monday, 18th December 2023 at 14:30pm. This may be in person and via MS Teams from 14.30am – 17.00pm. The venue for the in-person meeting will be notified nearer to the date of the meeting.	