



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



		Agenda Item	2.2 (iv)
Freedom of Information Status		Open	
Reporting Committee	Mental Health Legislation Committee		
Author	Claire Mulcahy, Corporate Governance Manager		
Chaired by	Steve Spill, Vice Chair		
Lead Executive Director (s)	Gareth Howells, Executive Director of Nursing and Patient Experience		
Date of last meeting	11 May 2023		
Matters to Draw to the Attention of the Board (particularly areas relating to risk or quality)			
<ul style="list-style-type: none">Mental Health Act Monitoring Report <i>Key Matters Raised by Members for Board Attention:</i> Although there had been no CAMHS (child and adolescent mental health services) admissions onto adult inpatient unit at Neath Port Talbot for this quarter, members shared their ongoing concerns surrounding the use of the adult inpatient bed for adolescents. Challenges remained with access to the specialist unit at Princess of Wales and questions are being raised within WHSSC on its usage.Mental Capacity Act and Deprivation of Liberty Safeguards Monitoring Reports <i>Key Matters Raised by Members for Board Attention:</i> The impact of the lack of Best Interest Assessors (BIAs) continues. Two additional BIA's have been appointed and are gaining experience to address an average 67 referrals a month but this was not a sufficient number to manage the current workload and address the backlog. The use of external BIAs continues and there has been an increase in fee to £250 per assessment to mitigate the risk.Preparedness Surrounding Liberty Protection Safeguards (LPS) <i>Key Matters Raised by Members for Board Attention:</i> Members were informed that that the UK Government had decided not to implement the amendment in this Parliament, therefore removing the necessary legislation to implement LPS. They remain supportive of the changes that would have been introduced and the need to strengthen the Deprivation of Liberty Standard (DoLS) system and will continue to work with health boards on this. The funding to support the development of the DoLS team is now recurring and the aim to develop a Mental Capacity Act (MCA) resource will continue. A large proportion of funding has been used to employ two Best Interest Assessors (BIA's) and the aim is to have five substantive BIA's in post. As well as an MCA Lead and administration posts to implement MCA in practice. This leaves a £150k shortfall in funding and no budget for training. Work has been underway to agree the governance and management structures and where this element of the legislation and care sits.			

Other Areas of Discussion

- **Court of Protection Cases**

There were currently 44 matters on the Datix system falling under the remit of Court of Protection, most falling under category of Challenging an Authorisation. Cases are managed by the Service Group and Executive Directors are reviewing these arrangements.

- **Mental Health (Wales) Measure 2010 Monitoring Report**

The health board consistently met the 80% target for part one of the measure excluding CAMHS (child and adolescent mental health services) data. The health board now had direct responsibility of CAMHS since its repatriation in April 2023. For Part two (Care and Treatment Planning) the health board met target for three of the twelve months. An analysis of the data showed the area of most concern is in the Adult Community Mental Health Teams in Swansea and these issues were being addressed. Parts three and four had been met consistently in the last quarter.

- **Recruitment of Associate Hospital Managers**

Members were informed of the approval for the appointment of replacement Associate Hospital Managers to allow the Health Board to discharge its responsibilities under the Mental Health Act in a timely basis. This had been on hold due to the implementation of the Liberty Protection Safeguards but since this has halted, it was important to push forward with recruitment.

Decisions Made for Approval by the Board

No decisions were made requiring board approval.

Updates Received from Sub-Groups

No updates received from sub-groups.

Matters Referred to Other Committees

No matters referred to Other Committees.

Date of next meeting

08 August 2023