

**ANEURIN BEVAN UNIVERSITY HEALTH BOARD**

**Minutes of the Mental Health Act Monitoring Committee (MHAMC)  
held on  
Thursday 9<sup>th</sup> December at 1.00 pm via Microsoft Teams**

**Present:**

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|---------------|----------------------|
| Pippa Britton | - Chair              |
| Paul Deneen   | - Independent Member |
| Katija Dew    | - Independent Member |

**In attendance:**

- |                      |  |
|----------------------|--|
| Rani Mallison        | - Board Secretary  |
| Sarah Cadman         | - Head of Quality and Improvement for<br>Mental Health and Learning Disabilities                   |
| Ian Thomas           | - General Manager, Mental Health and<br>Learning Disabilities                                      |
| Michelle Forkings    | - Divisional Nurse for Mental Health and<br>Learning Disabilities/Associate Director<br>of Nursing |
| Lisa Hale (Observer) | - Deputy Head of Quality and<br>Improvement for Mental Health and<br>Learning Disabilities         |

**Apologies:**

- |                 |  |
|-----------------|--|
| Sarah Aitken    | - Director of Primary, Community and<br>Mental Health Services       |
| Richard Clark   | - Independent Member   |
| Helen Sweetland | - Independent member   |
| Chris O'Connor  | - Divisional Director for Mental Health<br>and Learning Disabilities |

<b>1</b>	<b>Preliminary Matters</b>
<b>MHAMC 0912/01</b>	<b>Welcome and Introductions</b>  The Chair welcomed everyone to the meeting. The Chair and attendees formally introduced themselves.

	The Committee had not received any written questions prior to the meeting.
<b>MHAMC 0912/02</b>	<p><b>Apologies for Absence</b></p> <p>Apologies for absence were noted.</p>
<b>MHAMC 0912/03</b>	<p><b>Declarations of Interest</b></p> <p>There were no Declarations of Interest to record.</p>
<b>MHAMC 0912/04</b>	<p><b>Draft Minutes of the Meeting held on 8<sup>th</sup> September 2021</b></p> <p>The minutes of the meeting held on the 8<sup>th</sup> September 2021 were agreed as a true and accurate record.</p>
<b>MHAMC 0912/05</b>	<p><b>Action Log</b></p> <p><b>MHAMC 0809/05</b></p> <ul style="list-style-type: none"> <li>• Mental Health Act Update- Sanctuary Provision &amp; Crisis House- Sarah Cadman informed the Committee that the Crisis House opened on the 1<sup>st</sup> December 2021. The effect of the opening of the Crisis House facility on the use of the Mental Health Act would be monitored going forward. The final quarter of the year should display any data trends. Further discussion to take place at the next Committee meeting. Ian Thomas informed the Committee that the Sanctuary had also opened in December 2021. It was noted that delays in the tender agreement, impacting the opening, allowed for funding to be utilised for an alternative Sanctuary provision pilot in the Emergency Department (ED) in GUH. It was noted that further funding had been received to complete a formal evaluation of the Sanctuary pilot. The Chair queried numbers of patients who would utilise the provision in ED. Ian Thomas stated that although data showed low numbers, it had been identified as a difficult area by clinicians in busy ED departments and that it was positive step to have the support available for the patients. The Committee welcomed further conversations, evaluations of data and feedback at future meetings.</li> <li>• Strengthen the understanding of the Mental Health Act- MHA Administration Team Lead had met with site managers in GUH, arranging training for colleagues in the acute sector. The training started in December 2021 and is ongoing.</li> </ul> <p><b>MHAMC 0809/07</b></p> <ul style="list-style-type: none"> <li>• Section 117 Pilot Monmouthshire County Council (MCC)- Sarah Cadman updated the committee that, unfortunately, due to</li> </ul>

	<p>significant operational pressures within MCC and the onset of the pandemic that work was not progressed. Michelle Forkings stated that several CHC Complex Care multidisciplinary workshops had been arranged for January 2022, looking at factors linking to the original pilot. The Chair was happy for the Action to be removed.</p> <p><b>Action:</b> To be added to the Forward Work Plan (FWP) for discussion in 6 months. <b>Michelle Forkings/secretariat</b></p>
<p><b>2</b></p>	<p><b>Agenda Items</b></p>
<p><b>MHAMC 0912/06</b></p>	<p><b>Mental Health Act Update</b></p> <p>Sarah Cadman gave an update to the Committee. The context of the report was data collection against the detentions of the Mental Health Act (MHA). It was noted that this update covered the quarter July-September 2021. The following main points were noted:</p> <ul style="list-style-type: none"> <li>• The three highest used detentions were section 2, Section 3 and Section 52.</li> <li>• Newport had seen the highest number of detentions, with nothing significant to note.</li> <li>• The use of the MHA throughout COVID had been monitored. Early data indicated that increases in the use of the MHA correlated with changes in restrictions.</li> <li>• The use of the MHA had increased by 15% over the outlined quarter.</li> <li>• A significant increase in the use of the MHA in patients with Learning Disabilities was noted. This was reflective of the clinical picture with an increase in acuity.</li> <li>• Compulsory detentions in the under 18's remained a concern. The Family and Therapies Division was aware of this, and meetings had taken place to address the concerns.</li> <li>• The use of Section 52 had increased significantly. This was being monitored by the MH teams.</li> <li>• Rectifiable errors data showed an increase of 4, which was within the Health Boards control.</li> <li>• The Health Board had been monitoring the use of Section 136 in the under 18's. It was discussed that the high numbers in the outlined quarter often related to the same person. Figures for October and November 2021 indicated consistently lower usage. It was noted that the Health Board did not have a separate Section 136 area for children and young people; this was included in the Risk Register within the Mental Health Division. The Committee was assured that the information was fed back to the Mental Health Act Implementation Group, made up of multidisciplinary agencies.</li> <li>• The inconsistencies in the MHA Managers hearings were being monitored and reviewed by the MH teams.</li> </ul>

