



CWM TAF MORGANNWG UNIVERSITY HEALTH BOARD

'UNCONFIRMED' MINUTES OF THE MEETING OF THE MENTAL HEALTH ACT MONITORING COMMITTEE HELD ON 5 MAY 2021, AS A VIRTUAL MEETING WHICH WAS HELD VIA MICROSOFT TEAMS

PRESENT

- Maria Thomas - Independent Member/ Health Board Vice-Chair (Chair)
- James Hehir - Independent Member
- Mel Jehu - Independent Member

IN ATTENDANCE

- Julie Denley - Director of Primary, Community & Mental Health
- Fiona Thomas - Locality Manager Mental Health
- Philip Lewis - Head of Nursing for Mental Health
- Robert Goodwin - Service Group Manager, Mental Health
- Peter Thomas - South Wales Police Advisor for Mental Health
- Mark Wilkinson - Bridgend County Borough Council
- Angela Edavene - Merthyr Tydfil County Borough Council
- Jayne Sadgrove - Independent Member (Observing)
- Colette Rees - Partnerships & Strategic Planning Lead for Mental Health and Learning Disability (Observing)
- Cally Hamblyn - Assistant Director of Governance and Risk
- Wendy Penrhyn-Jones - Head of Corporate Governance and Board Business
- Kathrine Davies - Corporate Governance Manager (Secretariat)

PART 1. PRELIMINARY MATTERS

MHA/21/001 WELCOME AND INTRODUCTIONS

The Chair welcomed everyone to the meeting including Jayne Sadgrove, Independent Member and pending Chair of the Committee and Collette Rees, Planning Lead for Mental Health and Disability Services who were observing the meeting.

MHA/21/002 APOLOGIES FOR ABSENCE

Apologies for absence had been received from Georgina Galletly, Director of Corporate Governance, Philip White, Independent Member and Frances Hall, Rhondda Cynon Taff County Borough Council.

MHA/21/003 DECLARATIONS OF INTERESTS

There were no interests declared.

PART 2. CONSENT AGENDA

The Chair asked whether Members wished to move any item on the Consent Agenda to the 'Main Agenda'. No changes to the Consent Agenda were requested.

MHA/21/004 'UNCONFIRMED' MINUTES OF THE MEETING HELD ON 4 NOVEMBER 2020

Resolution: The minutes were **APPROVED** as a true and accurate record.

MHA/21/005 'UNCONFIRMED' MINUTES OF THE FOLLOW UP MEETING HELD ON 10 DECEMBER 2020

Resolution: The minutes were **APPROVED** as a true and accurate record.

MHA/21/006 ACTION PLAN FEEDBACK FROM COMMITTEE SELF-ASSESSMENT

Resolution: The Committee **NOTED** the report.

MHA/21/007 COMMITTEE ANNUAL CYCLE OF BUSINESS 2021-22

Resolution: The Committee **APPROVED** the Annual Cycle of Business for 2021-22

MHA/21/008 ACTIONS AND LEARNING ARISING FROM FUNDAMENTAL BREACHES OF THE MENTAL HEALTH ACT REPORTED QUARTER 2 2020-21

Resolution: The Committee **NOTED** the report.

PART 3 - MAIN AGENDA

MHA/21/009 ACTION LOG

Resolution: The Committee **NOTED** the Action Log.

MHA/21/010 MENTAL HEALTH ACT MONITORING COMMITTEE ANNUAL REPORT 2020-2021

W Penrhyn-Jones presented the report and the Draft Committee Annual Report for 2020-2021.

Resolution: The Committee **APPROVED** the Annual Report for 2020-21

Action: The Committee Self-Assessment Survey would be circulated following the meeting and reviewed at the next meeting to be held in August 2021.

MHA/21/011 **MHA OPERATIONAL GROUP REPORT**

R Goodwin presented the report providing an update on the work of the Operational Group.

M Jehu sought reassurance Section 136 was being monitored and scrutinised as was previously done pre-Covid-19. P Thomas advised that this was continuing to be monitored, there had been a gradual reduction across the Force for Section 136 for 2021 to 21% and the Triage Team had made a significant input into this.

The Chair requested an update at the next meeting on the conveyance to patients to hospital and the service being provided by St. Johns Ambulance.

The Chair raised concern that availability of medical staff for mental health assessments was still a problem and requested an update at the next meeting.

Clinical representation on the Committee to replace Dr Kale was discussed. J Denley advised that this would be addressed with Clinical Directors.

