

Council of Governors



Mental Health Legislation Committee Update

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Chair of Mental Health Legislation
Committee and Non-Executive Director

4 December 2024

deferred from 16 October 2024



Alerts:

- Least Restrictive Practice Oversight Group (LRPOG) – Pregnant Service Users
- Least Restrictive Practice Oversight Group (LRPOG) – Respect training compliance
- Least Restrictive Practice Oversight Group (LRPOG) – Advocacy
- Least Restrictive Practice Strategy and workplan
- Mental Health Legislation Operational Group (MHLOG) - Health Based Place of Safety
- Mental Health Legislation Operational Group (MHLOG) - Compliance with Section 132/132A
- Mental Health Legislation Operational Group (MHLOG) – Mental Capacity Act Training
- Mental Health Legislation Operational Group (MHLOG) - Second Opinion Appointed Doctor (SOADs) decisions
- Associate Mental Health Act Managers (AMHAMs) Activity Report – Numbers of AMHAMs
- Human Rights Framework Progress Report

NED Challenge at Committee:

- Admission of pregnant patients, which committee assured that this data was being monitored through Safeguarding as well as within restrictive practice.
- Any prolonged use of Health Based Place of Safety as an admission unit, Will be minimised by the recent Standard Operating Procedure and the committee will be provided with additional narrative around any such admissions in the quarterly reports to committee.
- Low compliance with provision of information to patients detained under section 132 and section 132a, which the committee assured that a task and finish group has been established to tackle this issue.

Positive Progress:

Use of Force Annual Report

The committee praised the vast amount of work that has been invested over not only the last year but over the last 3 years of the strategy. The data shows there has been a significant reduction in the use of restrictive practice which has been driven by clinical engagement, therapeutic relationships, working with community, services users, carers and significant others to promote a positive culture change across the organisation.

Position statement on Vision-Based Surveillance

The committee received the position statement which sought to make clear the use of vision-based surveillance within SHSC. It was confirmed that SHSC does not use vision-based surveillance because of human rights and the committee endorsed the position statement for onward presentation to Board of Directors reconfirming this position.

Mental Health Act Scheme of Delegation

The Scheme of Delegation is an annually reviewed Board approved document which sets out who in the Trust is authorised to carry out specific tasks under the Mental Health Act. As part of the annual review, it was proposed to expand on the roles who are authorised to provide information to patients under section 132 and section 132a. This will help to raise compliance levels in this area but also increase the diversity of staff who can provide information. The committee approved the proposed changes for onward presentation to Executive Management Team and Board of Directors.