



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:	10:30-12:00pm, Tuesday 11 March 2025
Venue:	Ystwyth Board Room and Via MS Teams

Present:	Mrs Eleanor Marks, Vice Chair of Hywel Dda University Health Board Mr Iwan Thomas, Independent Member Ms Ann Murphy, Independent Member
In Attendance:	Mrs Becky Temple-Purcell, Assistant Director of Nursing MH&LD Dr Warren Lloyd, Associate Medical Director/Consultant Psychiatrist CAMHS Ms Kay Isaacs, Assistant Director of MH&LD Mrs Sarah Roberts, Mental Health Legislation Manager Ms Ruth Bourke, Mental Health Act Administration Lead Ms Jane Hitchings, Pembrokeshire Local Authority Ms Corinne Everett-Guy, Carmarthenshire Local Authority Ms Angie Darlington, West Wales Action for Mental Health Mr Neil Mason, Head of Service for Older Adult Mental Health Service Ms Amanda Davies, Head of Service for Adult Mental Health Service Mr Richard Jones, Consultant Nurse and Responsible Clinician MHL D Secretariat: Ms Manon Horscroft, PA to Assistant Director of Nursing MH&LD

MHLC (25) 01	Introductions and Apologies for Absence	Action
	Mrs Eleanor Marks introduced herself to committee and welcomed all attendees to the meeting. The following apologies for absence were received: <ul style="list-style-type: none"> • Mr Andrew Carruthers, Chief Operating Officer • Mrs Lisa Bassett-Gravelle, Head of Adult Mental Health Inpatient Wards and Learning Disabilities • Ms Liz Carroll, Director of MHL D • Mr Neil Wooding, Chair of Hywel Dda University Health Board • Ms Angela Lodwick, Assistant Director of MHL D • Mr Simon Thomas, Ceredigion Local Authority 	
MHLC (25) 02	Declarations of Interests	
	No declarations of interest were made.	
MHLC (25) 03	Minutes of the meeting held on 2 December 2024	
	The minutes of the meeting held on 2 December 2024 were APPROVED as an accurate reflection of the previous meeting.	
	The Committee NOTED and APPROVED the minutes from the previous MHLC meeting held on the 2 December 2024 .	

MHLC (25) 04	Table of Actions from the meeting held on 2 December 2024	
	The Table of Actions was reviewed, all actions were marked as completed and will be removed from the Table of Actions.	
	The Committee NOTED and AGREED the MHLC Table of Actions.	

MHLC (25) 05	Power of Discharge Sub-committee	
	<p>The Power of Discharge Sub-committee met in December 2024. The Sub-committee is a group made up from Independent Board Members and Lead members that discuss issues relating to hearings that have taken place regarding detained patients either having a renewal of section or have applied for discharge from section.</p> <p>Ms Ruth Bourke confirmed that the Sub-committee look at general activity also in relation to Section 23 of the Act which is in respect to discharge from detention. Through the December meeting members received training relating to the Mental Health Act and received a presentation on Community Treatment Order that was delivered by Richard Griffith. At the next meeting members will receive a presentation on Information Governance as part of the role undertaking reviews involves highly confidential information in comparison to their usual duties.</p> <p>The Chair, Mrs Eleanor Marks shared that the meeting was very informative and interesting to attend.</p>	
	The Committee RECEIVED and NOTED the Power of Discharge Sub-committee.	
MHLC (25) 06	Mental Health Act Report	
	<p>The Mental Health Act Report highlighted the usage of the act during quarter three.</p> <p>The use of Section three continues to be lower than average use compared to other quarters. Mrs Roberts noted that A&E continues to be used as a place of safety. Within the report Mrs Roberts noted that figures on 117 usages has been included.</p>	
	The Committee RECEIVED and NOTED the Mental Health Act Report.	
MHLC (25) 07	Mental Health Legislation Scrutiny Group	

The Mental Health Legislation Scrutiny Group met on 13 February 2025 where good representation was present throughout. During the meeting Ms Kay Isaacs noted that the group highlighted on their frequently asked questions regarding Section 136. The group have now made good progress on this additional information leaflet for individuals within the three counties. Ms Isaacs noted that the information leaflet will be presented to the Written Control Documentation Group for ratification.

In respect to the Section 136 review a meeting occurred in February to work on the Equality Impact Assessment and the Quality Impact Assessment with a paper being submitted to Public Board in May.

