

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 26 March 2024
Venue:	Ystwyth Board Room and Via MS Teams

Present:	Ms Eleanor Marks, Vice Chair of Hywel Dda University Health Board Mr Iwan Thomas, Independent Member Mr Andrew Carruthers, Director of Operations Ms Ann Murphy, Independent Member
In Attendance:	Ms Liz Carroll, Director of Mental Health & Learning Disabilities Mrs Becky Temple-Purcell, Assistant Director of Nursing MH&LD Ms Angela Lodwick, Assistant Director Mental Health & Learning Disabilities Mrs Sarah Roberts, Mental Health Legislation Manager Ms Amanda Davies, Head of Adult Mental Health Service Ms Ruth Bourke, Mental Health Act Administration Lead Mr Mark Evans, Carmarthenshire Local Authority Ms Jane Hitchings, Pembrokeshire Local Authority Ms Emma Thomas, Ceredigion Local Authority Ms Angie Darlington, Director of West Wales for Action Mental Health Secretariat: Ms Manon Horscroft, PA to Assistant Director of Nursing MH&LD

MHLC (24) 01	Introductions and Apologies for Absence	Action
	Mr Iwan Thomas introduced himself to committee and welcomed all attendees to the meeting. Mr Thomas welcomed the new Vice Chair of the Health Board Ms Eleanor Marks to the meeting. The following apologies for absence were received: <ul style="list-style-type: none"> Ms Lisa Bassett-Gravelle, Head of Adult Mental Health Inpatient Wards and Learning Disabilities Mr Neil Mason, Head of Service: Older Adult MH Mr Simon Thomas, Ceredigion Local Authority Ms Kay Isaacs, Assistant Director of MH&LD Mr Winston Weir, Independent Board Member Mr Richard Jones, Consultant Nurse Supt Andrew Edwards, Dyfed-Powys Police 	
MHLC (24) 02	Declarations of Interests No declarations of interest were made.	
MHLC (24) 03	Minutes of the meeting held on 18 December 2023 The minutes of the meeting held on 18 December 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 18 December 2023 .	
MHLC (24) 04	Table of Actions from the meeting held on 18 December 2023	
	<p>The Table of Actions was reviewed, and the following was noted:</p> <p>MHLC (23) 06- Ms Liz Carroll will contact the Liaison Nurse in respect to the increase activity and whether this will need to be placed on the MH&LD Directorate Risk Register.</p> <p>Mr Andrew Carruthers has followed the action up with limited concern on this. Mr Andrew Carruthers and Ms Liz Carroll will share the report with Keith Jones following the meeting to receive a further update.</p> <p>All other actions were marked as completed and will be removed from the Table of Actions.</p>	
	The Committee NOTED and AGREED the MHLC Table of Actions.	

MHLC (24) 05	Mental Health Act Report	
	<p>Mrs Sarah Roberts referred to the increased use of the Mental Health Act across the General Hospital Settings. With the use of Section 136 decreasing Mrs Roberts stated the Mental Health Act has increased through each quarter within the General Hospital sites as opposed to within the 136 suites within Mental Health. Detailed discussions on the usage of Section 136 occurred during the Mental Health Legislations Scrutiny meeting.</p> <p>The Mental Health Act Team monitor Section 136 cases with weekly reports being circulated to Police Colleagues. Mrs Roberts stated concerns between the consultation with Police Officers and Mental Health Staff. Consultations need to improve as these are not currently happening.</p> <p>The use of Section 136 within General Hospitals is very active where the Mental Health Act Team have seen patients either detained due to physical health needs with Mental Health problems or patients have been transferred from a Mental Health ward to the General Hospitals because of physical health needs. The Mental Health Act Team and Mental Health Liaison Staff will continue to monitor this ensuring patient are aware of their rights, rights of appeal and rights to an IMHA.</p> <p>Mrs Roberts raised that the Mental Health Act team are currently reviewing Section 17 Leave Policy which will hopefully be presented at the next Committee meeting.</p> <p>Mr Iwan Thomas queried the relationships with Dyfed-Powys Police colleagues and counterparts, but Mrs Roberts confirmed</p>	

that they are aware of their roles and responsibilities with Health Board colleagues.

