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Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



Meeting Date	08 August 2019	Agenda Item	4.b
Report Title	Health Board Mental Capacity Act Training Update Position		
Report Author	Nicola Edwards, Head of Nursing – Safeguarding		
Report Sponsor	Gareth Howells, Director of Nursing and Patient Experience		
Presented by	Gareth Howells, Director of Nursing and Patient Experience		
Freedom of Information	Open		
Purpose of the Report	This paper will provide the Committee of the Health Board with a position in relation to Mental Capacity Act and Deprivation of Liberty Safeguards Training.		
Key Issues	<ul style="list-style-type: none"> • Mental Capacity Act training is provided within the Health Board, however training compliance is variable across the Service Delivery areas. • Mental Capacity Act training is not included in the mandatory training framework, this results in priority being given to other mandatory training requirements. • There are data recording issues on the Electronic Staff Record that impact on verifying a Health Board wide training compliance position. Some Service Delivery Units keep manual records. • The Corporate Safeguarding team have initiated a piece of improvement work to undertake a Safeguarding Training Needs Analysis to identify which staff groups require which level of competency. This will be used to improve the quality of reporting training compliance from ESR and will allow relevant managers to fulfil their management administration responsibilities for the maintenance of ESR. 		

	<ul style="list-style-type: none"> • The Corporate Safeguarding Committee took an action that all Service Delivery Unit Safeguarding Leads add safeguarding training compliance to their risk registers. • Safeguarding committee reports require service delivery units to include safeguarding training compliance and actions to improve. 			
Specific Action Required <i>(please choose one only)</i>	Information	Discussion	Assurance	Approval
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Recommendations	Members are asked to: <ul style="list-style-type: none"> • NOTE THE POSITION ON COMPLIANCE WITH SAFEGAURDING TRAINING • NOTE THE APPROACH TO IMPROVING COMPLIANCE • AGREE THE FREQUENCY FOR UPDATE REPORTS TO MENTAL HEALTH AND LEGISLATIVE COMMITTEE 			

Health Board Mental Capacity Act Training Update Position

1. INTRODUCTION

This report aims to provide the Committee with a Health Board position in relation to provision and compliance of Mental Capacity Act Training.

2. BACKGROUND

Mental Capacity Act (MCA) Training

MCA Level 1 & 2 training is available for all Swansea Bay University Health Board staff via e-learning.

Mental Capacity Act Level 3 training is available to Health Board staff facilitated by Lecturers in Health Law from Swansea University under the Educational contract. Prior to the completion of Level 3 MCA training staff are advised that they will have needed to complete the Level 1 and 2 MCA e-learning training modules. Level 3 sessions are arranged monthly in venues throughout the Health Board area. Each session is delivered as a workshop, based on the practical implications of the Mental Capacity Act, 2005 and lasts three hours. During the training, case studies are used to allow the participants to apply the requirements of the Act to practice situations.

This training is aimed at Ward Managers, Senior Nurses, Senior Clinicians and any other staff requiring knowledge of the practical implications of applying the Mental Capacity Act in their practice.

It must be noted that Mental Capacity Act Training is not included in the Mandatory Training Framework and Workforce and OD have advised that it cannot be considered as mandatory and cannot be added to the mandatory requirements as these are set out and agreed with Welsh Government and Swansea Bay University Health Board and are reportable.

Deprivation of Liberty Safeguards (DoLS) Training

DoLS Level 2 training is available to Health Board staff facilitated by Lecturers in Health Law from Swansea University under the Educational contract. Sessions are arranged monthly in venues throughout the Health Board area, each training session lasts three hours.

This training is aimed at all staff who work with individuals who lack capacity. In order to complete this training, staff are required to have completed MCA Level 2 e-learning module and MCA Level 3 Training.

The below tables indicate the breakdown of training associated with the Mental Capacity Act and Deprivation of Liberty Safeguards illustrating Health Board staff attendance for January to June 2019.

