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Health Board



DRAFT

Hospital Managers Power of Discharge Committee

Terms of Reference

Updated January 2022

HOSPITAL MANAGERS POWER OF DISCHARGE COMMITTEE

TERMS OF REFERENCE

1. PURPOSE

The role of the Hospital Managers Power of Discharge Committee is to satisfy the Board that the processes employed by the Committee, tasked with considering whether the power of discharge should be used, are fair, reasonable and exercised lawfully.

2. MEMBERSHIP

Chair	Non-Officer Member of the Board
Membership	Hospital Managers, to include all other Non-Officer Members of the Board and appointed Associate Members.
In Attendance	Nominated members of the Mental Health and Learning Disabilities Delivery Unit.
Member Appointments	The Hospital Managers shall retain their membership of the Power of Discharge Committee at the discretion of the Board, but only for as long as they remain Non-Officer Members or Associate Members of the Board. An annual appraisal system will be applied to support the annual renewal arrangements for Hospital Managers.
Appointment of Chairman	The chairing of the Committee should be undertaken by a Non-Officer Member of the Board

3. DUTIES

The Power of Discharge Committee shall:

- Monitor the exercise of Power under Section 23 of the Mental Health Act 1983 by Hospital Managers at Hearings involving 3 or more members of the *Hospital Managers Power of Discharge Committee*. These powers are formally delegated by the Health Board in its "Policy for Hospital Managers' Scheme of Delegation". This policy sets out the statutory functions of Hospital Managers
- Report annually to the Board
- Develop a rolling programme of training activities to ensure that its members are fully able to exercise their responsibilities. This will include a formal induction programme and regular training on the Mental Health Act 1983.
- Consider issues which are identified by Hospital Managers at Hospital Managers Hearings and which required action. This will be a standing agenda item for discussion by the group. The Chair will determine if the issue needs to be escalated and will be empowered to seek legal advice from the Health Board Solicitors.

4. MEETINGS

4.1 Quorum

The Power of Discharge Committee will require the following members to remain quorate:

- 1 Chairman of the Hospital Managers Power of Discharge Committee
- 1 Other Non-Officer Member of the Board
- 2 Associate Members

4.2 Frequency of Meetings

The Power of Discharge Committee shall meet at six monthly intervals. Additional meetings may be called by the Chairman at any time providing at least ten working days' notice is given.

5. REPORTING

The Chairman of the Committee will present an annual report to the Board.

6. REVIEW

The Terms of Reference will be reviewed annually or when changes in legislation dictate.