

**MENTAL WELFARE COMMISSION FOR SCOTLAND
MINUTES OF THE MEETING OF THE BOARD
HELD ON TUESDAY 8 SEPTEMBER 2015
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
Ms Jan Killeen
Mr Paul Dumbleton
Dr Sivasankaran Sashidharan
Ms Lesley Smith
Mrs Safaa Baxter

In Attendance:

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

Secretary

Mrs Alice Wallace, Finance Manager

1. WELCOME AND APOLOGIES

Apologies were received from Mike Diamond and Kate Fearnley

2. ANNOUNCEMENTS

Ms Smith announced that she will be attending the International Initiative for Mental Health Leadership conference in Vancouver later this year.

Mrs Noad announced that the Scottish Government are launching the draft delivery plan for the UN Convention on the Rights of Persons with Disabilities. She felt it was light on mental health, and the Commission should seek to influence it.

3. MINUTES OF BOARD MEETING HELD ON 23 JUNE 2015

The above minutes were approved.

CEO UPDATE

Mental Health Act and implementation

Mr McKay updated the Board on progress on the implementation of the Mental Health Act. Implementation of most the Act is likely to be in September 2016. The Commission is updating the mental health act forms on behalf of the Scottish Government. Mr McKay briefly outlined the new responsibilities of the Commission under the Act including monitoring advocacy provision and promotion of advance statements. The Commission is taking forward a review of the system of critical incident reviews of homicides by people who have been in contact with mental health services. This review is in collaboration with Healthcare Improvement Scotland and aims to report to the Scottish Government in December 2015.

Engagement and Participation posts

Mr McKay was pleased to announce that Graham Morgan and Kathleen Taylor join the Commission on 27th October as Engagement and Participation officers. The Board regard this as a significant milestone for the Commission.

Investigation Requested by Scottish Ministers

Mr McKay stated that we are awaiting a report from the health board before deciding what action to take.

Powers of Attorney

Although not in the business plan, this publication by Mrs Goodwin and Mrs Healey has proven to be a very popular publication. Further work is to be undertaken on information about POA for Care Home managers and GPs.

Corporate Parenting

Commission managers and other key staff will receive training from "Who Cares" on its corporate parenting duties under the Children and Young People Act 2014.

Visits update

Mrs Thomson advised the Board that the plan for local visits to be published on our website is on schedule. Visit in December 2015 will be published by end February 2016.

2015/16 themed visits are progressing well with the first series of themed visits (intensive psychiatric care units) just completed. The perinatal visits are almost complete with wider reach than the two specialist units. These themed visit reports should be published in early 2016.

Learning disability themed visits are underway and due to complete shortly. The Severe and enduring mental illness themed visit is in the planning stage and will

commence later this year. The Commission is also carrying out enhanced child and young people monitoring from October 2015 to March 2016.

The themed visit report in relation to enhanced observation has recently been published to coincide with HIS 's review of the national good practice guidance.– Mrs Noad questioned whether prisons were included in this series of visits and Mrs Thomson advised that they were not.

4. ITEMS FOR DISCUSSION AND/OR APPROVAL

5.1 *Inclusion of Learning Disability in the Mental Health Act*

Mr McKay presented the paper to the Board setting out the arguments each way and there was a very useful initial discussion. Although Board members came from different perspectives, it was agreed that the Commission is uniquely placed to help shape this debate, because of our combination of data and expertise, and we need to be taking a prominent role.

4.2 *Business Plan Quarterly Report*

Ms McRae presented the progress report on the Commission Business Plan. The Board noted progress with delivery of the business objectives and the range and volume of activity, with slight changes agreed to the way the report is presented in future.

4.3 *Annual Report*

Ms Mowat joined the meeting and presented the draft Annual report. The Board gave feedback and approved the Annual Report content subject to the changes noted.

The Board thanked Ms Mowat and others for their efforts.

4.4 *Financial Review*

The Board noted the contents of the July 2015 financial review paper.

4.5 *Board Action Plan*

The Board reviewed the action plan for the Board following their own self assessment. It includes the Board being more visibly involved in meetings with stakeholders, including end of year meetings and the Advisory Group; and sharing details of the skills and interests of Board members across the Commission.

APPOINTMENTS & REMUNERATION

4.6 Flexible Working Request

The Board approved the request. They commented that such requests were operational, and suggested that the responsibility could be devolved to the Chief Executive when the policy was next reviewed.

5. ITEMS FOR INFORMATION

6.1 Commitment 5

Mr McKay presented the executive summary of the report for the Scottish Government on progress against **Commitment 5** of the Mental Health Strategy 2012-15 on developing a human rights approach in mental health care. Ms Fearnley, Ms Birch and previously Ms McRae have driven this report forward working with the Scottish Human Rights Commission. The report was due to be launched on 28 September, and an invitation to that launch was extended to Board members.

5.2 Audit Committee Minutes from 23 June 2015

The Board noted the contents of the minutes of the above meeting.

6.3 Scottish Government Consultation: *Equally Safe – Reforming the Criminal Law to Address Domestic Abuse and Sexual Offences*

The Board noted the consultation response.

7. ANY OTHER BUSINESS

Mr Henderson noted that the World Health Organisation has put out a tender to conduct a survey on individuals with mental illness living in accommodation of more than 30 people.

Dr Morrison gave a presentation on the key points of the monitoring report on the use of the Mental Health Act to be published by the end of September.

8. DATE OF NEXT MEETING – TUESDAY 3 NOVEMBER 2015