A new risk has been included on the Mental Health Legislation Scrutiny group risk register in respect to Gorwelion CMHT in Aberystwyth as there is a significant medical and nursing deficits within the team that is impacting on how the service are delivering care to the Community. The Directorate have decided to temporary change to the referral process for routine referrals from GP rather them going to the Community Mental Health Team and wait up to 28 days for an assessment the proposal is people are advised to contact the Single Point of Contact team 111 press 2. Ms Isaacs stated that this change has gone through various processes.

Ms Isaacs highlighted the report received from Pembrokeshire Local Authority during the meeting regarding concerns around staffing deficits around Social Workers. This is significantly impacting their ability to care coordinate individuals under the Mental Health (Wales) Measure which will also affect Part Two compliance within the measure. The issue has been raised within the Directorate where a meeting has been scheduled to address some of the concerns raised.

Ms Jane Hitchings raised that this has been an extremely difficult position for the service. The team have been continuing to maintain their statutory functions under the Mental Health Act however, the team have been trying to recruit into vacant posts within the teams over the 12 months. Ms Hitchings noted that during the previous four-five weeks there has only been three members of staff in work. The Team have now made the difficult decision to care coordinate any cases due to not having the resources available.

Ms Hitchings raised to Committee that the team will continue to support Health Colleagues with any social work tasks that are required but the team need to prioritise maintaining their functions under the Mental Health Act and Social Supervision for Ministry of Justice Cases and Court of Protection work. The team are re advertising posts with an increased supplement for AMHP's. During the Mental Health Legislation Scrutiny Group meeting Carmarthenshire Local Authority noted an increase of assessment in relation to Young People and Children. In respect to Ceredigion

the issues raised were the increase of Section four of the Mental Health Act and whether this has been undertaken because of the absence of Doctors. If a patient requires an urgent Section four the patient will need one doctor but will need to meet the urgency.

Ms Isaacs welcomed the work undertaken by the Quality Assurance and Practice Development team on the review, update and improve the Care and Treatment Audits. This Audit will now have a wider audit cycle to include the comprehensive assessment tool, the Risk Assessment Documentation and also a section that will look at the Quality and Standards of the written documentation.

In respect to the AMHP's situation in Pembrokeshire Mrs Sarah Roberts queried Ms Hitchings whether they have included this on their risk register and if it could be incorporated on to the Mental Health Legislation Scrutiny Group. Ms Hitchings noted that the team have included these concerns on their corporate risk register which is being maintained on their statutory functions under the Mental Health Act.

Mrs Marks raised concerns regarding the ongoing situation in Ceredigion. Mrs Marks queried the feelings with staff regarding the room being used urgently when they shouldn't be. Ms Isaacs confirmed that the issue is not in respect to urgent referrals but routine referrals as they send Secondary Care Team to do the assessments in person. The service felt due to the situation they are in the routine referrals should be directed to the 111 + 2 service. Mrs Temple-Purcell noted that from patterns of referrals the high proportion of routine referrals end up being a single contact and usually need signposting to try and solve the issue with the individual.

Mrs Marks queried whether the 111 + 2 service are coping with the volume of calls where Ms Davies reassured Committee that the service is being closely monitored daily on the number of calls received. Performance measures are being met when calls are received. Concerns were shown during the discussion by Mrs Marks on Staff Wellbeing where staff have been struggling but Ms Davies noted that the service have a very robust CRHT cover but the CMHT's are very limited. Staff are being well support where there is a new Senior Nurse in post who checks in on staff every week. The Adult Mental Health service have also put in an extra caveat for GPs in Ceredigion.

Ms Angie Darlington has been working very closely with the Directorate in respect to the ongoing issues in Ceredigion. Concerns have been raised in respect to North Ceredigion in respect to the situation and impact of the changes.