Mrs Roberts stated that Dyfed-Powys Police attend the Health Boards Bed State conferences daily where they are made aware of anyone in the community who needs to be brought to their attention. The contact between the Mental Health Act team and Police colleagues occurs daily particularly around Section 136. Mrs Roberts also noted that Dyfed-Powys Police are also in contact with the CMHT's. When Police colleagues have concerns regarding the community there is also a County led Section 136 meeting that occurs monthly. The Mental Health Act team also provide training to officers at the Headquarters.

In respect to page 23 of the report Mr Mark Evans queried the 10-year picture whether there were any thoughts on the particular increase around Section 2 with Older Adults. Mrs Roberts noted that they often see Section 2 as the shortest but there has been an increase in the use of activity with Older Adults. Mrs Roberts also noted that the Section 3 is not seen to be renewed and the period of detention are decreasing.

Mrs Becky Temple-Purcell raised on the trend in increase on Mental Health Activity across General Wards. Mrs Temple-Purcell suggested for representation from the areas to attend Mental Health Legislation Scrutiny Group meetings for direct discussion. By looking at the report, Mrs Temple-Purcell suggested whether the Committee may want to commission a deep dive from Mental Health Legislation Scrutiny Group meeting around activity within general settings.

Mrs Roberts stated that a request has been made for a Liaison representative to attend a future Mental Health Legislation Scrutiny Group meeting to have a further focus and discussion on the activity. Mrs Roberts noted that some of the sections that the team are seeing aren't a result to Section 136 as they are people who have been admitted to a variety of wards.

In respect to Mrs Temple-Purcell's suggestions, Ms Jane Hitchings noted that there is correlation between the youths of the deprivation of liberty safeguards within General Wards. Ms Hitchings raised that they could be missing out that the patient is on a Section 2 as to whether it should be a detention or DoLS.

Mr Andrew Carruthers agreed with Mrs Temple-Purcell's suggestion for the commissioned deep dives around the data as it will help in understanding the data that is reported. Mr Carruthers noted that the deep dives would also provide a better understanding on what is driving some of the data and how that's being managed. The deep dives will help the Committee to understand what the issues might be and what the risks are.

	<p>Ms Eleanor Marks queried the continued increase in Section 136 and the impact of the smoking ban on Section 17 Leave. Mrs Roberts stated that during this quarter there was no increase in Section 136 but Section 136 has been implemented through A&E appose to Section 136 suites. In respect to Section 17 Leave, Mrs Roberts noted that discussions were raised on this during the Mental Health Legislation Scrutiny Group with Mental Health Advocates lead. The advocates had reported that those patients who are smokers and are detained they need to be granted a Section 17 Leave by their responsible Clinician. There has been some impact with the smoking ban even though patients are offered alternatives to cigarettes. Some patients will need to be escorted which creates an impact on the system in terms of resourcing.</p> <p>Ms Angie Darlington suggested for the Committee to look into the Smoke Free Policy, which is not legislation, but it is a policy that has an impact on Mental Health. As an organisation, Public Health Wales Smoke Free lead asked West Wales Action for Mental Health (WWAMH) to investigate patient experience on the wards when the Smoke Free Policy was introduced. WWAMH liaised with patients when the policy was being introduced about what the impact might be. A report was created on the engagement and impacts of this. Ms Darlington stated that the report is currently with Public Health Wales Smoke Free leads. Mr Thomas agreed for the report to be presented at Committee once available for information.</p>	
	<p>The Committee RECEIVED and NOTED the Mental Health Act Report.</p>	AD
MHLC (24) 06	Scrutiny Group Update and Mental Health (Wales) Measure 2010 Report	
	<p>The previous Mental Health Legislation Scrutiny Group meeting took place on the 9th February. The meeting received good attendance from all agencies.</p> <p>The focus of the meeting was around Section 136 Place of Safety where a task and finish group are being developed with multi agencies. The Task and Finish group are undertaking an option appraisal to agree the location of the Section 136 Place of Safety. An eight-week period of consultation is required ahead of the agreed options being presented to Board.</p> <p>There is one service risk on the register in relation to Gorwelion Community Place of safety, which is temporary closed due to safety concerns, this risk will be managed as part of the option appraisal process. During the meeting an action was noted for the group to report back to the Incident Management Group (IMG) that GP's are not being notified when a Section 136 Assessment has been undertaken.</p> <p>In respect to the Mental Health (Wales) Measure 2010 report, Ms Amanda Davies stated the marked improvement in Part one and</p>	

