



# Hospital Managers Powers of Discharge Committee Annual Report 2020-21



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WALES

Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board

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## **1. Introduction**

- 1.1 The principle remit of the Hospital Managers Power of Discharge Committee is to satisfy the board that the processes employed by the committee, tasked with considering whether the power of discharge should be used, are fair, reasonable and exercised lawfully.
- 1.2 It is a sub-committee of the Mental Health and Capacity Act Legislative Committee to which it provides regular updates to give assurance to the board.
- 1.3 During 2020-21, the committee met its responsibility by fulfilling its role as outlined in its terms of reference.
- 1.4 The annual report summarises the key issues discussed at each meeting.

## **2. Committee Structure**

- 2.1 The membership of the Hospital Managers Powers of Discharge Committee comprises two Independent Members of the board:

- Jackie Davies, Independent Member; (committee chair);
- Maggie Berry, Independent Member

Also in attendance are hospital managers and nominated members of the mental health and learning disabilities directorates.

- 2.2 The secretary to the committee was Penny Cram, Interim Mental Health Act Manager.

- 2.3 The terms of reference required the committee to meet at six monthly intervals and this requirement was met during 2020-21 with committee meeting on the two occasions;

- 18<sup>th</sup> September 2020
- 23<sup>rd</sup> February 2021

## **3. Reports Received**

- 3.1 The committee received the following reports;

### *a) COVID-19 Update*

The committee were advised on the action taken by the Mental Health Act Team since the COVID-19 pandemic to coordinate the Hospital Managers hearings, and clear the backlog of postponed cases.

### *b) Report of the Use of the Mental Health Act*

Each meeting included an update with regard to use of the Mental Health Act for the reporting period.

*c) Remuneration for Hospital Managers*

The Health Board had agreed that the remuneration for Hospital Managers should be reviewed. Information had been obtained on payments made by other Welsh Health Boards which showed some variance. It was also noted that most Health Boards paid panel members and Chairs of Panels differently. A paper would be prepared proposing a revision to existing payments for consideration at the Legislation Committee

*d) Future Ways of Working*

The Committee discussed future ways of working specifically in relation to the receipt of papers for this Committee and for Hearings which would involve personal identifiable information. It was agreed that the same approach should be adopted as for Independent Board members through the use of electronic devices and a secure portal for documents.

*e) Terms and Conditions for Hospital Managers*

The Health Board has undertaken a review of its non-substantive positions in terms of bringing hospital managers posts into line with others such as independent board members. Recommendations had been made relating to payments for hearings, tenures of Associate Hospital Managers and handover periods.

*f) Matters Arising from Hospital Managers Hearings*

*i. Information Governance*

Members were reminded of their duties in terms of confidentiality prior, during and following hearings.

*ii. Decision Forms*

Concerns were raised that the current decision form does not allow for a comprehensive summary of the hearing. A recommendation was to review in line with those used in other health boards.

*iii. Patient Experience Questionnaire*

Following the decision by other Health Boards in Wales to survey patients since the move to holding hearings remotely since the COVID-19 pandemic, members raised concern regarding support for patients to complete the questionnaire. It was important that action is taken forward following survey findings and the language and style of the questionnaire is appropriate for the audience/patient.

#### **4. Conclusion**

This report demonstrates that the committee fulfilled its responsibilities through the reports it had received during the year from various services and sources.