

**COFNODION Y CYFARFOD
PWYLLGOR SICRWYDD DEDDFWRIAETH IECHYD MEDDWL
CYMERADWYO / APPROVED
MINUTES OF THE
MENTAL HEALTH LEGISLATION COMMITTEE (MHLC)**

Date and Time of Meeting:	09.30-10:30am, Monday 12 th December 2022
Venue:	Via MS Teams

Present:	<ul style="list-style-type: none"> Mrs Judith Hardisty, Vice Chair of Hywel Dda University Health Board Mr Winston Weir, Independent Member Ann Murphy, Independent Member
In Attendance:	<ul style="list-style-type: none"> Mr Andrew Carruthers, Director of Operations Ms Ruth Bourke, Mental Health Act Administration Lead Ms Kay Isaacs, Interim Assistant Director of Nursing (MH&LD) Ms Jane Hitchings, Pembrokeshire County Council Ms Sarah Roberts, Mental Health Legislation Manager Ms Angela Lodwick, Assistant Director (MH&LD) Ms Angie Darlington, Director of West Wales Action for Mental Health Mr Clive Smith, Carer Representative Mr Mark Evans, Carmarthenshire Local Authority <p>• Secretariat: Ms Manon Horscroft, MH&LD PA</p>

GOVERNANCE		
Agenda Item	Introductions and Apologies for Absence	Action
1.1	<p>Mrs Judith Hardisty welcomed all attendees to the meeting.</p> <p>The following apologies for absence were received:</p> <ul style="list-style-type: none"> Liz Carroll, Hywel Dda University Health Board Neil Mason, Hywel Dda University Health Board Warren Lloyd, Hywel Dda University Health Board Amanda Davies, Hywel Dda University Health Board Catrin Convery, Welsh Ambulance Service NHS Iwan Thomas, Independent Member Lisa Bassett-Gravelle, Hywel Dda University Health Board Richard Jones, Hywel Dda University Health Board Mel Evans, Hywel Dda University Health Board John Forbes-Jones, Ceredigion County Council 	
1.2	<p>Declarations of Interests</p> <p>No declarations of interest were made.</p>	
1.3	<p>Minutes of the meeting held on 3rd October 2022</p> <p>The minutes of the meeting held on 3rd October 2022 were APPROVED as an accurate reflection of the previous meeting.</p> <p>The Committee NOTED and APPROVED the minutes from the previous MHLC meeting held on the 3rd October 2022.</p>	

1.4	Table of Actions from the meeting held on 13th June 2022	
	<p>The Table of Actions was reviewed, and the following was noted:</p> <p>MHLC (22) 01 - Ms Kay Isaacs noted that correspondence has been sent to Cath Burrell but is awaiting a response. Ms Kay Isaacs will take further updates on this Action to Shaun James.</p> <p>MHLC (22) 03- Ms Angela Lodwick raised in term of Part 1 of the MH Measure performance is now on track in respect to the trajectory for improvement. The service has made progress where the October data is now on 79.4% of compliance for Part A and 66% for Part B. The CTP element was also identified under Part 1 where Ms Angela Lodwick has set up monthly CTP monitoring meetings to review compliance. The Service have now recruited 55 new employees since February 2022.</p> <p>All other actions were marked as completed and will be removed from the Table of Actions.</p>	MH
	The Committee NOTED and AGREED the MHLC Table of Actions.	

1.5	Annual Work Plan 2023-2024	
	The Annual Work Plan 2023-2024 was submitted to Committee for information. Members AGREED the Annual Work Plan 2023-2024 where this will be used for the upcoming meetings of 2023-2024.	
	The Committee RECEIVED and AGREED the Terms of Reference for Mental Health Legislation Committee.	

	Assurance and Risk	
2.1	<p>Scrutiny Group Update</p> <p>The Vice Chair of the group Ms Sarah Roberts reported on behalf of the Chair Ms Kay Isaacs. The meeting took place on the 14th of November where it was tabled within the meeting an action from a previous Ombudsman report in relation to availability of Section 12 Doctors. The group agreed for a flowchart to be drafted on the AMHP process and what staff members should do if a Section 12 Doctor isn't available for a Mental Health Act Assessment.</p> <p>Within the reports received to the group Ms Sarah Roberts has asked each of the Local Authority representatives to include evidence and detail on any problems they have encountered in relation to Sec 12 Doctors during the quarter. Having this information shared within the group will be able to discuss and address each issue within the meeting. The Flowchart has now been drafted and finalised and members have received a copy.</p> <p>Regarding Terms of Reference, the Scrutiny Group are still yet to agree on membership and have not yet been updated. Ms Sarah Roberts will ensure that the Terms of Reference will be included on the next Agenda.</p>	

The group received the Mental Health Act report, presented by Ms Ruth Bourke which included information on activity where it was pleasing to note on the increase of Police Consultation prior to 136's and also an increase of usage on Section 4 which is an emergency admission particularly in Pembrokeshire.

Ms Sarah Roberts noted that the Measure Report was also received on Part 1 performance by CAMHS with a missed trajectory for September was highlighted and discussed.

The QAPD report was received for information where it highlighted the CTP Audit Report, this requires further consideration because this was undertaken during supervision. Ms Sarah Roberts raised that the Sec 117 Policy has now been ratified and work has commenced on a central Section 117 register.