Paul Deenen queried if the Health Board had commissioned placements 'out of area' and how these were monitored to support the individuals and their families. Michelle Forkings assured the Committee that there was a CHC Team within Mental Health & Learning Disabilities which enabled a dual approach to the monitoring and provision of quality patient care. Patients were reviewed through both the CHC approach and the care and treatment approach. The Health Board's aim was to bring care closer to home, however, it was stated that there would always be demand for commissioned placements outside of Gwent, based on population need. The Chair discussed the 169 people across Wales with Learning Disabilities being cared for elsewhere. The Committee requested information on the numbers of ABUHB patients being cared for out of area, where they were placed and why. Katija Dew requested clear guidance on what should sit in each Committee, to ensure robust reporting mechanisms. Rani Mallison confirmed that work would be taken forward in respect of committee responsibilities to ensure clarity. In respect of placements for patients Learning Disabilities, this would be requested as an item for the Patient Quality, Safety and Outcomes Committee.

**Action: Board Secretary**

Paul Deneen noted the record keeping error highlighted in the report and asked if there was anything Board Members could do to support staff with improvements. Sarah Cadman informed the Committee that there was a potential move to electronic record keeping, but there were current delays in the WCCIS system. The Committee were assured that MHA documents were scrutinised, and training was in place to support teams. The Board Secretary assured the Committee that a paper on the delay of the WCCIS system was being discussed at the upcoming Patient Quality, Safety and Outcomes Committee.

Paul Deneen queried the lack of an Equality and Diversity impact assessment within the report. Rani Mallison confirmed that there was work required to review report templates and supporting guidance.

**Action: Board Secretary**

Michelle Forkings discussed the increase in the use of the MHA across all ages and highlighted the demand and capacity issues across the Mental Health and Learning Disabilities Division. Discussions were taking place nationally around demand, capacity and complexity in Mental Health and Learning Disabilities. The Committee noted that this was a similar picture for acuity and complexity among all Health Boards across the UK. Work was being undertaken in ABUHB to address the demand. Ian Thomas discussed the impact on staff and how the Health Board planned on supporting staff going forward. Ian

	<p>Thomas highlighted a medical staffing crisis in several boroughs, having an impact on Mental Health services.</p> <p>The Committee queried how they could further support the Mental Health Divisions. The team highlighted the importance of having sufficient staffing levels and the ability to maintain essential services for the population. Michelle Forkings discussed that evidence indicates that if the Health Board was unable to provide initial essential services to the population, some patients with high levels of risk, then demand would increase over time.</p> <p>The Committee highlighted the opportunity to discuss and assess the Estates Strategy for Mental Health services, ensuring the Health Board had the facilities and estates to support the population. It was noted that consideration of the new challenges coming as a result of COVID needed to be factored into all planning and assessment going forward.</p>
<p><b>MHAMC 0912/07</b></p>	<p><b>Mental Health Act Bench-marking Discussion</b></p> <p>Sarah Cadman provided an overview to the Committee. The quarterly report was produced by Cardiff and Vale University Health Board on behalf of Health Boards across Wales. The Health Boards performance was discussed. The following was noted:</p> <ul style="list-style-type: none"> <li>• Mental Health activity followed similar patterns to other Health Boards.</li> <li>• The use of the MHA across ABUHB general hospitals was low for this quarter.</li> <li>• The use of the MHA in children and adolescents was noted as within the lower data set across Wales.</li> <li>• The total use of the MHA in ABUHB was at 20%.</li> <li>• ABUHB had seen a slight increase in rectifiable errors. However, all Wales data showed it had the lowest numbers.</li> <li>• In relation to MHA managers activity, more consistency was required in the ABUHB area. It was noted that very few applications had been received by a patient, and in comparison to Health Board 1, outlined in the report, the numbers were low.</li> </ul> <p><b>Action:</b> Further investigation needed to understand the high numbers in Health Board 1, whether it added value to patient care, if so, what could ABUHB learn from this. <b>Sarah Cadman</b></p> <p>The Committee thanked the team for the comparative data for benchmarking purposes. The Committee thanked the team for all the hard work.</p>

<p><b>MHAMC 0912/08</b></p>	<p><b>Section 117 Update</b></p> <p>Sarah Cadman gave an overview to the Committee. Paul Deneen queried if the Health Board had noticed any issues with the timeframes in which patients are kept on Section 117. Sarah Cadman assured the Committee that work had been completed, alongside local authority partners, to ensure patients were getting the required care for the required timeframe. The Committee was informed that the law stated, any patient previously detained under Section 3 was entitled to funded treatment under Section 117 for as long as required.</p>
<p><b>3</b></p>	<p><b>Final Matters</b></p>
<p><b>MHAMC 0912/09</b></p>	<p><b>Confirmation of risks/issues to be reported to other Committees</b></p> <p>The Committee queried if the impact of COVID on Mental Health services should be included on the Health Board’s Risk Register. Michelle Forkings assured the Committee that all points discussed in the meeting had been included in the relevant risk register within the Division.</p> <p>No issues discussed were required to be reported to other Committees.</p> <p>The Chair thanked the teams for the informative reports and the great work being undertaken.</p>
<p><b>4</b></p>	<p><b>Date of Next Meeting</b></p>
	<p>The date of the next meeting was Tuesday 1<sup>st</sup> March 2022 via Microsoft Teams.</p>