

**COFNODION Y CYFARFOD
PWYLLGOR SICRWYDD DEDDFWRIAETH IECHYD MEDDWL
WEDI EU GYMERADWYO /
APPROVED 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
	<p>Mrs Eleanor Marks introduced herself to committee and welcomed all attendees to the meeting.</p> <p>The following apologies for absence were received:</p> <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 .	
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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.

	<p>Concerns have been raised in respect to North Ceredigion in respect to the situation and impact of the changes.</p> <p>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 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</p> <p>Part 1 is very positive and part 2 is meeting the 90% target however, this is down to the teams performing very well. Ceredigion is running on a 57% and also, 40 patients not being seen in pems there will be an impact on this.</p> <p>Part 2 data is monitored on a weekly basis and 89% compliance is seen from last week due to the pressures in areas. In the quarter, managing to meet the 90% but beginning to breach the 90%.</p> <p>Part 3 dipped in compliance but back on the trajectory to reach compliance. Dip in the calls in December and average around 300 calls per week. AJD is happy to include data on the re direction in Ceredigion. Also monitoring on the source of calls how do they know about the service.</p> <p>Planning on sending some patient experience out to patient h=on their experience on the calls. Do acknowledge the service.</p> <p>Waiting times are looking ok but will have a dip on the 27 days especially in Ceredigion and Pembrokeshire.</p> <p>Part 4 100% compliance in all areas.</p>	

	<p>AJD thanked the chair for checking in on the staff wellbeing. AJD has a lot of data on the service that are reviewed on a weekly basis where it can be brought to other committee meeting. the service aim is to make the process quicker.</p> <p>NM- higher rate of f2f appointments but people who might have risked triage and might have... NM is interested in the dynamic. AJD there is a intervention on how it is delivered. NM speaks on the intervention than the assessment. The contact being available, and present will be interesting to get the feedback from patients.</p> <p>KI- the data around 111 comes under part 3 of the measure as they are able to self-refer. AJD shares the data with 3 LA and with WWAMH.</p> <p>NM- can help to transform MH areas. BTP this 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	
	<p>Paper was presented and the majority of the risks have been covered under other agenda items.</p> <p>The gap between the current risk and target risk is big.</p>	
	The Committee RECEIVED and ASSURED the Risk Register update.	

MHLC (25) 10	Policies for Approval	
	<p>10. Section 136 Joint Procedure</p> <p>SRO as part of the 3 yearly review the 136 is due for review in March. As we have right care right person and review of place of safety, SRO took a paper to WCDG to have an extension on the 136. This paper was brought to the meeting to seek assurance from committee.</p> <p>Committee was assured on this item.</p>	
	The Committee RECEIVED and APPROVED the Section 135 warrant to search for and remove patients interagency procedure.	
	The Committee RECEIVED and APPROVED the Information to Patients right procedure.	

MHLC (25) 11	HIW Mental Health Annual Report 2023-2024	
	<p>BTP felt appropriate to share this with Committee, document is an annual review on the HIW review and MH Act monitoring. Through the role there is an eye on... within the report it is very interesting and from the 12 month period HIW visit and 2 sites were from Hywel Dda in St Nons and St Cradogs in pems. The feedback from the inspection is fed through in the report.</p> <p>Talks about restrictive practises and from an assurance perspective this is something done routinely, haven't received significant feedback from restrictive practice.</p> <p>During the MH Act part on page 85, our ward has been feedback during the report. a HIW action was raised follwing the meeting where a t&f group were set up. This action is now closed.</p> <p>Around s17 leave feedback on ensuring when leave is granted the clinical...s17 policy was reviewed previously, communicated... action from this has been addressed and closed.</p> <p>Positive comments and feedback on MH Act documentation has been received from HIW.</p> <p>Chair thanked on the highlighted bits raised during the meeting.</p> <p>AM- staff concerns raised during the report on whistle blowers. St Nons report was very balanced but the issues that were raised during the visit were quickly resolved and AM thanked staff for this.</p> <p>BTP- other inspections have occurred since and HIW have had a challenging capacity and likely to see more inspection.. had some inspections in other wards. Only inpatient sites been visited, a lot of community wards will be visited in the future. The inspections cover CAMHS and LD.</p> <p>NM- Older adult had two community visit, brynmair and Havenway. These were announced visits. Learning curve</p> <p>BTP- Nationally work around the patient safety link in with the HIW report. The chair thanked for bringing the reports to the meeting. got a lot of feedback from HIW but for MHLC the feedback is very contained. Some of the wider challenges around estates and staffing these are picked up in HIW themes.</p>	
MHLC (25) 12	Mental Health Act Review	
	<p>Part of the ToR of the MHL SG, advise the committee with any changes on the act. Had a king speech in November and has had two readings in parliament. Some suggested areas of review have been included but subject to change. No timeline to when this is being progressed. Might take up to 10 years for some of the bigger</p>	

	recommendations to be processed. Big and small changes but will have an impact on services. SRO will provide update to committee when fits.	
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	
	No updates for the meeting.	
MHLC (25) 16	Matters for Escalation to Board	
	<p>Alert:</p> <ul style="list-style-type: none"> • There were no items to alert members of the Public Board on this occasion. <p>Advise:</p> <ul style="list-style-type: none"> • 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. <p>Assure:</p> <ul style="list-style-type: none"> • 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 review 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 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 area of the ward that provides privacy and dignity and ensuite facilities.
- 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.

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.	