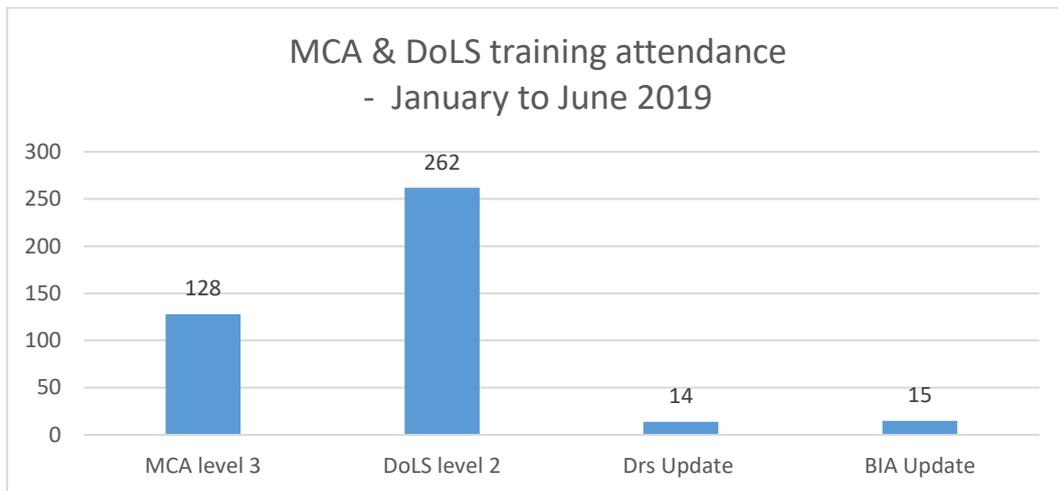


Table 1 Training attendance for period January to June 2019.

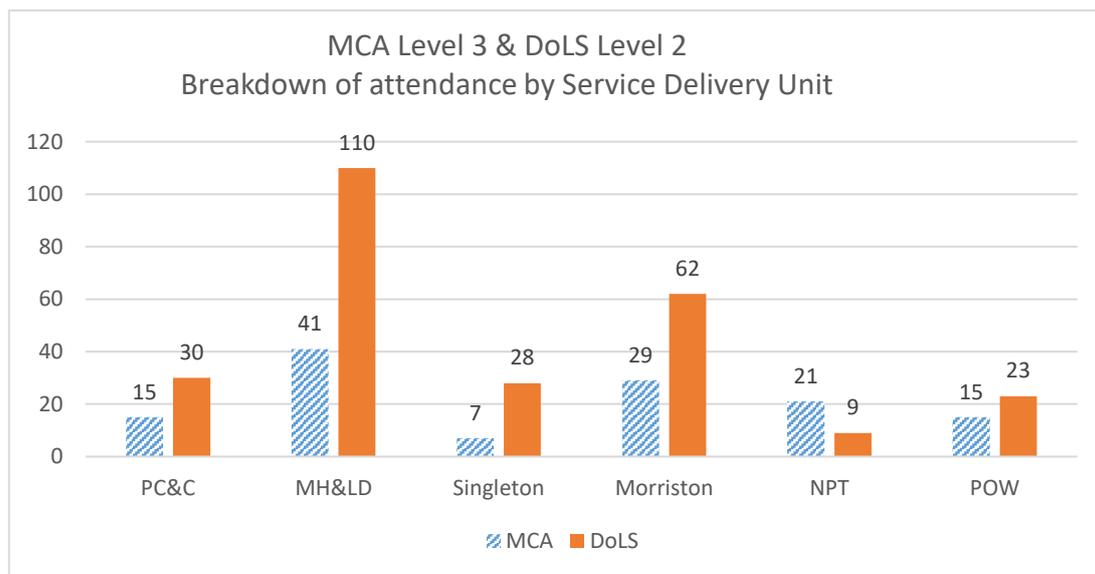


Table 2 Breakdown of attendance at MCA Level 3 and DoLS Level 2 for period January to June 2019 by Service Delivery Unit.

From January 2019 the Corporate Safeguarding team have collected Health Board staff Safeguarding training attendance per Units. Tables 1 & 2 illustrate the breakdown of attendances at 18 sessions for the period January to June 2019. Princess of Wales Hospital was included in the breakdown prior to the boundary move 1st April 2019.

3. GOVERNANCE AND RISK ISSUES

Staff training compliance figures should be available from ESR but there continues to be some difficulties in obtaining these; work related to this is continuing. The Learning & OD team were contacted asked to confirm the HB compliance with MCA Level 1 & 2 e-learning modules. The tables below detail the Health Board compliance with MCA Level 1 & 2 e-learning as of the 18th July 2019.

	Assignments	Number completed	% Compliance
MCA Level 1	12,878	1,521	11.81%
MCA Level 2	12,878	704	5.47%