The Chair asked if there was a timescale for the implementation of the Welsh Community Care Information System (WCCIS) Mental Health Project Board. J Denley advised that significant work had been undertaken over the past eight weeks and the position was looking more positive in terms of timescales. Members **NOTED** an Operational Group had been established in CTMUHB and a Senior Group Implementation Board was overseeing work with partners. Also C Rees had been working with the Assistant Director of Governance and Risk to reframe the risk.

Resolution: The Committee **NOTED** the report.

Action: Patient flow and assessment arrangements in Prince Charles – It was agreed that the data and activity would be reviewed and a contact point identified in Powys Health Board to take the demand and capacity issues identified forward. This issue was to be

highlighted to the Board and an update provided to the Committee at its next meeting.

- Action: Policies and Protocols – Advice to be sought from the Assistant Director of Governance and Risk in relation to the development of the process for ratification of policies being renewed and policies review with a view to an update to the next meeting in August 2021.
- Action: Training and refresher training for Independent Members and new Committee Members on the Mental Health Act to be recommenced. R. Goodwin would discuss with the Hospital Managers Power of Discharge Committee.
- Action: Update at the next meeting on the conveyance to patients to hospital and the service provided by St. Johns Ambulance.
- Action: Clinical representation on the Committee to be sought from the Clinical Directors.

MHA/21/012 **MENTAL HEALTH ACT (MHA) QUARTERLY ACTIVITY REPORT**

P Lewis presented the report which provided an overview of MHA activity for Adult, Older Persons and Children and Adult Mental Health Services (CAMHS) for Quarter 4 – January – March 2020-21.

The Chair raised the issues of young people being detained on adult mental health wards and sought assurance as to the actions to address demand, capacity and commissioning aspects stating. The Chair added that it was crucial that a CAMHS representative was in attendance at the next meeting to provide an update.

F Thomas confirmed that the Lead Nurse for Rhondda/Taff Ely ILG had been linking-in with CAMHS as regards safeguarding issues. In terms of the mental health team, Members **NOTED** there had been a change in the management structure with a new manager now in post who was providing support with the data capture work. Members **NOTED** that F Thomas was of the view that this would help improvement work and allow for escalation of any relevant issues to the Integrated Locality Groups. Performance meetings were held across the three Clinical Service Groups (CSGs).

Resolution: The Committee **NOTED** the report.

Action: CAMHS Representative to be in attendance at next meeting to provide an update to the Committee.

MHA/21/013 BREACHES/UNLAWFUL DETENTIONS OF THE MENTAL HEALTH ACT

P Lewis presented the report highlighting key issues for Quarter 3 and 4 for Adult, Older Persons and CAMHS in relation to the application of the MHA.

The Chair raised concern that the learning from previous minor breaches was not being heeded. P Lewis acknowledged the point advising that despite this the error rate was continuing to fall.

The Chair raised the incident on the holding power which had been identified as a training issue. P Lewis advised that this was being monitored with training on Section 5 being put into place for those completing and receiving the relevant forms.

J Denley queried when the work on the benchmarking data across Wales would be received as it would be helpful to understand the national picture. P Lewis advised that Cardiff and Vale University Health Board had previously collated this data and enquiries would be made in order that such information could be included in future reports.

Resolution: The Committee **NOTED** the report.

Action: Update on all-Wales benchmarking data to be provided at next meeting.

MHA/21/014 RISKS RELATING TO THE MONITORING OF THE MENTAL HEALTH ACT

J Denley presented the report which provided an overview of present risks related to the Monitoring of the Mental Health Act for Quarters 3 and 4 2021.

The Chair advised that in light that the previous three reports had identified the risks and clear actions being taken to mitigate them, that this should be included within the Committee Highlight Report to Board for assurance purposes.

Resolution: The report was **NOTED**.

MHA/21/015 COVID-19 REMOTE MENTAL HEALTH ASSESSMENTS

P Lewis presented the report setting out details of the change of practice resulting from guidance relating to remote Mental Health Assessments.

The Chair queried the clarification that had been sought from Legal and Risk services on the legal implications for those patients whose CTOs were remotely extended and whether this would be undertaken back to March 2020. P. Lewis advised that the team had access to the relevant data and would quickly be able to identify if there was a requirement to do this and would provide an update to the Committee should this be the case. Assurance was offered that there were currently no remote assessments being undertaken, only face-face assessments.

Resolution: The report was **NOTED**.

