

**MENTAL WELFARE COMMISSION FOR SCOTLAND
MINUTES OF THE MEETING OF THE BOARD
HELD ON TUESDAY 13 SEPTEMBER 2016
IN CONFERENCE ROOM, THISTLE HOUSE, EDINBURGH
AT 10.30AM**

Present:

The Very Rev'd Dr Graham Forbes CBE
Mr Norman Dunning
Mrs Elaine Noad
Mr Nigel Henderson
Mr Paul Dumbleton
Ms Lesley Smith
Mrs Safaa Baxter

In Attendance:

Mr Colin McKay, Chief Executive
Ms Alison McRae, Head of Corporate Services
Dr Gary Morrison, Executive Director (Medical)
Mrs Alison Thomson, Executive Director (Nursing)

Observing: Rebecca Christensen

Secretary: Mrs Alice Wallace, Finance Manager

1. Welcome and Apologies

Apologies were received from Dr Sivasankaran Sashidharan, Ms Kate Fearnley and Mr Mike Diamond.

2. Announcements

None.

3. Minutes of Board meeting held on 28 June 2016

Approved.

4. Update from CEO

The Board were glad to note that the recently published Ms OP report had been well-reported, with good coverage and generally without sensationalism. Mr McKay confirmed that the Government and the Health Board have accepted Commission recommendations, and the key recommendation of a managed clinical network appears to be happening. The Board thanked everyone involved in the production of the report. Mr McKay commented that this and the earlier, very well received perinatal report, will make a real difference to mothers and babies in future.

Mr McKay gave an update on the activities of the Commission. The visit report to people with severe enduring mental illness living in the community has been published.

Mrs Thomson advised that visits to people in adult acute wards have now been completed and visits to people in forensic wards are due to start in mid-November. Visits to homeless people are underway. The visits next year will be to older people in community hospitals, people with autism and people with borderline personality disorder.

Dr Morrison gave an update on the place of safety work. Police Scotland are currently undertaking mental health training for police officers and requested that we delay contacting police officers about the use of police cells as a place of safety. This year we will do an analysis of our records and follow that up next year with a more in depth study contacting individuals and police officers about their experience of place of safety procedures.

Mr McKay stated that our law reform work is progressing. We are involved in the scoping study to inform the Scottish Government on how to undertake a review on whether people with learning disability and autism should continue to be covered by the Mental Health Act. The report will be submitted to Scottish Government by the end of the month. We are organising three seminars October – December to test the degree of support for a comprehensive review of the legal framework for non-consensual decision making.

Mr McKay updated the Board on the Advisory Committee which met in early September.

5. Items for discussion and/or approval

5.1 Business Plan Quarterly Report

The Board noted and discussed the contents of the progress report.

A report on Corporate Parenting should have come to this Board meeting but staff absence has delayed this piece of work. It was agreed that it will be circulated to the Board when the draft is available.

5.2 Strategic Planning Process

Mr McKay advised that the Strategic Plan will be presented to the December Board meeting for consideration and gave an outline of some of the actions currently being considered as part of the strategic plan and the sustainability review.

There was feedback from the Advisory Committee that investigation reports are comprehensively used for training. They are also useful for changing policy. Ms Smith raised some concerns that a future focus on homicides could detract from the much larger group of stakeholders who are just surviving and often falling between the cracks of health and social care services.

The Board discussed focussing on where things have gone well and sharing best practice to get 'more out of the less that we do'.

Mr Dumbleton reflected that it would be useful to use our materials to demonstrate our focus on individual people.

The Board considered how we might publish the learning from our investigatory work which should improve outcomes for individuals and promote public confidence.

5.3 Overview Report On Investigations

Ms McRae introduced this paper. The Board noted that timescales can be long due to a mix of other parties delaying and some of our own internal issues which we should look to address. Mrs Baxter challenged on whether we follow up to ensure recommendations are implemented. Mr McKay advised that we do follow up published reports and that we follow up through themed visits, however, in individual cases we often have to accept the assurances from services that they have implemented the recommendations.

5.4 Overview on Recommendations and Outcomes from Local visit Reports

Mrs Thomson introduced this report which was based on the old style reports from 2015. This report will be published on the website.

Lack of care planning and review were the main areas of concern. The quality of environment is less of an issue but there are still wide variations. There can be contradictions between good care plans and the standard of the environment.

5.5 Financial Review

The Board noted the report.

5.6 LGBT Good Practice Guide

Dr Morrison introduced the report which has been deliberately pitched as a general guide for staff including practical tips.

Board welcomed and approved the report.

5.7 Data Protection Policy

The Board approved the policy.

5.8 Board Self Assessment (Verbal update)

Ms McRae explained that a new annual assessment has been discussed and drafted. The final draft will be presented to November Board.

5.9 *Content for Annual Report*

Board approved the content with a few recommendations. The report is due to be published in October 2016.

6. Items for Information

6.1 *Medical Appraisal and Revalidation*

Noted.

6.2 *Consultation Draft Code of Practice for Stop and Search*

Noted.

6.3 *Consultation - Health and Sport Committee Call for Evidence on Child and Adolescent Mental Health Services and the Mental Health Strategy.*

This paper has been submitted to the Committee and we are waiting to see if the Commission is required to give evidence.

6.4 *Mental Health in Scotland – a 10 year vision: Scottish Government Consultation*

Mr McKay presented the draft response paper and was pleased to note that the Scottish Government has picked up on many concerns raised by the Commission, including the need for a rights based approach, greater parity with physical healthcare, and addressing premature mortality; although the draft strategy was more limited in scope than the Commission and many other bodies had hoped

The Board accepted the contents of the Commission response.

6.5 *Addendum to Annual Complaints Report*

The Board was content with the addendum.

6.6 *Audit Committee Minutes 28 June 2016*

Noted.

7 Any Other Business

None.

8 Date of next meeting – Tuesday 8 November 2015

After the meeting the Board were given a presentation of the annual reports on the use of the Mental Health Act and Adults With Incapacity act. There was also a separate report on young people.