



GIG
CYMRU
NHS
WALES

Bwrdd Iechyd Prifysgol
Abertawe Bro Morgannwg
University Health Board



Hospital Managers Power of Discharge Terms of Reference

1. Purpose

The role 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.

2. Membership

Chair	Independent member of the board
Membership	Hospital managers, to include all other independent members of the board and appointed associate members.
In Attendance	Nominated members of the Mental Health and Learning Disabilities Unit.
Member Appointments	The hospital managers shall retain their membership of the Power of Discharge Committee at the discretion of the board, but only for as long as they remain independent members or associate members of the board. An annual appraisal system will be applied to support the annual renewal arrangements for hospital managers.
Appointment of Chairman	The chairing of the committee should be undertaken by a independent of the board

3. Duties

The Hospital Managers Power of Discharge Committee shall:

- monitor the exercise of power under Section 23 of the Mental Health Act 1983 by hospital managers at hearings involving three or more members of the *Hospital Managers Power of Discharge Committee*. These powers are formally delegated by the health board in its “policy for hospital managers’ scheme of delegation”. This policy sets out the statutory functions of hospital managers;
- report annually to the board;
- develop a rolling programme of training activities to ensure that its members are fully able to exercise their responsibilities. This will include a formal induction programme and regular training on the Mental Health Act 1983;
- consider issues which are identified by hospital managers at hospital managers hearings and which required action. This will be a standing agenda item for discussion by the group. The chair will determine if the issue needs to be escalated and will be empowered to seek legal advice from the health board solicitors.

4. Meetings

Quorum

The Hospital Managers Power of Discharge Committee will require the following members to remain quorate:

- Chair of the Hospital Managers Power of Discharge Committee;
- An second independent member of the board; and
- Two other members.

Frequency of Meetings

The Hospital Managers Power of Discharge Committee shall meet at six monthly intervals. Additional meetings may be called by the chair at any time providing at least 10 working days notice is given.

5. Reporting

The chair of the committee will present an annual report to the Mental Health Legislation Committee which will in turn present it to the board.

6. Review

The terms of reference will be reviewed annually or when changes in legislation dictate.

Annual review date: May 2019