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Bwrdd Iechyd Prifysgol
Cwm Taf Morgannwg
University Health Board

Appendix 1

Mental Health Act (MHA) Monitoring Committee

Annual Report 2020-2021

MENTAL HEALTH ACT (MHA) MONITORING COMMITTEE DRAFT ANNUAL REPORT 2019-20

1. FOREWORD

I am pleased to present the draft Annual Report of the Mental Health Act Monitoring Committee. The purpose of this report is to formally report on the work of the Committee for the year ending 31 March 2021 in accordance with the Committee's Terms of Reference.

I would like to express my thanks to all the officers of the Health Board, Local Authorities and South Wales Police who have supported and contributed to the work carried out and for their commitment in meeting important targets and deadlines.

2020-2021 has been very challenging during the ongoing Covid-19 pandemic with the Health Board having to move to different ways of working. I would like to extend my thanks to the Mental Health team for adapting so quickly to new processes such as the implementation of electronic documentation and using Microsoft Teams to facilitate hearings and enable the Health Board to meet the requirements of the MHA and Code of Practice.

The Committee has continued to foster and promote a culture of working in partnership for ongoing improvement. As Chair, I have ensured that the work of the Committee progresses in line with its Terms of Reference and also ensured that crossover work is seamless with the Together for Mental Health Partnership Board which I also chair.

Due to my pending retirement, a new Chair of the Committee has been elected and I am pleased to advise that the new Chair will be Jayne Sadgrove and would like to wish her every success for the future.

Maria K Thomas
Chair, Mental Health Act Monitoring Committee/ Vice Chair, CTMUHB.

2. INTRODUCTION

The MHA Monitoring Committee is chaired by the Vice Chair of the Health Board and monitors the Health Board's compliance with the statutory requirements of the MHA. The work of this Committee, including its Terms of Reference, has been reviewed and refreshed during the year being reported (2020/21). The Committee has continued to evolve with changes to report format and agenda content during the year.

The papers for the meeting are routinely published on the organisation's [website](#).

The Committee meets on a quarterly basis and following each meeting produces a highlight report which is then submitted to the next Board meeting to highlight key issues and risks. Broader mental health issues are discussed and taken forward via other established fora such as the Together for Mental Health Partnership Board (which is Chaired also by the Vice Chair of the Health Board).

The purpose of the MHA Monitoring Committee is to ensure that all the requirements of the MHA 1983 (as amended) are met by the Health Board.

The Committee considers:

- how the delegated functions under the MHA are being exercised (for example using the Annual Audit) and in line with the 'Code of Practice' requirements
- the multi-agency training requirements of those exercising the functions (including discussing the training report for assurance)
- the operation of the 1983 Act within the Cwm Taf Morgannwg area
- issues arising from the operation of the hospital managers' power of discharge
- suitable mechanisms for reviewing multi agency protocols / policies relating to the 1983 Act
- trends and patterns of use of the MHA 1983
- cross-agency audit themes and sponsor appropriate cross-agency audits
- lessons learnt from difficulties in practice and the development of areas of good practice.

The Committee is also responsible for developing an annual report for presentation to the Health Board.

3. MEMBERSHIP

The membership of the MHA Monitoring Committee comprises both Independent and an Executive Director Members, enabling the Committee to provide appropriate scrutiny and assurance to the Board independently of the management decision-making processes.

Independent membership during 2020-21 was as follows:

- Maria K Thomas, Vice Chair of the Health Board (Chair of the Committee)
- Mel Jehu, Independent Member
- James Hehir, Independent Member
- Phillip White, Independent Member

During 2020/21 the Executive Director Committee Member was Alan Lawrie, Executive Director of Operations (until December 2020). Alan Lawrie delegated his representation to Julie Denley, Director of Primary, Community and Mental Health.

Gareth Robinson, Interim Chief Operating Officer replaced Alan Lawrie from January 2021 (although due to Covid-19 it was necessary to cancel the meeting due to have taken place in February 2021)

4. MEETINGS

Due to the Coronavirus Pandemic of 2020/21 a number meetings of Board Committees were paused, initially in the Spring of 2020 and then again just before the end of the financial year. The MHA Monitoring Committee therefore met on three occasions during 2020/21 and as a consequence its forward work programme was reviewed to ensure that issues were appropriately prioritised.

