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Bwrdd Iechyd Prifysgol  
Bae Abertawe  
Swansea Bay University  
Health Board



<b>Meeting Date</b>	<b>25 November 2019</b>	<b>Agenda Item</b>	<b>6.3</b>	
<b>Report Title</b>	<b>Hospital Managers and Hospital Managers' Powers of Discharge Committee</b>			
<b>Report Author</b>	Liz Stauber, Interim Head of Corporate Governance			
<b>Report Sponsor</b>	Pam Wenger, Director of Corporate Governance			
<b>Presented by</b>	Pam Wenger, Director of Corporate Governance			
<b>Freedom of Information</b>	Open			
<b>Purpose of the Report</b>	The purpose of the report is to set out the proposed process to revise the arrangements for the Hospital Managers' Powers of Discharge Committee.			
<b>Key Issues</b>	The Mental Health Legislation Committee raised concern at its May 2019 meeting as to the quality of the work arising from the Hospital Managers' Powers of Discharge Committee, its remit and membership. As such it was agreed that this would be reviewed in order for a way forward to be proposed and considered.			
<b>Specific Action Required</b> <i>(please choose one only)</i>	<b>Information</b>	<b>Discussion</b>	<b>Assurance</b>	<b>Approval</b>
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>Recommendations</b>	Members are asked to: <ul style="list-style-type: none"> <li>• <b>NOTE</b> the report;</li> <li>• <b>AGREE</b> the proposed way forward;</li> <li>• <b>AGREE</b> the hospital managers' policy, including appended scheme of delegation and terms and conditions of service.</li> </ul>			

# **Hospital Managers and Hospital Managers' Powers of Discharge Committee**

## **1. INTRODUCTION**

The purpose of the report is to set out the proposed process to revise the arrangements for hospital managers and the Hospital Managers' Powers of Discharge Committee.

## **2. BACKGROUND**

The Mental Health Legislation Committee raised concern at its May 2019 meeting as to the quality of the work arising from the Hospital Managers' Powers of Discharge Committee, its remit and membership. As such it was agreed that this would be reviewed in order for a way forward to be proposed and considered.

## **3. GOVERNANCE AND RISK ISSUES**

Hospital managers have the authority to detain patients under the Mental Health Act 1983 and have a number of duties, including the power of discharge. They also review and update detention documents, ensure patients and/or their advocates have sufficient information, ensure compliance with the act remains intact and where necessary, arrange mental health reviews tribunals. While the majority of hospital managers are health board staff, independent members of the board also automatically assume the role upon appointment.

Following a review of the terms of office, it was noted that the majority of hospital managers that are staff have held the post for a significant amount of years. As independent members of the board can only hold the post for a finite number of years, it is proposed that the same approach be taken for others and initially they be appointed for a first term of a maximum of four years. At the end of this, they have the option to be re-appointed for second term of a maximum of four years. Should this be agreed, any hospital manager who has already served their term of office on this basis will be written to and thanked for their service, but asked to step down, and expressions of interest be sought for replacements. In addition, in order to provide guidance as to what the role entails, a policy and scheme of delegation is available to clearly identify the role and responsibilities from the outset, including terms and conditions (appendix one).

Overall responsibility for seeking assurance that role of the hospital managers is carried out effectively sits with the Mental Health Legislation Committee however its sub-group, the Hospital Managers' Powers of Discharge Committee, is the mechanism by which the hospital managers determine if a patient's detention under the act is no longer required. Currently there are concerns as to how well the Hospital Managers' Powers of Discharge Committee is functioning, as often its meetings are inquorate due to non-attendance. It is hoped that establishing a new membership will address the issue. In addition, the committee's terms of reference have been revised and imported into those of the Mental Health Legislation Committee. This will enable it to provide greater assurance to the board that hospital managers are carrying out their duties effectively.

## **4. FINANCIAL IMPLICATIONS**

There are no financial implications of which the committee should be aware.

## 5. RECOMMENDATION

Members are asked to:

- **NOTE** the report;
- **AGREE** the proposed way forward;
- **AGREE** the hospital managers' policy, including appended scheme of delegation and terms and conditions of service.

<b>Governance and Assurance</b>		
<b>Link to Enabling Objectives</b> <i>(please choose)</i>	<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 type="checkbox"/>
	Excellent Staff	<input type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input type="checkbox"/>
<b>Health and Care Standards</b>		
<i>(please choose)</i>	Staying Healthy	<input type="checkbox"/>
	Safe Care	<input checked="" type="checkbox"/>
	Effective Care	<input checked="" type="checkbox"/>
	Dignified Care	<input checked="" type="checkbox"/>
	Timely Care	<input checked="" type="checkbox"/>
	Individual Care	<input type="checkbox"/>
	Staff and Resources	<input type="checkbox"/>
<b>Quality, Safety and Patient Experience</b>		
Ensuring patients are appropriately detained under the Mental Health Act 1983 and only for the time period for which is required is a key component of quality, safety and patient experience. Reviewing and revising the governance arrangements for the process, will improve the care and treatment provided to a vulnerable service user group.		
<b>Financial Implications</b>		
There are no financial implications.		
<b>Legal Implications (including equality and diversity assessment)</b>		
The health board has a statutory responsibility to ensure that all detentions under the Mental Health Act 1983 are legal and remain so for the duration.		
<b>Staffing Implications</b>		
There are no staffing implications.		
<b>Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)</b>		
The reinvigoration of the hospital managers process and Hospital Managers' Powers of Discharge Committee will enable the board to take assurance that the organisation is treating patients detained under the act appropriately.		
<b>Report History</b>	First of its kind.	
<b>Appendices</b>	No appendices.	