Ms Ann Murphy raised queries in respect to the Risk Register as it has specifically identified North Ceredigion but it's an issue for the whole Health Board. Ms Isaacs and Ms Davies stated that if the

	<p>risks are linked directly to legislation they will be included within the register. Ms Davies also noted that given the situation in Pembrokeshire this will be included on the risk register from Adult Mental Health Service.</p> <p>Dr Warren Lloyd queried how the Pembrokeshire issue will be presented to board within the Ceredigion SBAR that the Directorate have prepared. It was agreed during Committee for the issue regarding Social Workers in Pembrokeshire to be raised at Public Board separately to Ceredigion.</p> <p>As Chair of the Committee Mrs Marks will advise the Public Board regarding the issue on Social Workers in Pembrokeshire. Mrs Temple-Purcell stated that an SBAR regarding the situation for Ceredigion is being prepared by the Directorate for March.</p>	
	<p>The Committee RECEIVED and NOTED the Scrutiny Group Update Report.</p>	
<p>MHLC (25) 08</p>	<p>Mental Health (Wales) Measure 2010 Report</p>	
	<p>The Mental Health (Wales) Measure 2010 report part one and part two has been positive where all compliance is being met. However, Ms Amanda Davies noted that the compliance is down to the teams performing very well in Adult Mental Health Service and exceed the 90% as Ceredigion is running at a 57% compliance which is well below the required target. There will also be an impact on Pembrokeshire score due to the 40 patients that will not be seen.</p> <p>Part two data are monitored on a weekly basis where Ms Davies stated that the compliance is currently at 89%. Some teams are currently working very hard on maintaining compliance but two areas in the quarter reported are managing to meet 90% but are beginning to breach the 90%.</p> <p>Part three of the measure has slightly dipped in compliance but back on the trajectory to reach 100% compliance. 111 option two figures are included within the report where there was a slight dip in calls during December 2024, but the service is averaging around 300 calls per week. Ms Davies is happy to include data on the redirection in Ceredigion.</p> <p>Waiting times are currently fine however Ms Davies noted that there will be a slight dip on the 27 days especially in Ceredigion and Pembrokeshire.</p> <p>Part four of the measure is at 100% compliance in all areas. Ms Davies thanked the Chair for checking in on the staff wellbeing. It was also noted that Adult Mental Health service holds a lot of data around 111 option 2 service that are reviewed on a weekly basis where it can be brought to the Committee meeting if requested.</p>	

	<p>Mr Neil Mason made observation on the dynamic behind the relation of the discussion that there will be a higher rate of true positive face to face assessments and clinical prioritisation. The people who otherwise risked triaged and waited longer to be seen might have deteriorated in that time.</p> <p>Ms Isaacs noted that the data around 111 option 2 data come under part three of the measure as patients can self-refer. Ms Davies highlighted that the data is shared throughout the three Local Authorities and with West Wales Action for Mental Health. Mr Mason raised that the data could help to transform Mental Health areas. Mrs Temple-Purcell confirmed that the data has been included within the annual plan priority to do more work to help support in other areas.</p>	
	The Committee RECEIVED and NOTED the Mental Health (Wales) Measure 2010 Report.	
MHLC (25) 09	Operational Risk Register	
	The Committee received the Operational Risk Register during the meeting where risks were highlighted and updated throughout the meeting.	
	The Committee RECEIVED and ASSURED the Risk Register update.	
MHLC (25) 10	Policies for Approval: - Section 136 Joint Procedure	
	Section 136 Joint Procedure policy is due for its 3 yearly reviews by 24 March 2025 and following discussion within Mental Health Services a request was made to Committee that the policy is given a 6-month extension which the Written Control Document Group agreed to on the 28th of January. The Mental Health Legislation Committee agreed and approved the extension of the Section 136 Joint Procedure.	
	The Committee RECEIVED and APPROVED the 6-month extension of Section 136 Joint Procedure.	
MHLC (25) 11	HIW Mental Health Annual Report 2023-2024	
	The HIW Mental Health Annual Report 2023-2024 was shared to Committee by Mrs Temple-Purcell. The document is an annual review on the HIW reviews and Mental Health Act monitoring	

