

COFNODION Y CYFARFOD
PWYLLGOR HOSPITAL MANAGERS POWER OF DISCHARGE SUB COMMITTEE
DRAFT MINUTES OF THE
HOSPITAL MANAGERS POWER OF DISCHARGE SUB COMMITTEE MEETING

Date and Time of Meeting:	Tuesday 9 th April 2019 at 1.30pm
Venue:	Board Room, School of Health Science, St David's Park

Present:	<p>Professor John Gammon, Independent Board Member (Chair to POD Sub-Committee)</p> <p>Mr Mike Lewis, Independent Board Member</p> <p>Mr Owen Burt, Independent Board Member</p> <p>Mrs Delyth Raynsford, Independent Board Member</p> <p>Mrs Angela Brown, Member Appeals Panel</p> <p>Mrs Mary Ferrie, Member Appeals Panel</p> <p>Mrs Jane Jannotti, Member Appeals Panel</p> <p>Mrs Jane Jeffs, Member Appeals Panel</p> <p>Mr Phil Layton, Member Appeals Panel</p> <p>Mrs Lyn Maliphant, Member Appeals Panel</p> <p>Mrs Joan Palmer, Member Appeals Panel</p> <p>Mr Stephen Smedley, Member Appeals Panel</p> <p>Mr Richard Griffith, Member Appeals Panel</p>
In Attendance:	<p>Sarah Roberts, Mental Health Act Administration Lead</p> <p>Ruth Bourke, Mental Health Act Administrator</p> <p>Aaron Davies, Assistant Mental Health Act Administrator</p> <p>Bonnie Harding, Assistant Mental Health Act Administrator</p> <p>Sue Williams, Independent Mental Health Advocate, Advocacy West Wales</p> <p>Cara Young, Solicitor, Cambrian Mental Health Law</p> <p>Anthony Tracey, Assistant Director of Informatics</p>

Governance:		
Agenda Item	Item	Action
HMPODSC (19) 01	<p>Introductions included two new Administrators from the Mental Health Act administration team; Bonnie Harding and Aaron Davies who have been in post since January.</p> <p>John Gammon also informed members that Mr Dave Richards, appeals panel member had recently retired from the role and wished to note his hard work and dedication to the PODSC.</p>	
	<p>Apologies for Absence were received from:</p> <p>Mrs Terrill Chadwick, Member Appeals Panel</p> <p>Mrs Jan Hawes, Member Appeals Panel</p> <p>Mrs Sue Richards, Member Appeals Panel</p> <p>Mrs Mollie Roach, Member Appeals Panel</p> <p>Mrs Gill Davies, Member Appeals Panel</p> <p>Mike Ponton, Member Appeals Panel</p>	
HMPODSC (19) 02	Declarations of Interests	
	No declarations declared.	

Hospital Managers Power of Discharge Sub-Committee
Part 1
Sub Committee Business and Information

HMPODSC (19) 03	<p>Minutes of Meeting Held on 5th December 2018</p> <p>Members in attendance confirmed the minutes as an accurate record of the meeting.</p>	
HMPODSC (19) 04	<p>Table of Actions and Matters Arising from the Minutes of the Meeting Held on 5th December 2018</p> <p>Table of Actions:</p> <p><u>Meeting rooms</u> Sarah Roberts provided verbal feedback to concerns raised over the meeting rooms used to hold Hospital Managers reviews. In particular Ty Bryn (kitchen area) was noted to be used only on very rare occasions and never with patients in attendance. Likewise, Bryngofal upstairs meeting room is only used in exceptional circumstances. Cwm Seren PICU have changed the table which took up a large amount of space, to accommodate more room. However it was accepted that the need for a more suitable venue will be undertaken as part of the transforming services review.</p> <p><u>Clerking at hearings</u> Sarah Roberts informed members that due to sufficient staffing clerking at hearings had been resumed. Members were pleased to note this as it was generally found hearings ran smoother with clerks in attendance and that it provided quality assurance overall.</p> <p><u>Hospital Managers expenses</u> Sarah Roberts notified members that travelling expenses had been increased to 45p per mile to align with other Health Boards in Wales and that all recent submitted claim forms had been paid this.</p> <p>Sarah also informed members that she was in a position to provide members with an increase £5 per hearing that would not be capped as to number of hearings undertaken (previously capped for two or more hearings). However suggested that this be considered appropriately by members balancing the burden against the financial savings required by the Board. Members unanimously agreed to the lift recognising the importance of the role. Sarah Roberts to provide an email to confirm increase to all lay members.</p> <p><u>Electronic Hospital Manager packs</u> Action complete – Anthony Tracey, Assistant Director of Informatics to provide clarification on matters as agenda item 5.1</p> <p>All other actions completed.</p>	SR
HMPODSC	<p>Review Terms of Reference / membership</p> <p>The following suggestions were discussed:-</p>	

