

**MENTAL WELFARE COMMISSION FOR SCOTLAND  
MEETING OF THE BOARD  
ON TUESDAY 14 DECEMBER 2021  
(via teams) AT 2.00pm**

**Present:**

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

**In attendance:**

Julie Paterson, Chief Executive  
Alison Thomson, Executive Director (Nursing)  
Alison McRae, Head of Corporate Services (Head of Corporate Services)

**Secretary:**

Katrina Thomson

**1. Welcome and Apologies**

Apologies were received from Arun Chopra and Suzanne McGuinness.

**2. Declaration of Interest**

No declaration of interests.

**3. Chair Update and Announcements**

The Chair announced that Safaa Baxter's term of office has been approved for a further year.

He thanked Mary Mowat on her assistance in enhancing the profile of the Commission with an article in the Scotsman this month and the article in the Holyrood Magazine.

He thanked the Board for their involvement in the All Staff Q&A session and acknowledged that there still remains continuing concerns around the Commission being seen to be independent of the Scottish Government.

In reference to the Board self assessment and the involvement of stakeholders; it was noted that Karen Reid, Chief Executive of NES will attend the Q&A session on 24<sup>th</sup> January. The Chair and Julie Paterson are meeting with Angela Leitch, CE, PHS to discuss her attendance at a future Q&A session.

The Chair wished everyone well for Christmas and the new year and acknowledged this has been a challenging time for all staff. He said he is extremely proud of what the Commission has achieved thanks to the work of all staff and the Board which he said puts the Commission on a very strong foundation for the future.

#### **4. CE Update**

JP said with reference to the staff concerns on being independent from the Scottish Government, Hugh McAloon from the Sponsor Department will be attending the all staff briefing on Wednesday to reassure staff that the SG values the Commission's independence.

On excessive security, JP said the guidance will be published next week and thanked Mary Twaddle and David Hall for their involvement.

She informed the Board that the Annual Report will be published today.

JP and the Chair are meeting with the sponsor department on Friday; this is the regular quarterly meeting and answers will be sought regarding DIDR.

#### **5. (a) Minutes of Board meeting held on 26 October 2021(Paper)**

The minutes were approved.

#### **(b) Action Points (Paper)**

Action Points are in hand or completed. The action log will be updated for the next meeting.

#### **6. Items for discussion and/or approval**

##### **6.1 Deaths In Detention Review Presentation (Alison Thomson)**

Alison Thomson and the DIDR team provided a presentation on the latest position on the DIDR and Homicides project which are currently out for consultation. The Chair acknowledged the excellent presentation and asked that any comments be directed to Alison Thomson.

##### **6.2 Advance Statement in Forensic Setting (Paper) (Arun Chopra)**

In AC's absence, JP explained this piece of work had been undertaken by a trainee doctor and that there is now a standard paragraph contained in the report that identifies this. She said that the information obtained may be useful to the SMHLR.

The Board acknowledged this was good work and it was suggested that it be sent to the forensic network as it was felt appropriate for them to look at it.

JP said we still have work to do to raise the profile of advance statements and increase take up.

The Board noted the contents of the report.

### **6.3 SBAR and Communications Plan (Paper) (Julie Paterson)**

The Chair said he really welcomed the communication plan and suggested that it should be completed on an annual cycle along with the Business Plan. He was impressed with the level of work done and said it continually reminds us of the scope of the Commission's work.

The Board agreed this has been a busy time and that information has been getting out to audiences. One suggestion was that reports be spaced out more in the future and it was suggested the communications planner comes to the spring Board meeting with the Business Plan. It was also suggested that this report helpfully shows our presence and reaffirms that we have a leadership role. It was suggested making the website easier for people to navigate. MM agreed with this and said there are thoughts to update the films on 'Who we are' next year.

The Board asked that the Stakeholder Survey be kept in mind, and that the communications plan could link into the Advisory Committee as organisations are keen to look at material the Commission publishes.

The Chair supported the suggestion that the communications plan links in with the Business Plan in February and suggested the communications analysis comes to the December Board meeting.

**Action:** MM to note for future Board planning that communication analysis to be presented to the December Board meetings and the Communication Plan be presented to the February Board meetings along with the Business Plans.

