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Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



		Agenda Item	2.3 (iv)
Freedom of Information Status		Open	
Reporting Committee	Mental Health Legislation Committee		
Author	Claire Mulcahy, Corporate Governance Manager		
Chaired by	Stephen Spill, Vice Chair		
Lead Executive Director (s)	Christine Williams, Interim Director of Nursing and Patient Experience		
Date of last meeting	06 May 2021		
Summary of key matters considered by the committee and any related decisions made.			
Mental Health Act (MHA) 1983 Monitoring Report; The committee received an update on performance against the MHA. During the period, January to March 2021 there had been <i>twenty-three exceptions</i> and <i>no invalid detentions</i> identified by the department. There were three admissions to an adult acute ward for those under the age of 18. There had been a 13% reduction in Section 136 detentions between 2019/20 and 2020/21 due to the effective engagement with the Mental Health Triage Team. There was 1 death of a patient under a Community Treatment Order during the quarter.			
Mental Health Measure 2010 Monitoring Report; The overall performance against the measure was on or above target for all four areas. There had been a slight dip in performance to 89% for Part 2 of the measure in relation to Care and Treatment Plans but latest data showed this had recovered back to the 90% target.			
Care and Treatment Planning Update Members were provided with an update on the status of action plans. There was a new audit schedule in place and this would be undertaken twice yearly, the scope of which had been broadened to 17 separate areas. It was advised that the feedback from the audits would be fed through to Quality and Safety Committee but the MHL Committee would continue to updates on the action plans. A key focus from the recommendations of the original Delivery Unit audit was on risk assessment and work was underway on training and the use of a risk assessment tool.			
Key risks and issues/matters of concern of which the board needs to be made aware:			
Mental Capacity Act 2005 (MCA) and Deprivation of Liberty Safeguards Update (DoLS);			
Mental Capacity Act 2005 – The Independent Mental Capacity Advocate Service (IMCA) had reported a consistent level of referrals despite the pandemic. Their role had been undertaken virtually but the aim was to move back to face to face. The Safeguarding training continued via a virtual platform for levels 1 and 2. A year on year comparison had showed that the pandemic had impacted on compliance levels and attendance of training The Safeguarding			

plan for the next year included an arrangement for ward audits in relation to MCA, DoLS and complaints and action plans would be developed following these audits.

DoLS - Members were updated on the DoLS quarter 4 position and advised there had been 167 referrals of which the dedicated best interest assessors (BIA'S) had completed 25. The total amount of breaches for the period stood at 60 of which breaches were due to the continuing lack of assessors and COVID-19 restrictions. Preparation work was underway in relation to the legislation (Liberty Protection Safeguards) changes which were planned for April 2022, the health board had submitted a response to Welsh Government on the LPS Baseline Questionnaire. A business case was also being progressed.

Delegated action by the committee:

None identified.

Main sources of information received:

As above.

Highlights from sub-groups reporting into this committee:

None identified.

Matters referred to other committees

None identified.

Date of next meeting

05 August 2021