(19) 05	<p>2.1 Membership shall comprise....All Independent Members. This was questioned due to the fact that not all members attend the PODSC however as all (apart from employed staff) have the power of discharge and may sit on a panel this may have an effect on 4.2 if removed.</p> <p>2.5 “Appointed lay membership must be reviewed every two years and receive an annual appraisal”. This is not a true reflection on practice and it was suggested that this be amended to three yearly which all members agreed was appropriate.</p> <p>6. Agenda and Papers In light of electronic formatting of papers it was queried whether the timescales remain appropriate.</p> <p>Mike Lewis questioned the independence of panels when Independent Board Members were involved. Richard Griffith summarised the term Hospital Managers under the Mental Health Act for clarification.</p> <p>It was agreed that the above issues be raised with Alison Gittins; Corporate Secretary and amendments agreed as action of Chair.</p>	RB / JG
Annual Workplan		
HMPODSC (19) 06	Members in attendance confirmed the workplan to be an accurate and reflective record of the needs of the sub-committee.	
Discussion of Learning and Governance from panel hearings		
HMPODSC (19) 07	<p>Some discussion took place about matters arising from hearings during the last quarter and in particular two situations were noteworthy;-</p> <p><u>Withdrawing an Application</u> It was acknowledged that a patient may wish to withdraw their application during the course of a hearing and whilst this is rare it is permissible. However where the panel is considering renewing a section the hearing must always proceed whether the patient wishes to be present or not.</p> <p><u>Dual detentions under MHA and DoLS</u> Members described instances of reviewing patients detained both under the MHA and DoLS orders together and recognised the frustrations of all involved at only being able to consider the MHA detention. In the case of a patient being discharged it would mean having to explain that whilst discharged from MHA they would remain under detention subject to DoLS. The Independent Mental Health Advocacy service report reflected these frustrations.</p> <p>Richard Griffith reminded members of the amendment bill relating to DoLS currently going through parliament and it was suggested that</p>	

	training upon DoLS and the Mental Capacity Act be provided at a future meeting. Ruth Bourke to liaise with Chris Sayer to arrange.	RB
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	Update on Hospital Manager appraisals	
HMPODS C (19) 08	John Gammon informed members that the two yearly appraisal process for lay members was ready to commence when he was advised that it may not be appropriate for him within his role as Chair to undertake the practice. Sarah Roberts had sought guidance from other administration managers to determine how the process is undertaken within other health boards and is awaiting confirmation from Jo Wilson, Board Secretary. Further information will follow and appraisals will be arranged accordingly.	SR

For Information		
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	Operation of S23 Mental Health Act 1983 Report on the use of the Mental Health Act 1983 – 1st October 2018 – 31st December 2018	
HMPODSC (19) 09	Ruth Bourke presented information from the report summarising the number of applications, reviews and discharges to hospital managers and Mental Health Review Tribunals (MHRTs) during the quarter period October to December 2018. It was noted there had been a higher than average number of applications made for discharge by the nearest relative during this quarter. Of the three cases made one was discharged by the Responsible Clinician, one application was withdrawn and one case was reviewed but not discharged by the Hospital Managers. During this quarter there was no discharges made by either the Hospital Managers or MHRT.	

	Minutes Mental Health Legislation Assurance Committee 15th January 2019	
HMPODSC (19) 10	Minutes of the Mental Health Legislation Assurance Committee held on 15 th January 2019 were attached for information.	

	PODSC issues arisen from HIW report	
HMPODSC (19) 11	Interim Director of MH&LD, Liz Carroll provided a report to inform the sub-committee of HIW inspections' undertaken within the Mental Health and Learning Disabilities (MHL) Directorate. The report provides a summary of the areas that have been reviewed, associated improvement plans and actions and learning arising from the plans. The sub-committee acknowledged that there were no issues concerning the Mental Health Act documentation or processes	

	therefore no actions were required by this sub-committee.	
	IMHA Report	
HMPODSC (19) 12	<p>Members received the report provided by Natasha Fox, Advocacy West Wales for information.</p> <p>Concerns were raised at the continuing difficulties in granting section 17 escorted leave due to insufficient staffing levels. This has been highlighted and escalated throughout various forums but remains an issue that the Board continues to address.</p> <p>On a positive note members noted improvements have been made to receiving of late reports which in the past has been an issue for patients, IMHAs and Hospital Managers. This is in part due to provision of reports electronically.</p>	
	Update on transforming mental health services	
HMPODSC (19) 13	An update on mental health service developments provided by Richard Jones was attached for information.	
	Any Other Business	
HMPODSC (19) 14	<p><u>Roles, Responsibilities and conduct of Hospital Managers, Advocates and Legal representation at reviews</u></p> <p>Cara Young, Solicitor of Cambrian Mental Health Law attended to provide the sub-committee with a summarised view of the roles and responsibilities of solicitors at Hospital Managers reviews and how it differentiated with the role of IMHAs.</p> <p>Cara outlined how IMHAs will help patients understand the process but not be in a position to advise whereas solicitors can advise as well as abide by the instruction of the patient.</p> <p>Cara informed members how she would prepare herself for a hearing by going through the reports with the patients and determining the relevant issues of the case such as whether the patient wants to be discharged from the ward totally or whether they would wish to remain in hospital on a voluntary basis if discharged from detention.</p> <p>All members acknowledged the fact there is no written procedure for carrying out a hospital managers review therefore discretion has to be applied in order to balance the level of formality with the task required.</p> <p>Jane Jeffs reminded members about the Hospital Managers handbook that is in place locally to support the role of Hospital Managers.</p> <p>If there are any concerns relating to the practice of solicitors members were advised to raise them with the solicitor following the</p>	

Hospital Managers Power of Discharge Sub-Committee
Part II
Sub-Committee Training

HMPODSC (19) 17	Training Presentations:	Secretariat
	<p><u>Further Training Requirements</u> The following future training requirements were identified and to be arranged as follows:-</p> <p>August meeting – Information Technology (as detailed in minutes) December meeting – Mental Capacity Act and Deprivation of Liberty Safeguards (as detailed in minutes) To be agreed - The identification and role of nearest relative by Richard Griffith</p>	
HMPODSC (19) 18	Date and Time of Next Meeting	
	<p>Members noted the dates and time of the next meeting:</p> <p>Tuesday 6th August 2019 at 1.30pm – Ystwyth Board Room, Hafan Derwen, St Davids Park, Carmarthen.</p>	