

**MENTAL WELFARE COMMISSION FOR SCOTLAND
MINUTES OF THE MEETING OF THE BOARD (OPEN SESSION)
HELD ON TUESDAY 27 OCTOBER 2020
AT 10.30 AM (Via MS Teams)**

Board members meeting at 10.15am

Present:

Sandy Riddell (Chair)
Safaa Baxter
Mary Twaddle
Gordon Johnston
Nichola Brown
David Hall
Alison White

In attendance:

Julie Paterson, Chief Executive
Alison Thomson, Interim Chief Executive
Alison McRae, Head of Corporate Services (HOCS)
Kate Fearnley, Executive Director (Engagement and Participation)
Arun Chopra, Executive Director (Medical)
Claire Lamza, Interim Executive Director

Secretary:

Katrina Thomson

1. Welcome and Apologies

Apologies were received from Cindy Mackie due to technical difficulties.

2. Declaration of Interest

No declaration of interests.

3. Chair Update and Announcements

The Chair announced the successful reappointment of Gordon Johnston and Mary Twaddle for the next four years.

He reported that he and Julie Paterson had met with the Minister on 8th September and said that it was a very positive, encouraging and constructive meeting.

The Board members were reminded that the Equalities Training would take place on 4th November and that pre reading has been provided.

He also informed the Board that he and Julie would be attending a Mental Health Law review evidence session on 9th November which should be a useful

meeting. He said that a brief feedback report will be provided at the end of the Extra Board meeting on 13th November.

The Chair reminded Board members that the informal Board meeting would be held on 20th November but there would not be a Q&A session this month, and if anyone had any issues before the scheduled meeting they should drop him a note.

4. Minutes of Board meeting held on 28 August 2020

The minutes were approved.

It was noted from the previous minutes that the Communication Plan and Board external engagement paper had not been carried forward to this meeting. The CE explained that it was hoped to bring them to the December meeting in a refreshed format.

The Chair suggested more thought be given to a tighter agenda that should involve external speakers; training such as on Cyber Security and suggested that a programme of dates be provided with a caveat that there could be changes due to the business cycle.

Action: KF and AM: Revised communication Plan and external engagement for Board members to be presented to the December Board meeting and that a programme of dates to be provided for broader development

5. CE Update

The CE reported that over the last few weeks she has been involved in organisational priorities and meetings with external stakeholders. She intends to pull all the information together and put a paper to the Executive Team of themes arising, and confirmed that the skill mix review previously undertaken is currently on hold.

Some of the key areas she is considering is a review of end of year meetings; an action register after each Board meeting; briefing reports being introduced for the Board; agenda planning; remobilisation. She also said that a meeting was being arranged to discuss the social care review with the chair, Derek Feely.

On the Scott Review, Arun Chopra said that work was ongoing in the four sub groups – Capacity and supported decision making; Compulsion; young person's issues; and economic, social and cultural rights to which the Commission has been invited to an evidence session as mentioned by the Chair.

The Chair said that the future role and structure of the Commission was important with consideration being given to the future covering of posts and the current skill mix.

The Chair acknowledged that there was a real mix of talent as has been shown by messages from staff, the public and stakeholders. He said that there would be a Q&A session at the end of January 2021 when the Executive Team should provide their reflections and what resources are being prioritised.

Action: **Executive Team** to provide reflections regarding future priorities at Q&A session at the end of January 2021.

6. Items for discussion and/or approval

6.1 Engagement and Participation strategy report and action plan

Kate Fearnley explained that this report included contributions from the Engagement Officers and asked the Board for any comments on the Action Points.

The Chair said this was an excellent report and it was acknowledged by the Board that the report evidenced a significant range of activity. One point raised was that all Board members would like to attend the Advisory Committee meetings on an occasional basis without overwhelming it with Board members. It was agreed that a rota would be issued for Board members' attendance.

The Board asked if the engagement officers were pulled in a lot of different directions. It was explained that there are a lot of external demands on their time but there are limits to what they can do and that further consideration is being given to their role. It was acknowledged that the report gave a welcome level of depth to the support of carers.

Kate Fearnley explained that when the engagement officers first joined the Commission there was uncertainty on their roles and that clarity has evolved and there is a lot of work being done where they lead local discussions.

The Chair said that the report contained a lot of good information, although acknowledged that the public are of the opinion that the Advisory Committee is more linked to organisations and suggested that thought should be given to how human rights could be more of a focus.

The Board approved the report.

Action: **KF** to issue a rota for Board members attendance at the Advisory Committee meetings.

