



**IS PWYLLGOR HOSPITAL MANAGERS POWER OF DISCHARGE
HOSPITAL MANAGERS POWER OF DISCHARGE SUB COMMITTEE**

DYDDIAD Y CYFARFOD: DATE OF MEETING:	07 August 2025
TEITL YR ADRODDIAD: TITLE OF REPORT:	Hospital Managers Sub Committee Annual Report 2023/2024
CYFARWYDDWR ARWEINIOL: LEAD DIRECTOR:	Mr Andrew Carruthers, Director of Operations
SWYDDOG ADRODD: REPORTING OFFICER:	Iwan Thomas, Independent Member

Pwrpas yr Adroddiad (dewiswch fel yn addas) Purpose of the Report (select as appropriate)
Er Gwybodaeth/For Information

ADRODDIAD SCAA SBAR REPORT
<u>Sefyllfa / Situation</u>
<p>The purpose of this paper is to present the Hospital Managers Power of Discharge Sub Committee Annual Report 2024/2025.</p> <p>The Hospital Managers Power of Discharge Annual Report provides assurance in respect of the work that has been undertaken by the Sub Committee during 2024/2025, and that the terms of reference as set by the Committee are being appropriately discharged.</p>
<u>Cefndir / Background</u>
<p>Hywel Dda University Health Board's Standing Orders and the Terms of Reference for the Hospital Managers Power of Discharge Sub Committee require the submission of an Annual Report to the Committee to summarise the work of the Sub Committee and to identify how it has fulfilled the duties required of it.</p> <p>The purpose of the Hospital Managers Power of Discharge Sub Committee as expressed in its Terms of Reference is:</p> <p>This includes:</p> <ul style="list-style-type: none"> • Review and monitor how the operation of the delegated functions under Section 23 of the Mental Health Act 1983 (the 1983 Act) and the Code of Practice are being exercised; • Discuss the work of individual panels; • Discuss the training requirements of Review Panel Members and produce a training plan for approval by the Mental Health Legislation Assurance Committee; • Discuss any impact of legislative changes on the role of Hospital Managers; • Highlight any impact of service changes; and • Provide learning opportunities
<u>Asesiad / Assessment</u>
<p>The Board (including Independent Members) are Hospital Managers for the purpose of the Mental Health Act 1983 (the 1983 Act).</p>

Whilst the Board retains overall responsibility and accountability for ensuring the quality and safety of health-care for its patients, service users, staff and the wider public, it has delegated authority to the Sub-Committee to undertake functions as set out within the Terms of Reference of the Sub-Committee.

The purpose of the Sub-Committee is to assure the Hywel Dda University Health Board that those functions of the 1983 Act, which they have delegated to officers and staff are being carried out correctly; and that the wider operation of the 1983 Act in relation to the ULHB's are operating properly.

Constitution

There is a core membership of the Sub Committee which is comprised of:

- Independent Member (Chair)
- All Independent Members
- All appointed Lay Members

The following In Attendance Members have also been identified to serve on the Sub Committee:

- Mental Health Act Administration Lead
- Mental Health Act Administrators
- Independent Mental Health Advocate

The sub-committee may also request the attendance of any other officers of the Health Board as required.

Meetings

During 2024/25, three Sub Committee meetings were held throughout the year as follows:

- 2nd April 2024
- 6th August 2024
- 9th December 2024

2 meetings were held virtually, 1 meeting was held face to face.

Terms of Reference requires a minimum of two Independent Board members and two lay members and no less than eight to be in attendance.

Areas of Responsibility

The Committee agreed to the establishment of the Hospital Managers Power of Discharge Sub-Committee (the Sub-Committee), made up of Independent Members and Lay Members. Section 23 of the 1983 Act (The Power of Discharge) was delegated to the Sub-Committee. Officers can attend but are not members.

A panel of three or more members drawn from the Sub-Committee hear individual cases where patients or their nearest relative have applied for discharge. The panels also sit on renewal hearings – these are collectively known as Hospital Managers reviews.

The Hospital Managers have a range of responsibilities, including:

- Ensuring that patient's care and treatment complies with the 1983 Act;
- Authority to detain patients admitted under the 1983 Act; and
- Power to discharge certain patients (S23 of the 1983 Act) – which can only be exercised by three or more members of a Committee formed for that purpose.

