

Mental Health Legislation Committee (MHLCCC)

Minutes of the Mental Health Legislation Committee meeting

held on 11th January 2024

Via Teams / Boardroom, Carlton Court

Present:

Gareth Williams	Health Board Vice Chair (Chair)
Dyfed Jones	Independent Member
Rhian Watcyn Jones	Independent Member

In Attendance:

Louise Bell	Assistant Director Children and Adolescents Mental Health Services
Phil Meakin	Interim Board Secretary and Associate Director of Governance
Matthew Joyes	Deputy Director of Quality
Carol Shillabeer	Chief Executive
Chris Walker	Head of Adult Safeguarding
Ceri McGaugie	Senior Secretary
Teresa Owen	Executive Director of Public Health
Ros Alstead	Advisor on Mental Health
Alberto Saimoiraghi	Consultant Psychiatrist/Medical Director, Mental Health and Learning Disabilities

Agenda item	Action
<p>MH24/1 Welcome, introduction to Committee and apologies for absence</p> <p>The Chair welcomed everyone to the meeting thanking attendees. The Chair also noted this was the first meeting since the major change in the Board in March 2023. He noted that the meeting was being recorded to be shared with Audit Wales as they were unable on this occasion to send a representative.</p> <p>Apologies were received from Wendy Lappin, Angela Wood, Sam Watson, Iain Wilkie</p>	
<p>MH24/2 Review of the Terms of Reference for the Committee</p> <p>The Committee was asked to review and endorse the draft Terms of Reference</p> <p>The Chair stressed the importance of focusing the work of the committee on the important statutory duties under the Mental Health Act and Mental Capacity Act and that the purpose of the Committee was not to scrutinise the broader strategy and operations of Mental Health services: it was important that other</p>	

<p>Committees, particularly Performance, Finance and Information Governance and Quality, Safety and Patient Experience saw mental health as much part of their remit as other parts of the health board's services.</p> <p>A draft of the Terms of Reference had been shared with the group prior to the meeting and changes suggested by members' incorporated into the document.</p> <p>Members agreed that the name of the Committee should be simplified to the Mental Health Legislation Committee (MHLC). After a short discussion it was agreed that references to the Mental Health Measure were not needed in the Terms of Reference but that the Court of Protection should be referenced.</p> <p>The Chief Executive asked whether the Committee had a role in overseeing the advocacy arrangements for Mental Health patients as these were also required by legislation. It was agreed that it did have such a role and that representatives of the Associate Hospital Managers should be standing invitees to the Committee.</p> <p>A question was raised about whether membership of the Committee might be broadened, in particular to local authorities and other agencies such as the police. After a short discussion it was agreed that, in line with other Committees and our Standing Orders, only Independent Members of the Board should be full members, though other agencies could and should be invited when relevant. The Chair noted that one of the members of the Committee was also the local authority nominated Independent Member which should assist good communication.</p> <p>The group also discussed the importance of having input from the clinical directors' from the Integrated Health Communities (IHCs) to the meetings, given that Children's and Adolescent Mental Health Services (CAMHS) which also came under the Committee's remit were managed by the IHCs. The Associate Director of CAMHS agreed to facilitate this.</p> <p>The Acting Board Secretary said that the amended Terms of Reference would be taken to the Board on 25th January for approval.</p>	<p>PM/CM</p> <p>LB</p> <p>PM</p>
<p>MH24/3 Developing a Cycle of Business for the Committee</p> <p>The Chair referred to the comments made by Wendy Lappin (who had given her apologies) in an email. He stressed that meetings would be held quarterly with dates set well in advance. It was also agreed that rather than have a quarterly rolling audit, the Committee should provide an Annual Report.</p> <p>There was general agreement on the strong focus on providing assurance to the Board that the Health Board was meeting its statutory obligations and that the Cycle of Business should therefore be kept relatively simple. The question of whether additional assurance about the welfare and well-being of detained patients might be gained from e.g. visits to acute wards should be kept under review. Reports from Advocates as well as the Associate Hospital Managers should be brought to the Committee</p>	<p>MJ/PM</p>

<p>The Chair suggested that in advance of the next meeting of the Committee, members should receive a briefing as a development session on the various sections of the Mental Health Act and Mental Capacity Act.</p>	<p>PM</p>
<p>MH24/4 Mental Health Legislation Compliance and Capacity meeting 13.12.23</p> <p>The Committee noted the papers and minutes which had been circulated. It was agreed that the Committee could not appropriately sign off the minutes since none of the members had been present: this should be remitted to the Executive. However, the Executive should be asked to take into account the comments made by Wendy Lappin in her email.</p> <p>The Mental Health Adviser, Ros Alstead, asked about the fact that Associate Hospital Managers had agreed to lift a Section despite opposition from the consultant psychiatrist and asked if this was usual. The Associate Director of Quality assured her it was very unusual.</p>	<p>PM</p>
<p>16:30 - MH24/5 Date of next meeting 2nd May 2024 9:30am</p>	