Part two. The 111 option 2 data have been noted within the report where in December the increased calls showed a marked increase of 1,480 calls which is extremely positive as people are accessing the service. The calls have been monitored over the Christmas period as there was a spike in calls. The service has managed with the calls keeping them to the two-minute target.

An error was noted on the report submitted where Part 3 should state October, November, and December data. In respect to Part 3 of the Measure former users of Secondary Mental Health services who have been discharged to refer themselves back for assessment without having to first go to their GP. Ms Davies noted that they are continuing to monitor why people aren't self-referring.

Ms Carroll had previously queried around the expiration of recording data of Mental Health Act Assessment been avoided. Ms Carroll noted on the hard work that has gone into CAMHS target 2 of the measure where the 80% compliance should be in green.

Mr Thomas raised on the increased awareness of 111 option 2 where it is positive to see that people are aware of the available service. Mr Thomas queried if the service has sufficient capacity within the team to service the increase in calls. Ms Davies reassured that the service is managing the demands of calls.

Ms Marks raised on the same query of capacity with calls under 111 option 2 service. With the calls increasing exponentially but once the service has been advertised more, what will be the natural consequence in terms of resources. Ms Davies noted the service has not been launched nationally yet, Hywel Dda is the first Health Board to carry out this service but once it is nationally launched Ms Davies will need to review the resources available.

In respect to the Scrutiny Group update, Mr Evans noted on the Mental Health Act Assessment data that was voided. Mr Evans raised that Carmarthenshire referrals are asked on what steps have been taken to transport the person to avoid admission.

Ms Hitchings raised that the AMHP will write analysis of what has been done when carrying out a Mental Health Act Assessment where a form is returned to the referrer and is held on the patient record. Whoever the referrer is will always get a copy of that form back with reasons on why the AMHP did or did not undertake the Mental Health Act Assessment.

In respect to the Measure report under part 3, Ms Darlington noted that the figures remain low and could be due to the figures existing three years after discharge.

Ms Marks raised under Part 4 for the Independent Mental Health Advocacy the percentage is at one hundred, but it is not clear whether this figure is positive or negative. Ms Davies noted that the