The Sub-Committee meetings are held three times per year and are training focussed to ensure members are kept up to date with current legislative and of changes within the Health

Board. During the year the members received training on the following areas:

- Part 3 patients provided by Richard Griffith.
- IT skills provided by Ruth Bourke HDUHB Mental Health Act Administration Lead
- Community Treatment Orders provided by Richard Griffith.

Hospital Managers Reviews

During 2024/25 there were **20** applications for discharge to the Hospital Managers, which resulted in **8 hearings held (one is pending)**. The hospital managers decided to uphold all detentions

During 2024/25 there were a total of **63** detentions renewed by the Responsible Clinicians. **No** patients were discharged from their detention orders by the Hospital Managers.

A total of **2** applications for discharge were made by nearest relatives. The Hospital Managers did not review any cases as no barring certificates to the discharges were ordered by the Responsible Clinician.

During this period patients were offered a choice whether to hold hearings in person or remotely.

Welsh Hearings

During this period there were no requests from patients to conduct any review in the Welsh language.

Other Areas of Responsibility

During 2024/25 the sub-committee also received, considered and approved actions associated from the following from the following:

- The Sub-Committee also received updates and minutes from the Mental Health Legislation Assurance Committee.
- The Sub-Committee received updates on:
 - Legal updates in relation the MHA Act 1983
 - Independent Mental Health Advocates issues relevant to the sub-committee
 - Service changes within Mental Health and Learning Disability organisational structures.

Argymhelliad / Recommendation

The Sub-Committee is requested to consider the Annual Report 2024/25 and to recommend the approval of the Annual Report at its next meeting.

Amcanion: (rhaid cwblhau)

Objectives: (must be completed)

Committee ToR Reference:

Cyfeirnod Cylch Gorchwyl y Pwyllgor:

9.1 The Sub-Committee Chair, supported by the Sub-Committee Secretary, shall:

9.1.1 Report formally, regularly and on a timely basis to the Mental Health Legislation

	Committee on the Sub-Committee's activities. This includes the submission of a Sub-Committee update report, as well as the presentation of an Annual Report within 6 weeks of the end of the financial year.
Cyfeirnod Cofrestr Risg Datix a Sgôr Cyfredol: Datix Risk Register Reference and Score:	N/A
Parthau Ansawdd: Domains of Quality Quality and Engagement Act (sharepoint.com)	Choose an item. Choose an item. Choose an item. Choose an item.
Galluogwyr Ansawdd: Enablers of Quality: Quality and Engagement Act (sharepoint.com)	Choose an item. Choose an item. Choose an item. Choose an item.
Amcanion Strategol y BIP: UHB Strategic Objectives:	Choose an item. Choose an item. Choose an item. Choose an item.
Amcanion Cynllunio Planning Objectives	Choose an item. Choose an item. Choose an item. Choose an item.
Amcanion Llesiant BIP: UHB Well-being Objectives: Hyperlink to HDdUHB Well-being Objectives Annual Report 2021-2022	Choose an item. Choose an item. Choose an item. Choose an item.

Gwybodaeth Ychwanegol: Further Information:	
Ar sail tystiolaeth: Evidence Base:	Agendas, papers and minutes of the Sub Committee meetings 2024/2025
Rhestr Termiau: Glossary of Terms:	
Partïon / Pwyllgorau â ymgynhorwyd ymlaen llaw y Pwyllgor Ceisiadau Gofal Sylfaenol: Parties / Committees consulted prior to Hospital Managers Power of Discharge Sub Committee:	N/A

Effaith: (rhaid cwblhau) Impact: (must be completed)	
Ariannol / Gwerth am Ariannol: Financial / Service:	Non compliance with the Mental Health Act could result in legal proceedings being brought against the Health Board who is the detaining authority.

Ansawdd / Gofal Claf: Quality / Patient Care:	Safety of patients Working within legislation to detain and treat patients under the MHA 1983.
Gweithlu: Workforce:	To ensure staff are working within legislation and the use of statutory mechanisms in order to detain and treat patients under the MHA 1983.
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 and with the Good Governance Practice Guide – Effective Board Committees (Supplementary Guidance) Guidance.
Cyfreithiol: Legal:	As outlined above to ensure compliance within the Act of the Local Health Board to ensure it is not associated with litigation or damages occurred through non-compliance.
Enw Da: Reputational:	As outlined above
Gyfrinachedd: Privacy:	N/A
Cydraddoldeb: Equality:	NA