

Hospital Managers Hearings

Microsoft Teams case study

Section 145 of the MHA prescribes the various powers and duties undertaken by the Hospital Managers

Chapter 37 of the Code of Practice to the MHA (the Code) identifies the overall responsibilities and describes the functions of the Hospital managers.

Section 23 of the MHA gives Hospital Managers the power to discharge most unrestricted patients from detention, and all patients who are subject to a community treatment order. In practice this power of discharge is delegated to a Hospital Managers' discharge panel.

The panel consists of three or more people, who are authorised by the Health Board as panel members.

The Code describes four sets of circumstances in which detention can be reviewed for a particular patient.

- Request made by patient
- Following submission of a renewal report by the RC
- Following barring by the RC of discharge by the patients nearest relative
- A discretionary option to review detention of any patient at any time

During a Hospital Managers' hearing, the panel will consult with medical professionals involved in the treatment of the patient, together with (if appropriate) the patient, their nearest relative or family member, and their legal representative.

Whilst Hospital Managers hearings are considered less formal than a Tribunal, it is important to stress the common factors which are

- The collation and consideration of reports from the appropriate professionals
- The need to gather evidence in order for a decision to be made about the continued detention of the patient
- The need for all parties to put their case to the panel

Other pre-hearing arrangements include those regarding venues

The Hospital Managers hearings must ensure that patients are fully involved in decisions about their care, support and treatment. The views of family members should also be taken into consideration, where appropriate.

During the early stages of the Coronavirus (COVID-19) pandemic, it has been necessary to suspend Hospital Managers' hearings, also known as Associate Managers' hearings, to limit the spread of the virus.

However, due to the anticipated backlog of hearings the Health Board has taken the decision to reinstate hospital managers' hearings, through the use of Microsoft Teams, and telephone conferencing.

Over the past few weeks, the Mental Health Act Team has been testing the use of Teams as a platform for holding Hospital Managers Hearings.

Overall, the response from Hospital Managers has been positive and enthusiastic, with the majority of panel members already experienced in the use of Teams.

For those who did not have previous experience of using Teams, we have been able to offer support from the Informatics Department, which has been gratefully received by panel members.

We are now at a stage where we will be holding the first hearings on 14 May 2020

A member of the MHAT will join each hearing to ensure the efficient running of the process, and to guide panel members through each stage.

This report should be viewed as a working document, whereupon updates will be provided as to the progress of this new way of working

This will potentially inform the preparation of a case study by the Informatics Department

Forensic Mental Health Act administrator

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