



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

DYDDIAD Y CYFARFOD: DATE OF MEETING:	02 December 2024
TEITL YR ADRODDIAD: TITLE OF REPORT:	Mental Health Legislation Scrutiny Group Update
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Andrew Carruthers, Chief Operating Officer
SWYDDOG ADRODD: REPORTING OFFICER:	Sarah Roberts Vice-Chair, Mental Health Legislation 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 the 14th November 2024.

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 Specialist Child & Adolescent Mental Health Service (SCAMHS) report on admissions to the designated bed on Morlais Ward
- Mental Health Measure performance report
- Three County Local Authority Mental Health Act Data reports
- 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.

Review of Terms of Reference

It was suggested that as part of the core work going forward that Right Care Right Person is to be added as a standing agenda item (police led) to allow for updates as Phases 3 and 4 are implemented.

The Government review of the Mental Health Act will also become a standing agenda item. The draft Bill has had its second reading in the House of Lords. Further updates will be provided to the Scrutiny group as it progresses through Parliament.

Membership of the group was also reviewed and amended to include the GP Cluster Lead who was already in attendance.

Risk Register

There are currently two legislation service risks on the MH&LD Risk Register.

- The temporary closure of the Community Place of Safety at Gorwelion, Aberystwyth. This remains unchanged whilst the S136 Multi Agency Review Meeting progresses an option appraisal in respect of future S136 place of safety provision.
- Delayed admission to hospital post recommended detention under the Act, following a Mental Health Act Assessment (MHAA). This was added to the risk register earlier in the year as an action from SG. No recent incidents, this risk will be reviewed in accordance with process.

The group felt that due to the current medical position in Ceredigion and the shortage of Approved Clinician cover this should also be added to the register as it will have an impact on services.

Hywel Dda S136 Multi Agency Review Meeting

A multi-agency meeting took place on the 24th October with external stakeholders. Pembrokeshire and Ceredigion local authorities were not in attendance. The options were discussed and an email update was provided to them on the outcome of the meeting.

Mental Health Act Activity within General Hospitals

A deep dive was undertaken by the Scrutiny Chair for quarter one. It has been suggested that it needs to be done over a longer period of time. It is intended to extend the completion date so that the data can be brought back to the February Scrutiny meeting and then share at the next MHLC meeting in March 2025.

Mental Health Act Report

The Mental Health Act report containing activity and performance data was shared prior to the meeting. It was reported that quarter 2 had been a quieter period in relation to MHA Activity. No trends were identified by the group. The report was scrutinised and the Mental Health Act report on the agenda will cover the salient points arising from this.

Increased use of Mental Health Act within Emergency Departments

Some work had been undertaken by the Chair to look at the quarter one data in relation to use of Emergency Department (ED) as a place of safety. Since the last meeting the MHA administration team are recording data in respect of when ED has been used as a place of safety to determine if there was a medical requirement to attend ED or if it was used due to an absence of an alternative place of safety. This will continue to be monitored routinely by the Chair.

Measure Report

The Measure report containing activity and performance data was shared prior to the Scrutiny meeting. This report was scrutinised and debated and the Mental Measure report on the agenda will cover the salient points arising from this.

Quality Assurance and Practice Development Team Update (QAPD):

The QAPD team lead was not in attendance at the meeting to discuss but the report was shared with the group, it provided information on the Information Sharing Protocol that is currently going through the signatory process with external partners. WARRN Training and Person Centred Safety Planning training that has been delivered. The Revised Locked Door Policy for inpatient wards has been ratified by MH&LD Written control documents group and an update on sample auditing of Care and Treatment Plans.

Local Authority Reports

Three Local Authority reports were received and scrutinised by the group, nothing exceptional was noted for the last quarter.

Policies received by the group for information

743 – Section 135 Warrant to Search for and remove patients Multi-Agency Policy
741 – Patients’ Rights Procedure

Sec 135 is subject to the three local authorities and Dyfed Powys Police signing to agree the document.

Argymhelliad / Recommendation

The Committee is asked 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 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:	
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 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 DOLs – Deprivation of Liberty Safeguards 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 Iechyd Meddwl: Parties / Committees consulted prior to Mental Health Legislation Committee:	MHLSG

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: 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:	Not Applicable.
Enw Da: Reputational:	Not Applicable.
Gyfrinachedd: Privacy:	Not Applicable.
Cydraddoldeb: Equality:	Not Applicable.