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Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board



<b>Meeting Date</b>	<b>09 May 2019</b>	<b>Agenda Item</b>	<b>4.b</b>
<b>Report Title</b>	<b>Health Board Mental Capacity Act Training position</b>		
<b>Report Author</b>	Nicola Edwards, Head of Nursing – Safeguarding		
<b>Report Sponsor</b>	Gareth Howells, Director of Nursing and Patient Experience		
<b>Presented by</b>	Gareth Howells, Director of Nursing and Patient Experience		
<b>Freedom of Information</b>	Open		
<b>Purpose of the Report</b>	This paper will provide the Committee of the Health Board position in relation to Mental Capacity Act and Deprivation of Liberty Safeguards Training.		
<b>Key Issues</b>	This training position highlights the importance of consistent and robust safeguarding and governance processes which are an essential part in contributing to effective safeguarding for adults at risk.		
<b>Specific Action Required</b> <i>(please choose one only)</i>	<b>Information</b>	<b>Discussion</b>	<b>Assurance</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Recommendations</b>	Members are asked to: <ul style="list-style-type: none"> <li><b>NOTE</b></li> </ul>		

# **Health Board Mental Capacity Act Training 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 elearning 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.

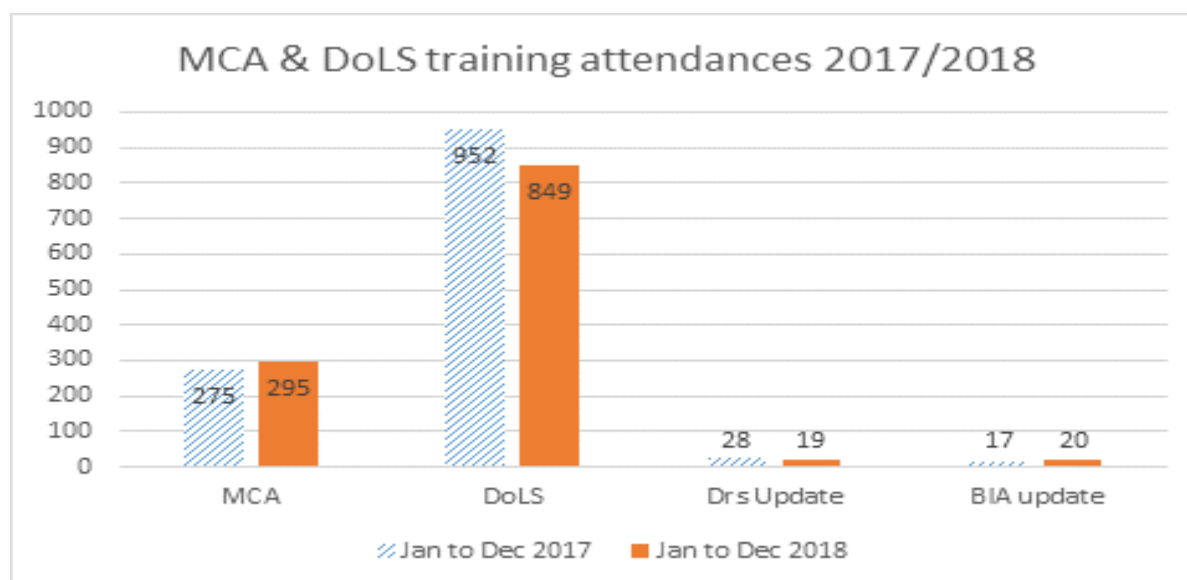
It must be noted that Mental Capacity Act Training is not included in the Mandatory Training Framework and Workforce and OD have advised that it cannot be considered as mandatory and cannot be added to the mandatory requirements as these are set out and agreed with Welsh Government and Swansea Bay University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

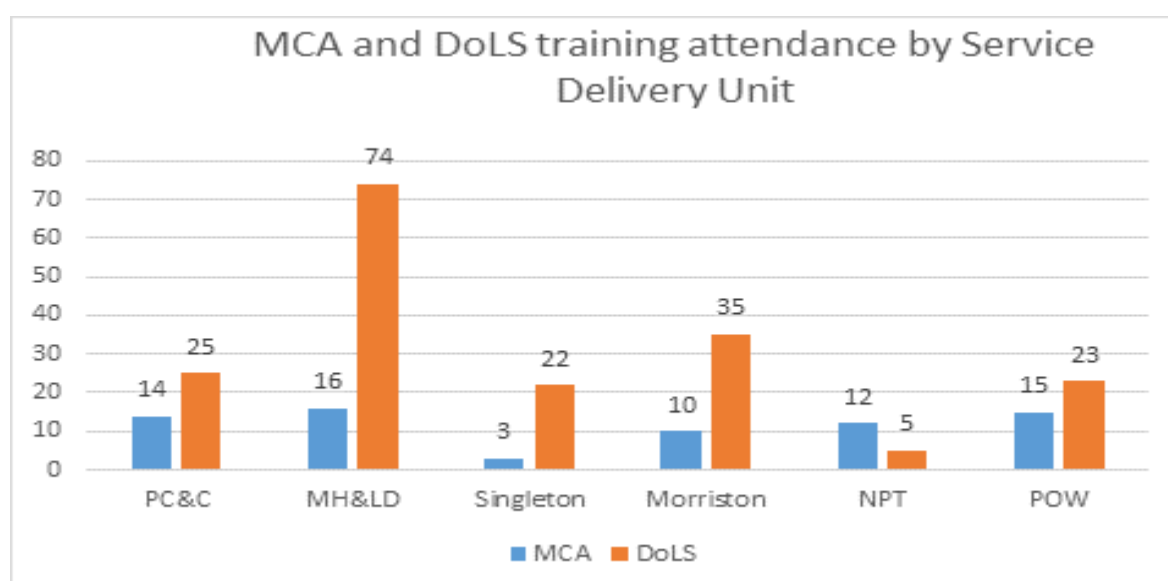
This training is aimed at all staff who work with individuals who lack capacity. In order to complete this training staff are required to have completed MCA Level 2 elearning module and MCA Level 3 Training.

