

**Minutes of the Mental Health Act Monitoring Committee  
held on Wednesday 2 March 2021 at 10:15am  
on Microsoft Teams, Headquarters St Cadoc's Hospital, Caerleon**

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**Present:**

- Emrys Elias - Chair  
Katija Dew - Independent Member

**In Attendance:**

- Richard Howells - Board Secretary  
Dr Chris O'Connor - Divisional Director for Mental Health and Learning Disabilities  
Ian Thomas - General Manager, Mental Health and Learning Disabilities  
Nick Wood - Executive Director of Primary, Community and Mental Health Services  
Sarah Cadman - Head of Quality and Improvement for Mental Health and Learning Disabilities  
Dr Kavitha Pasunuru - Clinical Director, Child and Adolescent Mental Health  
Michelle Forkings - Divisional Nurse for Mental Health and Learning Disabilities/Associate Director of Nursing  
Ian Thomas - General Manager, Mental Health Learning Disabilities  
Claire Lipetz - Consultant Gynaecologist, Divisional Director  
Tanya Strange - Assistant Director of Nursing

**Apologies:**

No Apologies noted

**MHAMC 0203/01**

**Welcome and Introductions**

The Chair welcomed members and guests to the meeting.

**MHAMC 0203/02**

**Apologies for Absence**

No apologies for absence were noted. Claire Lipetz expressed her apologies as she had to leave the meeting early.

**MHAMC 0203/03****Declarations of Interest**

There were no Declarations of Interest in relation to items on the Agenda.

**MHAMC 0203/04****Minutes of the Meeting held on 4<sup>th</sup> March 2020**

The Minutes were agreed as a true and accurate record of the meeting held on 4th March 2020.

**MHAMC 0203/05****Action Log of the Meeting held on 4<sup>th</sup> March 2020**

The Committee agreed the actions from the previous meeting.

**MHAMC 1710/07 – Mental Health Practice Issues resulting from a Board Development Session to include:**

- **Section 117 Aftercare**

Updates on progress of the Section 117 policy review would be reported at the next committee meeting.

**ACTION: Chris O'Connor**

**MHAMC 0203/06****Mental Health Act Update**

Sarah Cadman provided an overview of the use of the Mental Health Act within the Health Board over the past 9 months.

A more detailed review of the last quarter was presented and a comparative view against previous years data to ascertain the trends in the Acts usage.

It was noted that Section 4 of the MH Act had been used more in this Health Board in the last year than previously, and that there had been a significant decrease in the use of Section 136 of the Act since the beginning of COVID. The use of these sections will be monitored accordingly.

The Committee was assured that the Hospital manager's hearings and tribunals were continuing and were being held virtually.

The Committee was advised that there was a rise of 5.7% in Mental Health Act activity, in comparison to the previous quarter, and that this was being closely monitored. Kajita Dew suggested that it would be interesting to review the areas in which there was a decrease since the start of the pandemic and whether this was due to the change in circumstances having an impact on mental health or if it was due to people not presenting when unwell.

The Chair highlighted the good work that the Health Board was undertaking in the community with the new service models for Crisis and Prevention. The evaluation of these services will help to inform on the effectiveness and management of crisis and support the future planning and commissioning of mental health service models.

Chris O'Connor reported that the tender for the *Sanctuary Service* had been agreed and this service it will be reviewed as part of the evaluation of crisis care.

#### **MHAMC 0203/07**

##### **Power of Discharge Sub-Committee Update**

Sarah Cadman provided the Committee with an update on the work of the Power of Discharge Sub-committee, the Mental Health Act and associate hospital managers activity within the Mental Health and Learning Disabilities Division.

It was noted that the formal agenda had been temporarily replaced with an informal progress and current situation reporting meeting, to fit with the COVID requirements and adjusted governance arrangements. Feedback from managers was generally positive and it was reported that having papers available electronically was an efficient and a more confidential process..