Table 3 Health Board compliance with Level 1 & 2 MCA e-learning 18.07.19

Org L5	Assignments	NHS MAND Mental Capacity Act - 3 Years		NHS MAND Mental Capacity Act Level 2 - 3 Years	
		Number Completed	% Compliance	Number Completed	% Compliance
130 D3 Board Secretary - Div	37	1	2.70%	0	0.00%
130 D3 Chief Operating Officer - Div	1231	4	0.32%	0	0.00%
130 D3 Clinical Medical School - Div	21	1	4.76%	1	4.76%
130 D3 Clinical Research Unit - Div	42	2	4.76%	1	2.38%
130 D3 Delivery Unit - Div	32	0	0.00%	0	0.00%
130 D3 Director of Strategy - Div	33	0	0.00%	0	0.00%
130 D3 Director of Transformation - Div	17	1	5.88%	0	0.00%
130 D3 EMRTS - Div	30	0	0.00%	0	0.00%
130 D3 Finance - Div	78	1	1.28%	0	0.00%
130 D3 Informatics - Div	370	3	0.81%	1	0.27%
130 D3 Medical Director - Div	34	0	0.00%	0	0.00%
130 D3 Nurse Director - Div	95	9	9.47%	1	1.05%
130 D3 Workforce & Organisational Development - Div	151	2	1.32%	1	0.66%
130 SDU - Mental Health & Learning Disabilities - Div	1741	468	26.88%	192	11.03%
130 SDU - Murrison Hospital - Div	3792	511	13.48%	244	6.43%
130 SDU - Neath Port Talbot Hospital - Div	1348	198	14.69%	88	6.53%
130 SDU - Primary Care & Community - Div	1476	162	10.98%	87	5.89%
130 SDU - Princess of Wales Hospital - Div	5	1	20.00%	0	0.00%
130 SDU - Singleton Hospital - Div	2345	157	6.70%	88	3.75%

Table 4 Health Board compliance with Level 1 & 2 MCA e-learning 18.07.19 by Division

It must be noted, that MCA is not a mandatory training requirement and information related to MCA is included in the facilitated Level 3 Safeguarding Adult and Safeguarding Children training sessions delivered by the Corporate Safeguarding team.

The Corporate Safeguarding team in commenced a training needs analysis in June 2019 which will assist in understanding the proportion of staff who require Safeguarding Adult, Safeguarding Children and MCA training in line with the competencies detailed in Safeguarding children and young people: roles and competencies for healthcare staff, (Intercollegiate Document), 2019 and the Adult Safeguarding: Roles and Competencies for Health Care Staff (Intercollegiate Document), 2018.

To date the team have received Mental Capacity Training Needs Analysis relating to 3,626 staff. Initially Service Delivery Units were requested to return completed forms by the 1st July. Due to the quality and quantity of returns received further discussions have been had with line managers and the date for returns extended. The Corporate Safeguarding team are monitoring returns on a weekly basis. It is anticipated that this work will be concluded by October 2019 and reported back to Safeguarding Committee and Mental Health and Legislative Committee.

Service Delivery Units (SDUs) currently monitor MCA training as part of their overall Safeguarding training compliance, reporting to the Safeguarding Committee via their quarterly Performance Reports.

MCA Training Evaluation

The Corporate Safeguarding Team has recently developed a more robust training evaluation tool for staff to complete and feedback following their attendance at facilitated training sessions. This was in response to staff comments received and the recent Special Review of ABMUHB handling of the employment and allegations made against Mr W by the Healthcare Inspectorate Wales.

Feedback for MCA Level 3 training from February 2019 to date has been positive, as illustrated in below tables, with a high proportion of staff indicating that what they have learnt from training will support them in their current job role.

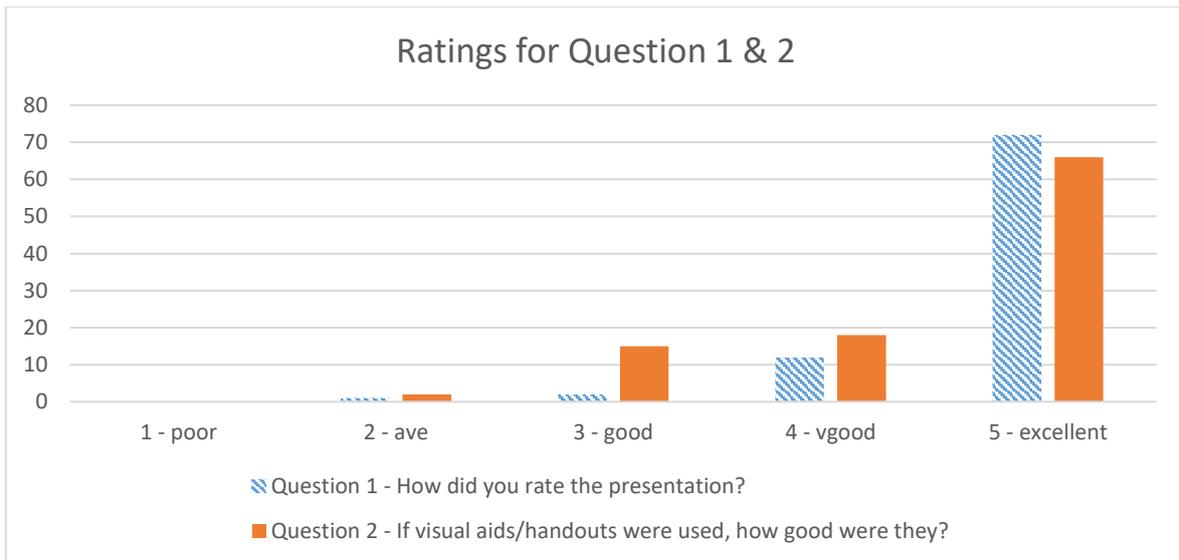


Table 6 Responses to Questions 1 & 2.