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	input of this data comes from the IMHA on what they have delivered but unfortunately that data had not been shared with Ms Davies but will ensure it is reported at the next meeting.	
	The Committee RECEIVED and NOTED the of Scrutiny Group Update.	
	The Committee RECEIVED and NOTED the Mental Health (Wales) Measure 2010 Report.	
MHLC (24) 07	Operational Risk Register	
	<p>Ms Carroll raised in respect to the provision of Section 136 facilities, the Health & Safety Committee commissioned the Directorate to review all Section 136 facilities. The lead participant in this work was Mrs Temple-Purcell where guidance was used from the College of Psychiatry Standards. As a consequence of this review the Community Place of Safety in Aberystwyth was low in terms of activity and has been temporarily stood down while the Directorate work through all options with partner agencies.</p> <p>In respect to Morlais ward, this is an area where the Directorate assess Children and Young People. Concerns were raised in relation to some estate issues. From an assurance perspective Ms Carroll noted that any Child and Young Person is immediately place on a 1-2-1 when they arrive onto a Mental Health facility.</p> <p>The Directorate are collaborating with partner agencies through the various options that are available. During the previous meeting Mrs Temple-Purcell raised that the group discussed Right Care, Right Person which is an initiative that the Police are working through.</p> <p>Ms Ann Murphy queried whether a report will be presented back to the Health & Safety Committee, but Ms Carroll noted that the Committee were happy and content with the recommendations that were provided to the Directorate.</p> <p>Ms Marks queried the dates under appendix 1 the risks of individuals and potential patients. Mrs Temple-Purcell raised that the task and finish group meet monthly with daily communications. The Optional Appraisal document is live, and a further meeting is due to occur after Committee. Mrs Temple-Purcell also noted that they are working with Communication and Engagement Team. Once the preferred option has been chosen the Directorate can engage and consult with others. Once discussions have occurred with the Communications and Engagement Team Mrs Temple-Purcell noted that timelines will be drawn.</p>	
	The Committee RECEIVED and NOTED the Risk Register update.	

MHLC (24) 08	Policies for Approval	
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	<p>Mrs Roberts presented the Hospital Manager Scheme of Delegation that was up for its three yearly review. Mrs Roberts confirmed that there have been no changes in legislation within the last three years. The policy has been widely shared and been out on global for two weeks for consultations.</p> <p>The Committee APPROVED the Hospital Manager Scheme of Delegation Policy.</p>	
	The Committee RECEIVED and APPROVED the Hospital Manager Scheme of Delegation Policy.	

MHLC (24) 09	Schedule of Meetings 2024-2025	
	For information only.	
MHLC (24) 10	Annual Work Plan 2024-2025	
	For information only.	

MHLC (24) 11	Mental Health Standards of Care (Wales) Bill	
	Mrs Roberts highlighted that the Mental Health Standards of Care (Wales) Bill was consulted widely within the MH&LD Directorate and responses were returned before the 11 th of March.	

MHLC (24) 12	Any Other Business	
	<p>Ms Angela Lodwick asked for approval from Committee in respect to the Mental Health Measure revised Part 1 Partnership Scheme. The Part 1 scheme was developed collaboratively in 2012 and has not been reviewed since. This work has been raised in a number of Executive reports where three reports have been actioned for the Part 1 Partnership Scheme to be updated. Over the previous year Ms Lodwick noted that they have been collaborating with partner agencies and colleagues on the revised document.</p> <p>This is a partnership agreement as opposed to a policy, Ms Lodwick needs approval from Committee on the revised scheme. Mr Thomas and Committee members agreed for the Mental Health Measure revised Part 1 Partnership Scheme to be circulated to members following the meeting for approval by Friday 12 April.</p>	All

MHLC (24) 13	Matters for Escalation to Board	
	<ul style="list-style-type: none"> • Committee welcomed the new Vice-Chair of Hywel Dda University Health Board to the meeting. Ms Eleanor Marks will be the new Chair of the Mental Health Legislation Committee. • Committee were notified of the new Multi-agency Section 136 Task and Finish Group. 	

	<ul style="list-style-type: none"> • Ms Liz Carroll provided an update to Committee on the provision of Section 136 facilities. • The Committee approved the Hospital Manager Scheme of Delegation Policy. • Committee were asked to approved the Mental Health Measure revised Part 1 Partnership Scheme. 	
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MHLC (23) 14	Date, Time and Venue of Next Meeting	
	The next meeting of the Mental Health Legislation Committee will be held on Friday, 7 th June 2024 at 11:00am. This may be in person and via MS Teams from 11:00am- 12:30pm. The venue for the in-person meeting will be notified nearer to the date of the meeting.	