### **6.4 SBAR and Communications Analysis (Paper) (Julie Paterson)**

The Chair said it was really interesting to see the Communications Analysis.

Referring to some of the reports, MM said the Authority to Discharge received a lot of coverage and got people talking, and raised the profile of the Commission. She said the MHA report worked well as it showed a 10% rise. On the Racial Equality report she said the call for action is working.

The Board noted the contents of the paper.

### **6.5 Board Self Assessment (Paper) (Julie Paterson)**

The Chair referred to the Board previously undertaking a self-assessment on a yearly basis. In 2020 a SLWG (Short Life Working Group) was set up to look at what had been done. He said that a small group had recently met to discuss further and that JP has pulled that information together in the attached report. He asked the Board to reflect on the contents of the paper before their 1:1 meetings which will be arranged for January 2022.

The Chair suggested that the next Board self-assessment should take place in April 2022 when 1:1 meetings will have been completed.

**Action:** **Board** self-assessment to be added to April Board Planner.

### **6.6 Advisory Committee Review (Paper)(Julie Paterson)**

In SM's absence, JP said the circulated paper was an interim report and that the final report will be submitted to the February Board meeting. She said that SM will be meeting with MT and NB to discuss in more detail, and added that there is work to be done in relation to stakeholders' attendance etc. It was also noted that the temporary Engagement and Participation Officer post has been advertised and this will link into the current review.

The Chair acknowledged that there is work to be done on refreshing the stakeholders' roles. It needs to be clarified who should be sitting on the Committee, who is not engaging and to confirm that this is a statutory role of the Commission. MT and NB said that there had been positive productive meetings where there has been a mixed view on how the Committee works and thought has been given to how they can expand the reach of who should be attending the meetings.

The Chair said that future meetings may take a different format and that the first meetings may need to involve policy and legislation discussions.

**Action:** **SM** to present final report on the Review of the Advisory Committee to the February Board meeting.

### **6.7 Strategic Risk Register (Paper) (Alison McRae)**

AM informed the Board that there has been a substantial revision to the Risk Register which was discussed at the last AR&IG Committee meeting and the definitions for risk appetite were agreed. She said reference to the NCF has been removed from some areas but some references still remain.

She highlighted the following changes:

- Risk 1 has been renamed to incorporate both the Scott review and the national care review.
- Risk 4 – IMP – last report was red, now green as moving forward
- Risk 8 is added as a new risk around failure to deliver the projects on deaths in detention and homicide reviews. Please note that we are only putting the business case to SG in January so this is a potential risk if SG take time to agree to our proposals and temporary staff leave. This is mitigated by requesting six month funding to extend posts.

The Chair said this was helpful to recognise changes.

GJ said he had nothing to add and the Risk Register was reflective of the AR&IG discussions.

The Board approved the updated Strategic Risk Register

#### **6.8 Records Management Policy (Alison McRae)**

AM explained this policy was previously reviewed on an annual basis but will now change to bi-annually and that a lot of work has been done re writing the policy. It was acknowledged that the top ten tips were excellent. In reference to point 9 on training, it was suggested this should be highlighted as mandatory. AM said that it is in the Performance Framework and that all staff must complete by the end of March 2022, but agreed to note in the policy that this will be followed up by line managers.

The Board approved the policy subject to the small change.

### **7. For Information:**

#### **7.1 National Care Service for Scotland Consultation response (Paper)**

The Chair said this was a very good response from the Commission which raised a number of points that are relevant to our organisation.

The Board noted the contents of the Board.

#### **7.2 Perinatal Consultation (Paper)(Arun Chopra)**

The Board noted that Arun Chopra was present at this event.

The Board noted the contents of the paper.



**8. Board Agenda Planning**

In relation to development the Chair noted that Karen Reid, CEO from NES will be attending the Q & A on 24<sup>th</sup> January 2022. The following Q&A session will take place on Wednesday 30<sup>th</sup> March 2022 at 2.00pm.

**Action:** **Chair and JP** to look at future dates to allow a calendar of Q&A meetings to be arranged.

**9. Any Other Business**

The date for the extra meeting to discuss DIDR report is confirmed for Tuesday 22<sup>nd</sup> March 2022 at 2.00pm.

**10. Date of next meeting – Tuesday 22 February 2022 (2.00pm)**