MHA/21/016 CRISIS CARE CONCORDAT NATIONAL AND REGIONAL UPDATE

F Thomas presented the report which provided an update on progress in relation to the development of the Regional Crisis Care Concordat Group.

Resolution: The report was **NOTED**.

MHA/21/017 PRISON TRANSFERS – ACTIVITY AND COMPLIANCE AGAINST CODE OF PRACTICE

R Goodwin provided a verbal update on the activity and compliance of prison transfers under the MHA.

Resolution: The Committee **NOTED** the verbal update.

Action: A more detailed report would be received at the next meeting in August 2021.

MHA/21/018 UPDATE ON ALTERNATIVE PLACE OF SAFETY – THE SANCTUARY

P Thomas presented the report which outlined the service provided by the Sanctuary and a case study exemplar.

The Chair advised that the planned visit by the Committee to the Sanctuary had been postponed due to the Covid-19 pandemic and asked if this could now be arranged for the Committee and also included as part of the new Committee Chair induction. This was agreed.

Resolution: The report was **NOTED**

Action: Arrangements to be made with Hafal for the Committee to visit the Centre.

MHA/21/019 STRATEGIC UPDATE FROM SOUTH WALES POLICE - Policing and Crime Act 2017 (S13 5 & 136 of the Mental Health Act 1983)

P Thomas presented the report which provided the key data highlights and comparisons.

The Chair advised that it was pleasing to see the 11 % reduction in Section 136s and the decrease to 32% for CTMUHB was significant.

Resolution: The Report was **NOTED**.

MHA/21/020 SOUTH WALES POLICE MENTAL HEALTH APP UPDATE

P Thomas provided a verbal update to the Committee on the pilot of the South Wales Police Mental Health App.

Resolution: The Report was **NOTED**.

MHA/21/021 HOSPITAL MANAGERS PAYMENT FOR POSTPONED HEARINGS

J Denley presented the report which outlined the current arrangements for reimbursing Members for their attendance at Hospital Managers Hearings.

J Denley advised that the report was asking the Committee to approve a half payment of £20 if the Hospital Managers Hearings were cancelled within 24 hours of the hearing. C Hamblyn confirmed that the Committee did not have such authority but could agree to support the proposal on the basis that discussions would need to be held outside of the meeting in accordance with the scheme of delegation.

Resolution: The Committee **NOTED** the report and **AGREED** to **SUPPORT** the recommendation contained within the report on the basis set out above.

Action: Discussions to be held with finance colleagues in order that this issue be resolved in accordance with the Scheme of Delegation.

MHA/21/022 CONCLUSIONS DRAWN FROM SECTION 136 AUDIT – FOLLOW UP ACTION PLAN

P Lewis presented the report which provided an update on the conclusions drawn from the audit of Section 136 assessments and the development of an improvement plan.

The Chair suggested that dates for delivery of actions should be inserted for completeness. P Lewis advised that the dates would be inserted following the Quality & Safety Committee of the three Clinical Service Groups. An update would be provided at the August 2021 meeting for assurance purposes that the actions had been closed.

Resolution: The Committee **NOTED** the report and **APPROVED** the recommendations contained within the Action Plan and receive further updates.

Action: The Committee to receive a further update report at the August 2021 meeting.

MHA/21/023 COMMITTEE HIGHLIGHT REPORT

Resolution: The Committee considered items to include within the report and **AGREED** that the report would be prepared by the Governance Team following the meeting.

MHA/21/024 FORWARD WORK PROGRAMME

Resolution: The Forward Work Programme was **NOTED**.

MHA/21/026 ANY OTHER URGENT BUSINESS

Members paid tribute to Maria Thomas as the outgoing Committee Chair thanking her for her commitment and attention to detail. Colleagues stated that the Committee had benefited significantly from Maria Thomas's leadership over the past three years and extended their thanks and appreciation wishing her well in retirement.

The Chair thanked Members for their kind words and extended her personal thanks to colleagues for their contributions which had enabled enhanced strategic partnership working resulting improved

services for local communities. Tribute was also paid to operational colleagues within mental health services who had worked so hard to deliver services particularly following Covid-19.

In closing the meeting, Maria Thomas also took the opportunity to convey her best wishes to Jayne Sadgrove who was taking over as Vice Chair within CTMUHB and consequently would be assuming the role of Chair of the Committee.

MHA/21/02 **DATE OF FUTURE MEETINGS**

- 4 August 2021 at 2:00 pm
- 4 November 2021 at 2:00 pm

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