



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

DYDDIAD Y CYFARFOD: DATE OF MEETING:	08 August 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:	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 meeting held on the 8th of August 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.

The meeting welcomed Corinne Everett Guy as the new Senior Manager for Social Work for Carmarthenshire, inclusive of MH and LD, she will now represent the Local Authority on this group.

There was an absence noted from some services, the Chair took an action to remind all group members that if they are unable to attend, they must arrange a representative.

Risk Register

There are 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.

Hywel Dda S136 Multi Agency Review Meeting.

This multi-agency meeting is undertaking an option appraisal in respect of the Directorate's S136 place of safety provision.

The last meeting was postponed due to the number of apologies received. The next meeting is scheduled for September and an update will be on the agenda for SG's November meeting and will be included in the SBAR for Committee.

Lesson Learned following a Serious Untoward Incident.

Earlier this year a matter was brought to SG relating to communication from mental health services with primary care following a S136 assessment, in particular, the absence of an agreed process to notify the GP when their patient has been assessed under the act was highlighted. Following debate and discussion in SG, which included our GP representative, all Local Authorities now confirm that the Approval Mental Health Professional will routinely inform the GP post S136 assessment unless, there is an exceptional reason. To support this process, SG is compiling a S136 Frequently Asked Questions document that AMPHs can share with individuals post assessment.

Mental Health Act Report

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

Measure Report

The Measure report containing activity and performance data was shared prior to the SG 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 has responsibility for auditing Mental Health Measure and assessment documentation. A review is currently underway in respect of the audit cycle and documentation used to undertake this. This is expected to be concluded by September 2024 and SG will provide an update for Committee at the next meeting.

Local Authority Reports

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

The previous SG SBAR for Committee highlighted the following;

- Recording data when a S136 assessment has been avoided.
- To examine Emergency Department (ED) 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 detail is contained in the Mental Health Act Report.

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