The below table indicates the breakdown of training associated with the Mental Capacity Act and Deprivation of Liberty Safeguards illustrating Health Board staff attendance for January to December 2017 and January to December 2018.



**Table 1 MCA & DoLS training breakdown Jan - Dec 2017 and Jan - Dec 2018**

From January 2019 the Corporate Safeguarding team have collected Health Board staff Safeguarding training attendance per Units. Table 2 below provides information from the three sessions delivered January to March 2019.



**Table 2 MCA & DoLS Training Attendance per Unit Jan – March 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 and OD team were contacted prior to this report being compiled and asked to confirm the HB compliance with MCA Level 1 & 2 elearning modules. It has been reported, as of the 26<sup>th</sup> April 2019 the overall Health Board compliance figure relating to MCA Level 1 & 2 elearning for the past 3 years is 14.3% (1,866 staff). In the last year it is reported 759 staff have completed the MCA Level 1 and Level 2 elearning modules. On receipt of this information Workforce & OD were asked if they have any concerns recorded relating to staff having difficulties accessing or completing the MCA elearning modules, no response has been received to date in relation to this query.

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 delivered by the Corporate Safeguarding team.

Information was requested from Workforce and OD in relation to staff compliance against Level 3 Safeguarding Adult and Level 3 Safeguarding Children training. The table below outlines the information received from Workforce and OD on the 29<sup>th</sup> April 2019.

<b>Training</b>	<b>Number of staff trained within HB</b>
Safeguarding Adults Level 3	259
Safeguarding Children Level 3	1,296

#### **HB staff compliance with Level 3 Safeguarding Adult and Level 3 Safeguarding Children Training 29.04.19**

As discussed further in this paper, a planned training needs analysis will assist in understanding the proportion of staff who will require Safeguarding and MCA training in line with the competencies contained in Safeguarding children and young people: roles and competencies for healthcare staff, (Intercollegiate Document) and the Adult Safeguarding: Roles and Competencies for Health Care Staff (Intercollegiate Document), 2018.

Service Delivery Units (SDUs) monitor MCA training levels as part of their overall Safeguarding training compliance, reporting to the Safeguarding Committee via their Performance Reports. The below table details the information provided by the Service Delivery Units in their last Performance Reports completed for the Safeguarding Committee February 8<sup>th</sup> 2019.

<b>Service Delivery Unit</b>	<b>MCA Level 1 compliance</b>	<b>MCA Level 2 compliance</b>	<b>Level 3 Safeguarding Adult compliance</b>	<b>Level 3 Safeguarding Children compliance</b>
Morrison	64%	64%	53%	59%
Neath/Port Talbot	Unable to obtain figures	Unable to obtain figures	58%	56%
Singleton	Not Reported	Not Reported	Not Reported	Not Reported
Mental Health & Learning Disability	95%	95%	Not Reported (ESR unable to provide information)	Not Reported (ESR unable to provide information)
Princess of Wales	67.77%	67.77%	Not given as percentage : recorded as 13 trained	Not given as percentage: recorded as 48 trained
Primary & Community	9.7%	4.12%	0.27%	1.63%

#### **Service Delivery Units Safeguarding Training compliance Feb 2019**

The Corporate Safeguarding Team are proposing the Service Delivery Units complete a Safeguarding Training Needs Analysis, which will include Mental Capacity Act training requirements. Safeguarding Training Needs Analysis Tools have been developed and this proposal is to be taken to the Safeguarding Committee on May 24<sup>th</sup> for discussion. This will provide an understanding of the Safeguarding training requirements of Health Board staff post the Bridgend boundary change.

Also, 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 is 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. This process has been piloted for a month and is to be rolled out from May 2019.

#### **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.

<b>Governance and Assurance</b>		
<b>Link to Enabling Objectives</b> (please choose)	<b>Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities</b>	
	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"/>
	<b>Deliver better care through excellent health and care services achieving the outcomes that matter most to people</b>	
	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"/>
<b>Health and Care Standards</b>		
(please choose)	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"/>
<b>Quality, Safety and Patient Experience</b>		
N/A		
<b>Financial Implications</b>		
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.		
<b>Legal Implications (including equality and diversity assessment)</b>		
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.		
<b>Staffing Implications</b>		
N/A		
<b>Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)</b>		
Improve population health through prevention and early intervention		
<b>Report History</b>	N/A	
<b>Appendices</b>	N/A	