



AGENDA ITEM

(3.6)

MENTAL HEALTH ACT MONITORING COMMITTEE

RISKS RELATED TO THE MONITORING OF THE MENTAL HEALTH ACT

Date of meeting	04/11/2020
FOI Status	Open/Public
If closed please indicate reason	Choose an item.
Prepared by	Phil Lewis, Head of Mental Health Nursing and the Mental Health Act Administration Team
Presented by	Phil Lewis, Head of Mental Health Nursing
Approving Executive Sponsor	Executive Director of Operations
Report purpose	FOR DISCUSSION / REVIEW

Engagement (internal/external) undertaken to date (including receipt/consideration at Committee/group)

Committee/Group/Individuals	Date	Outcome
Mental Health Act Team	03/08/2020	SUPPORTED

ACRONYMS

MHA	Mental Health Act
UHB	University Health Board

1. SITUATION/BACKGROUND

- 1.1 The purpose of this report is to present risks related to the monitoring of the Mental Health Act (MHA) evident in quarter 1 2020/21 and for discussion and scrutiny related to actions and key milestones related to mitigating these risks.

2. SPECIFIC MATTERS FOR CONSIDERATION BY THIS MEETING (ASSESSMENT)

- 2.1 There were 31 minor errors and all of these were rectified within the specified 14 day period. This is a 24% decrease on last quarters report
- 2.2 There have been 3 fundamental defective errors during this quarter following reporting of none on the previous quarter.
- 2.3 To share the learning from these incidents there have been two communication briefs sent for action. One to the Mental Health Senior Medical Staff Council and one to the Directors in the ILG's
- 2.4 Work to develop a regional Crisis Care Concordat has now progressed and provides a good opportunity to further develop multi agency partnership working across the region.
- 2.5 Throughout the COVID Pandemic, the Mental Health Act team have addressed the challenges of adherence to the Act. New processes introduced have included the further implementation of electronic documentation, exploring the use of electronic signatures and the use of TEAMS to remotely facilitate the Manager's hearings and Tribunals
- 2.6 All hearings that were initially postponed have all now been completed and the team have received a compliment regarding the support given to this new way of working
- 2.7 A previous risk has been highlighted with regard to medical attendance at the Operational Group. This has now resolved and Dr Lackshmanan will be the medical lead on this group.
- 2.8 An issue has been previously raised in regard to availability of UHB section 12 Doctor's to be available in the absence of a GP recommendation. The Committee was informed at the last meeting that the Clinical Director has advised that all the Consultant Psychiatrists based in the community mental health teams have capacity in their job

plans to be able to conduct Mental Health Act work. Due to there being no Operational Group meeting this Quarter, this will be picked up in the next meeting in November 2020 and feedback provided to the Committee

3. KEY RISKS/MATTERS FOR ESCALATION TO BOARD/COMMITTEE

- 3.1 The previously reported backlog of 15 Manager's Hearings has been addressed and there is no further backlog.
- 3.2 There were three fundamental breaches of the Act. These have been reviewed and information shared with Consultant Psychiatrists and the ILG Directors to reduce this risk.
- 3.3 Following the departure of the previous Chair for the MHA Operational Group Mr. Robert Goodwin, CSG Manager at Bridgend has agreed to take over this role. He is liaising with the MHA office to quickly reinstate the meeting Programme and agenda.
- 3.4 Despite the absence of a Mental Health Act Monitoring meeting and subsequent report for committee, all scrutiny and learning has been conducted as expected.

4. IMPACT ASSESSMENT

Quality/Safety/Patient Experience implications	There are no specific quality and safety implications related to the activity outlined in this report.
Related Health and Care standard(s)	Governance, Leadership and Accountability If more than one Healthcare Standard applies please list below:
Equality impact assessment completed	Not required
Legal implications / impact	There are no specific legal implications related to the activity outlined in this report.

Resource (Capital/Revenue £/Workforce) implications / Impact	There is no direct impact on resources as a result of the activity outlined in this report.
Link to Main Strategic Objective	To provide strong governance and assurance
Link to Main WCFG Act Objective	Work collaboratively with our public service partners and a broader range of partners to join up health and other services where this potentially represents better value for our residents and care users

5. RECOMMENDATION

5.1 The Mental Health Act Monitoring Committee is asked to:

- **DISCUSS** and **NOTE** the report.