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Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



		Agenda Item	4.4 (ii)
Freedom of Information Status		Open	
Reporting Committee	Mental Health Legislation Committee		
Author	Claire Mulcahy, Corporate Governance Officer		
Chaired by	Martyn Waygood, Interim Vice-Chair		
Lead Executive Director (s)	Gareth Howells, Director of Nursing and Patient Experience		
Date of last meeting	06 February 2020		

Summary of key matters considered by the committee and any related decisions made.

Deprivation of Liberty Safeguards Update (DoLS) – members were updated on the quarter 3 position and advised there had been 206 referrals of which internal best interest assessors (BIA's) had undertaken 70 assessments. There had been 56 completed by the two dedicated BIAs and 68 completed by external BIAs. With regards to the onset of the Liberty Protection Safeguards (LPS), members were advised that a re-group in terms of the additional capacity within MCA, MHA and DoLS teams was underway to ensure compliance with the legislation.

Mental Capacity Act 2005 (MCA) – an update was received on the performance against the MCA for the period between 1st October and 31st December 2019, in total there had been 22 instructions for the IMCA service. There had been no recent update with regards to the LPS implementation but the team were still working towards the target date of October 2020. Data on Court of Protection cases had been requested several times but not received from Legal and Risk and this was cause for concern for members.

Mental Health Measure Monitoring Report – the overall performance against the measure was on target for all four areas.

Care and Treatment Planning Update - The key focus in this area was the quality of the care and treatment plans (CTPs) and work streams were underway within the unit with a focus on 3 areas; service user engagement, carer involvement and risk assessments. The unit's Quality and Safety Group would be monitoring progress going forward.

Key risks and issues/matters of concern of which the board needs to be made aware:

Mental Health Act (MHA) 1983 Monitoring Report and Update – an update on performance against the MHA was received. During the period, there had been *eight exceptions* and *two invalid detentions* identified by the department. There were no breaches of the MHA for inpatients admitted under the age of 18 and *four under 18 year olds* had been admitted to an adult ward on an informal basis. During the period, there had been *five* postponed or adjourned hospital managers' panels. Following action from the previous meeting, the MHA team have implemented extensive check processes, audits and training sessions for qualified staff on the receipt and scrutiny of documentation across the health board.

Safeguarding Training Needs Analysis – Members were advised that the lack of returns and poor engagement from the service delivery units remained. It was advised that level 2 safeguarding training was not mandatory for staff currently, so holding units to account for non-compliance in this area would be difficult. Within the NHS Framework, level 2 is a requirement for all staff but this was not yet mandated at all Wales level. Members agreed that a recommendation should be made to the Workforce and OD Committee to consider making level 2 mandatory across the board. They acknowledged the need for scoping, costing and an action plan to be put in place if this was to go ahead.

Delegated action by the committee:

None identified.

Main sources of information received:

As above.

Highlights from sub-groups reporting into this committee:

None identified.

Matters referred to other committees

The following was formally referred into the Workforce and OD Committee;

- (i) Safeguarding Training Needs Analysis – the committee recommended that level 2 safeguarding training be mandated.

Date of next meeting

07 May 2020