	<p>across Wales. HIW has a wide remit, and a part of the remit is the inspection work. Within the report HIW carried out 26 site inspections where two of the sites were at St Non's and St Caradog's in Pembrokeshire where the feedback is fed throughout the report.</p> <p>The report also highlights themes from the Audit and Assurance processes that are linked to care planning and review of risks as this is one of the themes that's prominent. Mrs Temple-Purcell noted that the report also highlights restrictive practice and from an assurance perspective this is something that is done routinely within MHL D.</p> <p>Under the Mental Health Act monitoring Mrs Temple-Purcell states that within the section feedback from the ward inspection from St Non's and St Caradog's can be seen within the report.</p> <p>Mrs Temple-Purcell highlighted that the national work around Patient Safety aligns closely with the feedback and themes from HIW.</p>	
MHLC (25) 12	Mental Health Act Review	
	<p>As part of the Mental Health Legislation Scrutiny Group Terms of Reference, the decision was taken to advise the Committee on any changes through Parliament with the review of the Mental Health Act.</p> <p>A short paper was submitted by Mrs Roberts, the review has been a part of the King's speech in November and has now received two readings in Parliament. There have been some suggested reviews but are subject to change within the report, but no timeline has been given to when the Mental Health Act will be progressed. Mrs Roberts will continue to keep the Committee informed on the progress.</p>	
MHLC (25) 13	Schedule of Meetings 2024-2025	
	For information only.	
MHLC (25) 14	Annual Work Plan 2024-2025	
	For information only.	
MHLC (25) 15	Any Other Business	
	Mrs Marks stated to Committee that from April 2025 she will no longer be the Chair of Committee but will still attend as a member. Chantal Patel has been appointed as the new Chair of Mental Health Legislation Committee.	
MHLC (25) 16	Matters for Escalation to Board	

Alert:

- There were no items to alert members of the Public Board on this occasion.

Advise:

- During the Mental Health Legislation Committee, a concern was raised regarding a Pembrokeshire Local Authority risk due to recruitment & retention issue with Social Work Staff. Committee raised concerns and would like to advise Public Board that this is impacting on health and performance under the Mental Health (Wales) Measure 2010.

Assure:

- The Mental Health Act Report focused on quarter 3 data. No specific trends were seen during this quarter. It was highlighted at Committee that there was lower usage of Section 3, with A&E continuing to be used as a Place of Safety.
- The Mental Health Legislation Scrutiny Group met on 13 February 2025, there were no outstanding actions from SG or committee and the group were able to finalise discussions in respect of the 'S136 Frequently Asked Questions' leaflet to progress this to the next phase, the Written Controlled Document Group for ratification. The Mental Health Legislation Scrutiny Group focused discussions on the Section 136 Review Multi Agency Meeting that was scheduled for late February to complete a Quality Impact Assessment document and then complete a final paper for board in May 2025.
- The Mental Health (Wales) Measure 2010 report was presented to Committee. Part 1 and 2 of the Measure are achieving the trajectory. Adult Mental health will be continuing to monitor the outcomes of part 3 assessments to improve compliance. This is now being closely monitored via the Business Manager and the Team Leaders.
- Section 136 Joint Procedure policy is due for its 3 yearly reviews by 24 March 2025 and following discussion within Mental Health Services a request was made to Committee that the policy is given a 6-month extension which the Written Control Document Group agreed to on the 28th of January. The Mental Health Legislation Committee agreed on the extension of the Section 136 Joint Procedure.

Review of Risks:

- The corporate risk 1857 'Risk of significant delay in admission for individuals with medical recommendations for admission under the Mental Health Act' was raised at the Committee meeting. The risk score has not changed, as demand outweighs capacity at present, with delays possible for patients awaiting beds.
- The Committee highlighted risk 1752, 'Risk to Young People's privacy, dignity and Health and Safety due to the 136 suite on Morlais being unsuitable', Risk closed on 8 January 2025 as the 136 suite has been relocated to an

	<p>area of the ward that provides privacy and dignity and ensuite facilities.</p> <ul style="list-style-type: none"> • The Committee noted that there were no changes to the status of the 1781 'Risk of being unable to provide a Community Place of Safety (CPOS) to individuals detained under Section 136 in Ceredigion County' Corporate Risk. • The Committee noted that risk 1612 " Risk to patient care at North Ceredigion Community mental health centre due to workforce capacity" and risk 1813 " Risk to patient care at Gorwelion Crisis Resolution and Home Treatment Team (CRHT) due to workforce capacity" has increased since November 2024 when Consultant vacated his post. Further increase in risk as attempts to recruit a Locum has been unsuccessful. Limited medical workforce. An SBAR is due to be submitted to Public Board from the MHLD Directorate regarding both risks. 	
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MHLC (25) 17	Date, Time and Venue of Next Meeting	
	The next meeting of the Mental Health Legislation Committee will be held on Thursday 5 June. This may be in person and via MS Teams from 10:30am- 12:00pm. The venue for the in-person meeting will be notified nearer to the date of the meeting.	

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