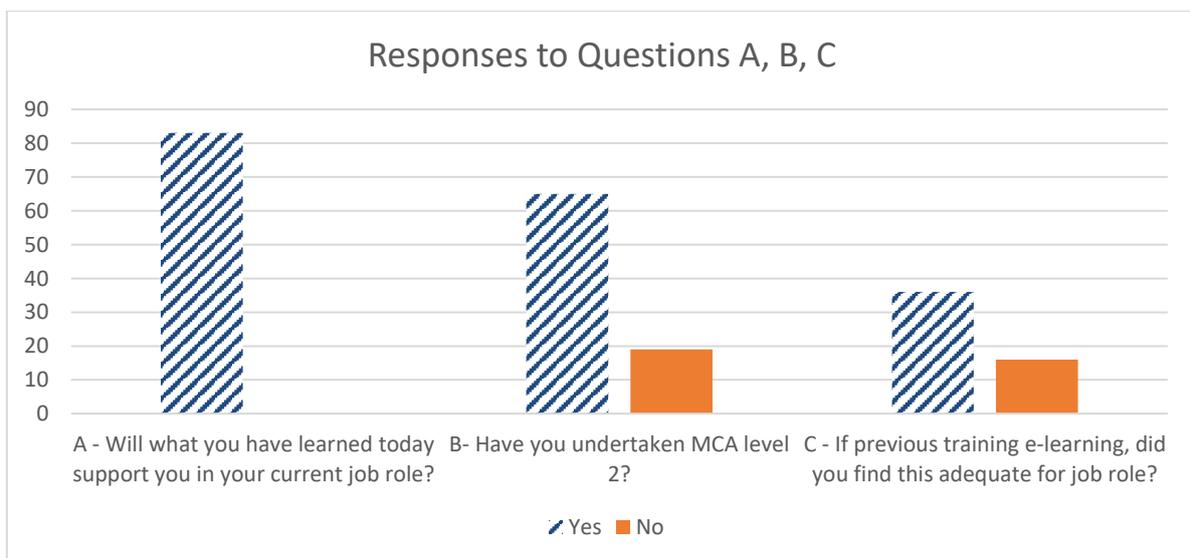


Table 7 Responses to Questions A, B, C.

4. FINANCIAL IMPLICATIONS

Safeguarding is a core duty of care for the Health Board. Financial implications to meet the statutory safeguarding mandatory training requirements are within existing budgets.

5. RECOMMENDATION

The Committee is asked to note the contents of this report together with the proposed Safeguarding Training Needs Analysis.

Governance and Assurance		
Link to Enabling Objectives <i>(please choose)</i>	Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	Deliver better care through excellent health and care services achieving the outcomes that matter most to people	
	Best Value Outcomes and High Quality Care	<input checked="" type="checkbox"/>
	Partnerships for Care	<input checked="" type="checkbox"/>
	Excellent Staff	<input checked="" type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input type="checkbox"/>
Health and Care Standards		
<i>(please choose)</i>	Staying Healthy	<input checked="" type="checkbox"/>
	Safe Care	<input checked="" type="checkbox"/>
	Effective Care	<input checked="" type="checkbox"/>
	Dignified Care	<input checked="" type="checkbox"/>
	Timely Care	<input type="checkbox"/>
	Individual Care	<input checked="" type="checkbox"/>
	Staff and Resources	<input checked="" type="checkbox"/>
Quality, Safety and Patient Experience		
N/A		
Financial Implications		
Safeguarding is a core duty of care for the Health Board. Financial implications to meet the statutory safeguarding mandatory training requirements are within existing budgets.		
Legal Implications (including equality and diversity assessment)		
The Health Board has a statutory responsibility to make arrangements to protect and safeguard the welfare of children, young people and adults at risk. Safeguarding policies uphold that patient and service users have the right to independence, dignity, respect, equality, privacy and choice.		
Staffing Implications		
N/A		
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)		
Improve population health through prevention and early intervention		
Report History	N/A	
Appendices	N/A	