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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	Georgia Pennells, Corporate Governance Officer		
Chaired by	Stephen Spill, Vice Chair		
Lead Executive Director (s)	Gareth Howells, Executive Director of Nursing and Patient Experience (Interim)		
Date of last meeting	05 May 2022		
Summary of key matters considered by the committee and any related decisions made.			
<p>Mental Health Act Monitoring Report – Members received the Mental Health Act Monitoring Report, <i>no concerns</i> were raised during the quarter with the data remaining consistent throughout. Detentions in the community continue to fall and voluntary assessments are consistent and rising due to the good work in the triage and police control room. Health Inspectorate Wales carried out two unannounced audit visits during March 2022 – one took place in the learning disability services and the other visit was in the adult treatment wards in Cefn Coed hospital. The feedback was positive – pending written feedback which will feature on the August 2022 Mental Health Legislation agenda.</p>			
Key risks and issues/matters of concern of which the board needs to be made aware:			
<p>DoLS - Members were updated on the DoLS quarter 4 position, there were 214 referrals received, of those a total of 8 were assessed by the two dedicated Best Interest Assessors (BIAs), two Internal staff members completed 9 BIA assessments. A total number granted 13. The external BIA's assessed 14 patients, of which 6 were from the previous quarter. 9 were granted, with 4 awaiting completion for the period January to March 2022, of the 28 assessed 5 were not granted as patients were either discharged/not a deprivation or deceased. The cumulative number of discharges from 1st April 2021 to 31st March 2022 equates to 807. The number of breaches have risen again (106 in Q1, 109 in Q2 and 125 in Q3 and 147 in Q4), most breaches are due to a continuing lack of BIA Assessors – both internal and external. The breach timeframes range between 3 weeks and 5 months. 89% of all referrals received for Q4 were for urgent authorisations.</p> <p>Key matters raised by members;</p> <ul style="list-style-type: none"> - <i>Addressing the DOLs backlog</i>; to address the back log of DoLS assessments an external agency has been commissioned to undertake 250 DoLS assessments utilising Welsh government funding. Contracts have been agreed and the agency commenced on 4th April 2022. It is predicted that the current breaches will be cleared by end of Q1 2022. Further Welsh Government funding is being made available during 2022/23 to help manage the ongoing DoLS breaches and provide training in anticipation of LPS predicted to be implemented between October 2023/April 2024. Application for £102,000 funding to be submitted to Welsh Government by 25th April 2022 - The Committee asked that in future reports the movements in cases (requested, assessed, discharged, etc) be presented in tabular form for ease of reference. <p>Liberty Protection Safeguards – Members received an update on the health board's implications and preparedness surrounding Liberty Protection Safeguards (LPS). Committee members noted the</p>			

changes required to implement LPS, the plan to develop a business case and **agreed** an update report would be received at each committee.

Delegated action by the committee:

None identified.

Main sources of information received:

- Mental Health Act Monitoring Report.
- Mental Capacity Act Report and an Update on Deprivation of Liberty Safeguards.
- An update on the health board's implications and preparedness surrounding Liberty Protection Safeguards.
- Mental Health Measure Monitoring Report.
- The Mental Health Legislation Committee Terms of Reference were **approved**.

Highlights from sub-groups reporting into this committee:

None identified.

Matters referred to other committees

Under 18 admissions to Ward F/Out of area referrals – to be referred to the Quality and Safety Committee from a patient safety perspective.

Liberty Protection Safeguards – to be referred to the Quality and Safety Committee to receive a business case and a deep dive report.

Date of next meeting

04 August 2022