6.2 Mid-year Business Plan Review

HOCS reported that this was an update on the revised Business Plan approved at the June Board. She highlighted that there were some new objectives added and some removed. She referred to the successful updating of Good Practice Guides over the past 6 months. The inclusion of the 13za project was appreciated by the Board. It was also noted that the Advice Notes are very successful and are increasing the profile of the Commission.

The Board noted the contents of the paper provided.

6.3 Budget Update

6.3.1 20/21 Mid-year review and forecast

HOCS reported that there was a projected underspend in some areas due to changes in our business over the last six months but that other projects were being considered to utilise the underspend with the aim of projecting an end year break even position. Options being considered are utilising Sharepoint for a new intranet and file sharing although we are tied into the nhs system and timescales may not converge; one or two online conferences; and the work on the DIDR (Deaths in Detention Review) has not progressed as quickly as had been planned so therefore additional funding will be provided

A further update will be provided to the December Board meeting.

Action: **AM** to provide a further update to the December Board meeting.

6.3.2 Three year budget forecast

The forecast budgets are based on the second opinion costs being capped at £418k and assume a budget of £4million for the three years. The budgets show a break even position in 21/22 and an overspend position the following two years.

The Board approved the three year budget forecasts.

6.3.3 Second opinion costs

The CE explained that the Sponsor Department had agreed a cap on additional funding for Second Opinions up to 2020 as they were made aware of the additional costs involved. However, no cap has been provided for this current financial year and that the sponsor department

are hopeful that we can utilise some of our underspend to meet any additional costs this financial year. The Chair said that there is a need for reassurance that there will be additional funds in future years and it was suggested that there should be a stronger case made in light of the pandemic for this year.

The Board agreed the recommendation that the cap should be set at £418k per annum and that negotiations should continue with SG for future years funding

Action: **JP/AM** to continue negotiations with the Sponsor Department for additional costs to cover future Second Opinion costs.

6.4 Records Management Policy

The Board approved the Records Management Policy.

6.5 Equalities Group

Kate Fearnley said that as Cindy Mackie was not at the meeting and she had shown a keen interest in this subject, she would send her an update email. She reported that the Equalities Group had met the previous week where it was agreed the lead on Integrated Impact Assessments would sit with the relevant Executive Team member. She did record that there are a backlog of policies to be dealt with.

On training, it was reported that the LGBT training that was held at journal club had been very good.

Action: **KF** to email Cindy Mackie with an update.

6.6 Ethnicity Project

Arun Chopra reported that the project was going well. He said that they were meeting with Equality and Diversity leads and one point picked up was that the Commission has not received any requests for interpreters.

Referring to Equalities the Chair said that consideration of matters of equality should be included as standard in all of our reports.

Referring to the IIA, Arun Chopra said that there is a huge gap on the collection of equalities data in the MHA forms received and that the Young Persons report had highlighted this issue.

6.7 Local visit remobilisation

Claire Lamza reported that local visits had resumed with the first being to the State Hospital and that a further 9 visits were planned up to the end of December which included Learning Disability and Older Adults. The visits would be undertaken by two visitors who would be in close contact with organisers up to the day of the visit. The visits are primarily to people the Commission wanted to see or those that had specifically requested a visit.

On Guardianship visits, a new format is being piloted with more focus on outcomes.

Themed visits are to be further discussed at the Executive meeting scheduled for the following week.

The Chair said that this was very informative and reassuring information.

6.8 Board Meeting Dates 2021/22

Following discussion on the Board meeting dates for the next year it was agreed that from April 2021 Board meetings would be scheduled for the afternoons starting at 1.30pm for Board members meet; Julie Paterson to join at 1:50pm then the Executive Team at 2.00pm.

The Chair said this would be kept under review and that extra meeting dates would be set as required. It was also noted that Cindy Mackie would need to be informed of this change.

Action: KT to email Cindy Mackie to inform her of the change to the Board meetings for 2021.

7. Items for Information

7.1 Cross-Party Group on Mental Health, Review of the Mental Health Strategy 2017-2027; Access to Treatment and Joined Up Accessible Services Call for Evidence

The Board noted the contents of the paper provided.

7.2 Advisory Committee Note of Meeting

Mary Twaddle reported that this had been the first online meeting of the group and had received a good attendance.

The Board noted the contents of the paper provided.

7.3 AR&IG Committee minutes 10 February

The Board noted the contents of the paper provided.

7.4 AR&IG Committee minutes 15 June 2020

The Board noted the contents of the paper provided.

8. Any Other Business

No items for discussion.

9. Date of next meeting – Tuesday 15 December 2020