



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

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| DYDDIAD Y CYFARFOD: DATE OF MEETING: | 18 December 2023 |
| TEITL YR ADRODDIAD: TITLE OF REPORT: | Mental Health Legislation Scrutiny Group Update |
| CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR: | Andrew Carruthers, Director of Operations |
| 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

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 meeting held on 9th November, 2023.

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 SCAMHS update report on admissions to the designated bed on Morlais Ward
- Mental Health Measure performance report
- Three County Local Authority Mental Health Act Data
- Quality Assurance and Practice Development paper

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.

Meeting on 9 November 2023

The Chair informed the group of the resignation of the Carers Representative Mr Clive Smith. On behalf of the group the minutes recorded gratitude for the many years he served as a Scrutiny Group member and a letter has been sent by the Chair on behalf of the Health Board formally thanking him for his service.

Due to current and anticipated continued absence from work by the newly appointed Chair of MHLSG the previous Chair will continue in this role as an interim arrangement.

The MHLSG Terms of Reference (ToRs) was presented for review, with no amendments proposed and are included as Appendix 1 for ratification.

Risk Register

The risk register in line with Legislation Committee's agenda, is now a standing agenda item at MHLSG. Service and Directorate risk register reviews will be required to consider any mental health legislation risks and bring these to the attention of MHLSG for reference and additional examination as appropriate. This agenda item prompted discussion in relation to a shortage of the availability of S12 doctors to undertake assessments under the Act. An action was agreed for the mental health legislation manager to review this with the medical lead for the Directorate.

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 MHLSG and the Mental Health Act report for Committee outlines this detail alongside any actions required. This report is a separate agenda item and salient points will be presented verbally at Committee by the author.

Of note however, in respect to increased number of detentions under the MHA in our District General Hospitals (DGH) and improvements required to improve effective joint working with our DGH colleagues to address this, the group were informed that recruitment is underway for a Senior Nurse for Liaison, and this would be an area of priority for the successful applicant.

Measure Report

The Measure data report was presented by a senior nurse who was representing the Head of Service for Adult Mental Health. This report was circulated to Scrutiny members ahead of the meeting. There is not a separate Measure committee report on this occasion and salient points are noted below.

There was significant improvement for adult under part one of the Measure. Part Two was also within the required performance parameters. Part One, part two for children remains below required performance and following discussion in MHLSG it was noted that the team had some long-term sickness in particular Carmarthenshire teams which impacted on their capacity to undertake Part 1B interventions. However, long term sickness is now recovered, and they are recruiting new staff into the team so they expect an increased performance in October and November's 2023 figures.

Further to the discussion in the last committee meeting in relation to Part Three of the measure clarification was provided in relation to our reporting responsibilities to Welsh Government alongside other initiatives being undertaken to improve the number of individuals self-referring to secondary services for example, via Single Point of Contact 111 press 2.

Any other Business

The Mental Health Act Administration Manager informed the group that the Community Treatment Order and the Section 5(2) policies are due their three-yearly review. They have been circulated on Hywel Dda's Global Internet for comment and will be emailed to the group for

comment. This will enable the policies to be included in the papers for the committee meeting today.

Argymhelliad / Recommendation

The Committee is asked to receive the Mental Health Legislation Scrutiny Group Update and approve the Terms of Reference of the Mental Health Legislation Scrutiny Group.

| Amcanion: (rhaid cwblhau) Objectives: (must be completed) | |
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| 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:**

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| Ar sail tystiolaeth: Evidence Base: | Agendas, papers and minutes of the Mental Health Legislation Scrutiny Group. |
| Rhestr Termiau: 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 lechyd Meddwl: Parties / Committees consulted prior to Mental Health Legislation Committee: | MHLSG Mental Health Act Legislation Manager |

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| 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. |

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| Risg: Risk: | <p>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.</p> <p>Safety of patients</p> <p>Assurance – use of statutory mechanisms</p> |
| Cyfreithiol: Legal: | <p>Not Applicable.</p> |
| Enw Da: Reputational: | <p>Not Applicable.</p> |
| Gyfrinachedd: Privacy: | <p>Not Applicable.</p> |
| Cydraddoldeb: Equality: | <p>Not Applicable.</p> |