Mr Mark Evans attended a meeting regarding Section 12 on behalf of Avril Bracey which was run by Welsh Government officials. A presentation was given during the meeting on an app that's being produced for Section 12 Doctors. The relevant Health Board would agree to sign up to the company called Section 12 Solutions where the Section 12 Doctors would include their availability within the app to conduct assessment.

Mr Winston Weir noted the following in relation to the report:

- The increase in the use of Section 4 and using external doctors in Pembrokeshire and why this is happening only in that County and not within the other two areas?
- Regarding Section 12 Doctors, are the Doctors external to another HB?
- In relation to Section 132 patients rights proformas being completed

Ms Sarah Roberts noted that Section 4 has been particularly in Pembrokeshire due to rurality and availability of Doctors. Section 12 Doctors are the ones that are being called upon externally, these will not be employed by Hywel Dda and would be employed privately or with another Health Board. In relation to 132 Patient Rights, Ms Sarah Roberts has seen the decrease in the Community for those patients who are subject to Community Treatment Orders who are being care co-ordinated within CMHTs. The MHA team have recently undertaken Mental Health Act refresher training which commenced in November and is ongoing.

Ms Sarah Roberts responded to Mr Mark Evans where it was confirmed that the app would not be suitable for use within the Board due to its rurality and was better suited to more urban areas. The company had previously been in touch with the MHA team about using it. Ms Jane Hitchings noted to Committee that Pembrokeshire Local Authority have set up a WhatsApp group for all the Doctors to use.

The Chair raised on the issue of Part 3 of the MH Measure where it was noted on the Referral Pathways of Older Adults. The Chair raised whether there is any advice given to relatives about Power of Attorney. Ms Sarah Roberts will liaise with Mr Neil Mason following the meeting on this.

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	The Committee RECEIVED and NOTED the Scrutiny Group Report.	
2.2	The Mental Health (Wales) Measure 2010 Report	
	<p>Prior to the meeting a report was submitted by Ms Amanda Davies for information. Ms Amanda Davies was unable to join the Committee Meeting due to being on Annual Leave. Ms Manon Horscroft noted the following questions that were raised:</p> <ul style="list-style-type: none"> • Mr Winston Weir raised whether the Health Board have an analysis on data in relation to patients e.g. race, sex, age, Welsh language speakers. <p>Ms Sarah Roberts noted that the service would have information on sex from Welsh PAS but Ms Roberts was unaware of the data on Welsh Speakers.</p> <p>Ms Angie Darlington noted that WWAMH will find it useful to have the data collated as the organisation need to collate data on age, race and gender. This data will be very useful to have to make sure that services are meeting their quality duties.</p> <p>The next Committee Meeting will look into the new collating data system for Mental Health Patients in more detail.</p>	
	The Committee RECEIVED and NOTED The Mental Health (Wales) Measure 2010 Report.	
2.3	Power of Discharge Sub-Committee (8th December 2022)	
	<p>Ms Ruth Bourke provided a verbal update to Committee on the Power of Discharge Sub-Committee which took place on the 8th December. During the meeting discussions took place on further training to be provided in respect to forensic patients in court proceedings.</p> <p>During the meeting Members discussed the benefits of returning to face-to-face reviews with patients and members also noted their appreciation that their patients are being given the choice. The Tribunal Service are holding hearings via MS Teams, but some discussions are taking place to trial face to face hearings in Spring 2023.</p>	
	The Committee RECEIVED and NOTED the of Discharge Sub-Committee (8 th December 2022).	
2.4	Risk Register	
	Ms Angela Lodwick stated that there was no legislation to report on the Risk Register.	
	The Committee RECEIVED and NOTED the Risk Register update.	
	PERFORMANCE	

3.1	Quarterly Performance Report – Quarter 2	
	Ms Ruth Bourke noted Quarter 2 of the Performance Report. The data within the report reflects information that is included within the Scrutiny Report. Most of the figures on Mental Health Act use during quarter 2 was reported standard where it was slightly higher in Older Adult Service.	
	The Committee RECEIVED and NOTED the Quarterly Performance Report for Quarter 2.	

	POLICIES	
	No policies were brought to the meeting.	

5.1	Mental Health Legislation Committee (MHLC) Self-Assessment 2021/22	
	Mr Andrew Carruthers noted that each year as part of the Governance process the Committee needs to undertake a self-assessment of the way Committee is functioning and working each year. The paper circulated for the meeting was to share the proposed template of the self-assessment and if Committee members agree what is included within the documents. Members AGREED the Mental Health Legislation Committee (MHLC) Self-Assessment 2021/22. The outcome of the Self-Assessment will be shared at the March 2023 Committee meeting.	
	The Committee RECEIVED and AGREED the Mental Health Legislation Committee (MHLC) Self-Assessment 2021/22.	

6.1	Any Other Business	
	Ms Kay Isaacs informed members that the new Assistant Director of Nursing Ms Becky Temple-Purcell will be joining the Directorate from Monday 27 th February 2023.	

7.	Date, Time and Venue of Next Meeting	
	The next meeting of the Mental Health Legislation Committee will be held on Monday, 13th March 2023 at 09:30am. This may be in person and via MS Teams from 09.30am – 12.30pm. The venue for the in person meeting will be notified nearer to the date of the meeting.	