One item of note was *feedback from Service users about the use of virtual hearings* and how the Health Board will use this to improve services. Kajita Dew highlighted that this was a good opportunity for reflection, to look at what would work best for service users. Sarah Cadman confirmed that the report on the feedback would be ready after the next MHAMC meeting. **Action: Sarah Cadman**

#### **MHAMC 0203/08**

##### **Consultation regarding the proposed changes to the Mental Health Act**

Chris O'Connor updated the Committee on the White Paper, outlining the findings and recommendations of the UK government's independent review of the Mental Health Act. The Committee was advised that the formal consultation, based on the proposed changes, would end in April. Chris O'Connor highlighted the four

new guiding principles around changes to the Mental Health Act:

- Giving individuals more choice and autonomy.
- Supporting people in the least restrictive way.
- Ensuring that any use of the Mental Health Act provides therapeutic benefits to the individuals.
- Person centred care and support for individuals.

It was understood that all responses to the consultation would be submitted to the UK Government but any specific responses within Wales would be shared and developed with the Welsh Government. Nick Wood assured the Committee that the White Paper's recommendations align with the Health Board's proposals in the new transformation model for Mental Health services. The new model guidance focussed on a whole person system based on individual needs.

Kajita Dew highlighted the current work around COVID vaccinations for BAME groups taking place between Members of the Senedd, Independent members and the Muslim Doctors Cymru Group. The possibility of using these groups to relay any future messages, particularly in Mental Health, was suggested to the Committee.

The Chair stated that the Health Board would be responding to the Mental Health Act consultation document and highlighted the timeframe of eight weeks in which to do so. **Action: Nick Wood**

## **MHAMC 0203/09**

### **COVID-19; How the Mental Health Act has been monitored under adjusted governance arrangements during the pandemic.**

Nick Wood provided an overview of how the Mental Health Act had been monitored during the period of adjusted governance.

The Committee were assured that there had been ongoing monitoring of compliance, ensuring that the Health Board retained assurance and governance for Mental Health services. The Health Board chose an incident response approach to align with the major incident approach and a Gold Strategic cell was established to maintain service delivery. Silver cells were also established with a focus on service delivery directly related to the pandemic and divisional Bronze cells were set up, including Mental Health, with the

responsibility to direct, control, coordinate and report on issues. The Bronze group enabled the division to monitor compliance with all safety and service standards applicable to the Mental Health Act, with a clear escalation route through to the Executive Team, the Board and the Welsh Government. Nick Wood highlighted that assurance meetings had followed adjusted governance arrangements and had been less frequent over the past year. However, clear reporting and structure had been maintained throughout.

It was noted that the structural approach had been changed during the 2<sup>nd</sup> wave of the pandemic and that the Tactical Cell had been stood down. From 21<sup>st</sup> December 2020, the Bronze cell has reported directly to the Executive Team, with weekly meetings to ensure any issues can be escalated in a timely manner.

A summary of how the Mental Health Act has been monitored under adjusted governance arrangements to be provided to the Board for assurance. **Action: Nick Wood**

#### **MHAMC 0203/10**

##### **Committee Structure Diagram**

Michelle Forkings revisited a paper that was presented to the Committee in March 2020, which included the Committee structure for the Mental Health and Learning Disabilities Division and its interface with local and national partners. A further paper was produced that outlined the Committees structure, specifically relating to the Mental Health Act. This paper included the present Committee structure, the Power of Discharge Sub Committee structure and areas of which the governance and structure align to.

The Committee noted the report.

#### **MHAMC 0203/11**

##### **Items for Board Consideration**

The Chair noted that a paragraph on the monitoring of the Mental Health Act to be provided for assurance to the Board (See previous Action **MHAMC 0203/09**).

#### **MHAMC 0203/12**

##### **Date and Time of Next meeting**

The next meeting of the Mental Health Act Monitoring Committee will be held on Thursday 3<sup>rd</sup> June 2021 at 1.00pm via Microsoft Teams.

