1. PURPOSE

To advise the Board of the key issues considered by the Hospital Managers Power of Discharge Committee for Mental Health and Learning Disabilities at its meeting held on 11th February 2014. The role of the Hospital Managers Power of Discharge Committee is to ensure that their powers of discharge under the Mental Health Act 1983 are exercised in a fair, reasonable and lawful manner.

2. KEY ISSUES

i) TERMS OF REFERENCE
The group reviewed the amended Terms of Reference for the Power of Discharge Committee which had been agreed by the Health Board. In line with the need for Health Board committees to have an identified Vice-Chair, it was agreed that a letter would be sent out to all members seeking expressions of interest.

ii) REPORT ON THE USE OF THE MENTAL HEALTH ACT 1983
The group considered the report on activity for the period. The continued fall in the number of people taken to the Police station as the place of safety was noted by the group as positive.

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<th>Police</th>
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<td>Jul-Sep</td>
<td>52</td>
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<td>Oct-Dec</td>
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A letter had been sent to the President of the Mental Health Review Tribunal on behalf of Responsible Clinicians to request that the term ‘Notional 37’ not be used to define a section 47/49 patient whose restriction order had been rescinded, as it has no legal standing within the meaning of the Act. The response stated that this term was widely used to underline the fact that such patients cannot be transferred back to prison and that the Tribunal would not be changing their position on the use of this terminology.
The group discussed the unlawful detentions, which had occurred because of the use of incorrect forms. All other recorded errors apart from the unlawful detentions were rectified under section 15 of the Act.

Information was requested on why the decision to discharge eleven patients was taken by the Mental Health Review Tribunal and if any had been against the advice of the clinical team.

iii) POLICY – HOSPITAL MANAGERS PROCEDURE FOR HEARING PATIENT APPEALS
The group considered the policy on the procedure for hearing hospital manager appeals. The policy highlighted practices that some members were not aware of. An aide memoire has been prepared to support compliance with the relevant policy by panel members.

iv) HOSPITAL MANAGERS TRAINING
6th November 2013 in Cefn Coed Hospital
The Work of the Criminal Justice Team – Kay Isaacs Team Manager
Mental Health Medication – Sue Jones Lead Pharmacist
1st May 2014 in the Lecture Theatre, Neath Port Talbot Hospital
The Role of the Hospital Manager and the Mental Health (Wales) Measure 2010 – Richard Griffiths, Swansea University

v) HOSPITAL MANAGERS EVALUATION SURVEY
The group discussed ways of obtaining feedback from service users about the conduct of Hospital Managers Hearings. It was suggested that rather than individual patient feedback forms, it may be more appropriate to obtain this information through the development of a patient forum, perhaps facilitated by the Advocacy service.

vi) ISSUES RELATING TO SPECIFIC HOSPITAL MANAGERS HEARINGS
Members asked if Responsible Clinicians could allocate a specific day for holding hospital managers hearings instead of on an ad-hoc basis.

It was suggested in those cases where panel members felt that the clinical reports made it difficult for them to come to a judgment that this should be fed back to local clinical teams. Team managers would be asked to ensure that the named nurse was available to attend hearings as their deputies were often unable to provide detailed information on the patients’ current mental health.

It was recommended that another community location be sought for hearings involving those patients subject to a Community Treatment Order which were currently held in Orchard Street, Swansea which was thought to be unsuitable.

A proforma will be developed for patients to sign to confirm that they have received copies of the clinical reports prior to the Hospital Managers Hearing.

3. ITEMS CONSIDERED BY THE GROUP FOR INFORMATION
i) HEALTHCARE INSPECTORATE WALES VISIT TO TAWE WARD, YSTRADGYNLAIS HOSPITAL – 7 NOVEMBER 2013

The group noted the progress on the action plan which included:

Dates for the training of staff on the Mental Health Act 1983 being arranged by the Mental Health Act Manager for ward staff.

Discussions with the local estates department about changes to the dormitories creating more individual patient space.

Clear instructions on how to exit the ward when it was locked to restrict certain patients from leaving.

 Provision of pictures and photographs to help stimulate patient memories was being progressed.

ii) COMMUNITY TREATMENT ORDERS FOR PATIENTS WITH PSYCHOSIS: A RANDOM CONTROLLED TRIAL

Members discussed the content of the research article which compared Community Treatment Orders (CTO) with Section 17 leave where patients in both groups received equivalent levels of clinical contact. Further research was required to more fully understand the impact of the community treatment order on readmission rates to hospital.

iii) MENTAL HEALTH NEWSLETTER

The Newsletter was considered by the committee. This issue included the Welsh Government report on admissions of patients to mental health facilities in Wales 2012-13, Mental Health Act training events for 2014, case law on conditional discharge conditions, new rules for inquests, an update on the new low secure unit and an extract from an audit on the quality of medical recommendations.


The group considered this article on the use of supportive observations for older people suffering from dementia in inpatient mental health units and the need for staff at all levels of nursing to be trained in, and to be knowledgeable of, the basics of the Mental Health Act 1983, Mental Capacity Act 2005 and Deprivation of Liberty Safeguards (DoLS).

4. RECOMMENDATION

The Health Board is asked to note the items considered by the Hospital Managers Powers of Discharge Committee at their meeting in February 2014.