

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

DYDDIAD Y CYFARFOD: DATE OF MEETING:	02 September 2025
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:	Kay Isaacs, 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 (MHL SG) meeting held on 14th August 2025.

Cefndir / Background

The following papers are submitted as standing items on the MHL SG 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 – Care and Treatment Plan Audit

Papers are sent out to members of the MHL SG 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.

The August meeting had good representation from agencies, reports were shared ahead of the meeting to facilitate both discussion and scrutiny in respect of mental health legislation.

Additional actions agreed to be included in future reports:

- The three Local Authorities to include quarterly figures on how many times they are applying for warrants that are not being used and also the number of medical recommendations that are expiring in the community due to unavailability of mental health beds.

- MH Measure Part 4 compliance figures for children and young people in CAMHS to be included within the MH Measure paper.

S136 Review - Multi- Agency Options Appraisal Review update

The options appraisal has now concluded, with option 3 identified as the one to progress. Which is a single site adjacent to the Psychiatric Intensive Care Unit and the Low Secure Unit at Hafan Derwen St David's Park, Carmarthen.

A paper has been completed and the Quality and Safety Committee endorsed that due process had been followed in respect of the appraisal process that was undertaken. The paper will be submitted to Public Board once approval has been received from the Executive Team

Right Care Right Person

An update from Dyfed Powys Police was provided to the group.

As previously agreed at MHLC, Right Care Right Person (RCRP) is now a standing MHL SG agenda item. To summarise, Right Care, Right Person Phases 3 and 4 are going live on 18th August. Work continues on a national level with discussions between Welsh Government and national team at NHS Exec in relation to transportation and S136 going to A&E. Dyfed Powys Police will be more thoroughly recording the requests for ambulances as they haven't always been requested by officers. Going forward this will be more heavily monitored. When DPP implement digital forms, this will enable them to pull their own data and scrutinise it.

Risk Register

There remain three legislation service risks on the MH&LD Clinical Care Group Risk Register.

- Temporary closure of the Community Place of Safety at Gorwelion, Aberystwyth.

This remains unchanged whilst the S136 Multi Agency Option's Appraisal progresses to a conclusion.

- Delayed admission to hospital following a Mental Health Act Assessment (MHAA) when medical recommendations for detention have been provided.

This issue was recorded on the risk register due to non-availability of a bed post MHA which is required to identify the name of the hospital to apply the section and this will remain on the register for further monitoring.

- Medical and nursing staff deficits in Gorwelion Community Mental Health Centre remain on the risk register.

This situation remains unchanged in respect of the negative impact for compliance of part two of Mental Health (Wales) Measure despite some improvement in the medical and staffing position. The temporary service change that was introduced to help ease this situation remains in place and a stakeholder monitoring group has been convened to examine all relevant data and information so that the temporary service change whereby routine GP referrals are advised to contact the Single Point of Contact Team 111#2 can be reviewed within the agreed 6-month period.

MH Measure Report

The Measure report which provides activity and performance data in respect of Wales Measure was shared prior to the MHLSG meeting. The report presented was very positive with the majority of data compliant with targets. Extra information was provided on people discharged from secondary services and those who had contacted 111#2. This report was scrutinised and debated and the Mental Health Measure report on the agenda will share this.

Mental Health Act Report

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

Section 4 emergency admissions were high which was attributed to the lack of Section 12 doctors. The use of general hospitals for detentions remains high and Section 136 was lower for the quarter.

Section 136

Continued use of S136 attendances at ED was noted. The reason for attendance at ED was due to the S136 place of safety being occupied on a few occasions. This data continues to be monitored at SG as the Mental Health Clinical Care Group (MHCCG) explores options to assess individuals away from ED when there is no physical requirement for attendance there. In addition, data continues to be collected in relation to when the Place of Safety is occupied, and ED is used as an alternative.

Local Authority Reports

Pembrokeshire:

Mental Health Act data provided, nothing remarkable to add and work has dropped by half during the quarter, no actions required.

Carmarthenshire:

There was a slight increase in number of assessments during the quarter, compared to last year there has been a reduction in assessments by 30%. AMHP staffing has improved, and Sec 12 doctor availability is still an issue. Conveyance has caused some issues for later in the evening as St Johns does not work after 10pm.

Ceredigion:

Prior to the meeting, a report was distributed in which members review full details of mental health act activity in Ceredigion.

Issues relating to MHA assessment have halved during the quarter. Sec 12 doctor issues have also decreased which is encouraging. Bed availability remains an problem to enable patients to be admitted.

Miscellaneous

Review of Mental Health Act – an update paper was provided to the group which highlighted areas where most amendments to the MHA are likely. The Bill remains in Parliament and could still be subject to change. Further updates will be provided to the group in due course.

(688) Section 117 Policy – as part of a 3 yearly review via the mental health Written Control Documents Group the policy was provided to the group for information prior to it being presented to MHLC for final approval in September.

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 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
Partïon / 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

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:	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

	<p>Practice Guide – Effective Board Committees (Supplementary Guidance) Guidance.</p> <p>Safety of patients</p> <p>Assurance – use of statutory mechanisms</p>
<p>Cyfreithiol: Legal:</p>	<p>Not Applicable.</p>
<p>Enw Da: Reputational:</p>	<p>Not Applicable.</p>
<p>Gyfrinachedd: Privacy:</p>	<p>Not Applicable.</p>
<p>Cydraddoldeb: Equality:</p>	<p>Not Applicable.</p>