The three dates on which it met during 2020/21 were as follows:

- 21 August 2020
- 4 November 2020
- 10 December 2020

Mental Health Act Monitoring Attendance 2020-2021		21 Aug 2020	4 Nov 2020	10 Dec 2020	Total
Maria Thomas (Chair)	Vice Chair, Independent Member	✓	✓	✓	3/3
Mel Jehu	Independent Member	✓	✓	✓	3/3
James Hehir	Independent Member	✓	✓	✓	3/3
Phillip White	Independent Member	✓	✓	✓	3/3
Alan Lawrie	Director of Primary, Community & Mental Health (until December 2020)	X	X	X	0/3
Julie Denley	Director of Primary, Community & Mental Health Services	✓	✓	✓	3/3
Gareth Robinson	Interim Chief Operating Officer (from January 2021)				-
Kishore Kale	Clinical Director	X	✓	X	1/3
Phil Lewis	Head of Nursing (Acute Mental Health)	✓	✓	✓	3/3
Sam Shore	Senior Nurse	X			1/1
Robert Goodwin	Service Group Manager, Mental Health		✓	✓	2/2
Fiona Thomas	Localities Manager Mental Health	✓	✓	✓	3/3
Jeremy Burgwyn	Head Administrator, Mental Health Team	✓	✓		2/2
Peter Thomas	South Wales Police Advisor for Mental Health	✓	✓		2/2
Colin Hatherley	South Wales Police Mental Health Officer	X	X		0/2
Karen Thomas	Superintendent, South Wales Police	X	✓		2/1
Alyson Jones	Representative Merthyr Tydfil County Borough Council	X			0/1
Angela Edavene	Representative Merthyr Tydfil County Borough Council		✓		1/1
Frances Hall	Representative Rhondda Cynon Taff CBC	X	✓		1/1
Alex Beckham	Representative Rhondda Cynon Taff CBC	✓	X		1/1

Mental Health Act Monitoring Attendance 2020-2021		21 Aug 2020	4 Nov 2020	10 Dec 2020	Total
Jackie Davies	Representative Bridgend CBC	X	✓		1/1
Julie Cude	Head of Nursing CAMHS	✓			1/1
Ceri William-Price	Consultant, CAMHS		X	X	0/2
Gregory Lloyd	Welsh Ambulance Services Trust	X	✓		1/2
Wendy Penrhyn-Jones	Head of Corporate Administration	✓	✓	✓	3/3

All of the above meetings were quorate.

The Committee's Terms of Reference were reviewed and approved by the Board in July 2020. A minor further amendment requested by the MHA Monitoring Committee in August 2020 and the terms of reference were reapproved by the Board September 2020 and are available upon request.

5. MAIN AREAS OF MHAM COMMITTEE ACTIVITY

The agenda for each meeting has followed a standard format in five main parts:

- Part 1 - Preliminary Matters
- Part 2 - Items for Approval/Discussion
- Part 3 - Governance, Performance and Assurance
- Part 4 - For Information / Other Matters.

Part 1 - Preliminary Matters

This section of the meeting provides the standard governance approach within all Board Committees within CTMUHB. This includes the action log which captures all areas for attention following the meeting.

Part 2 - Items for Approval / Discussion

This section has included receiving the:

- Committee Annual Report 2019/2020 and self-assessment questionnaire
- Results of the Committee Self-Assessment
- Self-Assessment Action Plan

Part 3 - Governance, Performance and Assurance

This section has included reports throughout the year which included:



- Mental Health Act – Quarterly Activity Statistical Report
- Report from Mental Health Operational Group
- Strategic update from South Wales Police (Section 13,15 & 136)
- including mental health staff in police control centre
- Mental Health Act Breaches Relating to the Mental Health Act
- Risks related to the Monitoring of the Mental Health Act
- Crisis Care Concordat
- South Wales Police Mental Health APP
- Impact of Covid-19 on Patients in relation to the Mental Health Act
- Conclusions from the Section 136 Audit

Part 4 - For Information / Other Matters

There were no items shared with the Committee for information sharing purposes.

The 'Forward Look' plan for the Committee was reviewed at each meeting to ensure its content remained appropriately focused.

The Committee Highlight Report is produced following each meeting and subsequently presented to the next available Board meeting.

Links with Other Committees/Boards

Where appropriate a process is in place for any relevant matters to be referred to other Board Committees for scrutiny and or action.

6. ACTION LOG

In order to monitor progress and any necessary follow-up action, the Committee uses an Action Log that captures all agreed actions and this is reviewed at the beginning of each meeting.

7. GOVERNANCE

The Committee provides an essential element of the overall governance framework for the organisation. The Terms of Reference for the Committee provide a robust commitment to monitor the application of the MHA.

8. ASSURANCE TO THE BOARD

Like many service areas mental health services were impacted by the pandemic and Welsh Government made provision for how the Mental Health Act could be applied and administered should the pandemic have warranted this. The committee was updated as regards these provisions which did not prove necessary and it was assured that patients' needs were met and full compliance with legislation maintained.



The Committee continued to receive updates regarding ongoing audit work and changes put into place to improve the application of the MHA and work to integrate approaches and policies in relation to the Act have again continued in year.

The MHA Monitoring Committee wishes to assure the Board that on the basis of the work completed by the Committee during 2020-2021, there are effective measures in place to scrutinise and monitor the application of the MHA.