

**MENTAL WELFARE COMMISSION FOR SCOTLAND**  
**MINUTES OF THE MEETING OF THE BOARD**  
**TUESDAY 21 FEBRUARY 2023**  
**(via TEAMS) at 9.15AM**

**Present:**

Sandy Riddell (Chair)  
Safaa Baxter  
Mary Twaddle  
Gordon Johnston  
Cindy Mackie  
Nichola Brown

**In attendance:**

Julie Paterson, Chief Executive  
Arun Chopra, Executive Director (Medical)  
Suzanne McGuinness, Executive Director (Social Work)  
Claire Lamza, Executive Director (Nursing)  
Julie O'Neill, Business Change and Improvement Manager

**Secretary:** Katrina Thomson

**1. Welcome and Apologies**

Apologies were received from David Hall and Alison White.

**2. Board Declarations and Register of Interests**

No declarations or register of interests were given.

**3. Chair Update and Announcements**

The Chair referred to this being Safaa Baxter's last meeting and said he hoped that everyone would be able to attend the April Board meeting when they could have lunch and say farewell in person to Safaa. He thanked Safaa for the past 9 years during which she has helped navigate the Commission through some difficult times such as the pandemic and NCF providing her experience and wisdom and for all the incredible support and important work she has done.

On the successor to Safaa, the Chair said that 41 applications were received many of which were good applications. With the help of the Public Appointments Unit, 7 were chosen for interview and he is pleased to say that the Minister has approved the appointment of Kathy Henwood, CSWO and Head of Child and Family and Criminal Justice Social Work Services from Fife Council. Sandy said that Kathy will bring a lot of relevant experience. He hopes that Kathy can attend the April meeting and he will send a brief bio and photograph to the Board members.

The Chair said that there will be a request issued shortly for the Board Self-Assessment forms to be returned and asked the Board to note the deadline for returns as this will go to the April Board meeting.

Referring to appraisals he said he would like to complete these in May and will send KT dates to arrange the appraisals.

**Action:**       **Chair** to send bio and photograph to Board members and to send dates for arranging appraisals to KT.

#### **4.     CE Update**

Referring to the IMS project, JP said that the team passed the pre procurement assurance gate last month with a complete green status. The work that had been done by the team, led by Suzanne since May 2022, was said by the external panel members to have “exceeded and excelled expectations”. The SG team acknowledged the excellent work done by the Commission and said it was rare to get full green. The SG has also confirmed funding for this critical piece of work as per the business case provided.

On DIDR and Homicides, JP said the SG has yet to confirm acceptance of proposals and no funding has been confirmed. JP continues to follow up as part of budget discussions for 2023-24.

JP alerted the Board to a H&S audit completed in 2015 at the Commission that requires to be revisited. NES have been asked to provide support with urgent actions and plans will be put in place to train relevant staff and to bring in compliance expertise. The Chair said it was important that the Board is aware of this and said that a report should be provided to the AP&R Committee in due course.

#### **5.     (a) Minutes of Board meeting held on 13 December 2022 (Paper)**

The minutes were approved subject to small amendments from the Chair. [Subsequently amended).

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

Action log has been updated.

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

##### **6.1     SBAR Advocacy Duty (Papers) (Julie Paterson and Julie O'Neill)**

##### **6.1(i) The Right to Advocacy Report**

##### **6.1(ii) Appendix 1 MWC Survey**

##### **6.1(iii) Appendix 2 Collated Submissions from each area**

JO said that this report follows a review of how health and social care partnerships, local authorities and NHS boards are discharging their responsibilities under the Mental Health (Care and Treatment) (Scotland) Act 2003. She said the Commission first did a review in 2017 and published the

report in 2018. The Commission committed to undertaking a biennial review but this was not done due to the pandemic.

Information was gathered from the HSCPs and the State Hospital with complete responses received on this occasion. As recommended by the Board previously, engagement took place with the Director and team from the Scottish Independent Advocacy Alliance (SIAA). SIAA completed their mapping exercise with their member organisations and their feedback has been included in the report, the wording has been approved by the Director of SIAA. JO noted that there are 6 recommendations for the HSCPs, local authorities and health boards.

The Chair said this was an excellent report with supporting paperwork. The Board members also felt this was a good report which shows progress, and agreed that every area should have a strategic plan. It was also agreed that the recommendations read well; it was suggested that the recommendations should be included within the report not just at the start to improve readability. Referring to Recommendation 4 it was suggested adding 'implement training' and to extend it to include patients and carers as they may have little awareness of the rights to advocacy. Referring to Recommendation 5, it was suggested putting a timescale for this.

The Chair thanked the Board for their helpful comments and said it does show positive change from the original report. He agreed that timescales are important to add. He asked that SG be provided with this report as they have accountability.

The Board approved the report subject to the changes mentioned above and asked that an update be provided in 2 meetings time (June Board meeting).

**Action:** JO to provide an update on how this report has been received for the June Board meeting.

## **6.2 SBAR and Business plan 2022/23 Progress Report up to 31/12/22 (Papers) (Julie O'Neill)**

JP said that the Business Plan reflects the last quarter up to end December 2022 and also relates to work due by end March 2023. The Board acknowledged the good progress being made and asked about the reference to unannounced visits. JP confirmed that there is still commitment to undertake 25% of visits on an unannounced basis and the team are looking at different ways to plan these. CL added that these types of visits were paused

during the pandemic and have resumed but will not reach the 25% target in 2022-23.

**6.2(i) Business Plan Workplan (Board) as at 31.12.23 (Julie O'Neill)**

The Board noted the contents of the Workplan.

**6.2(ii) Stakeholder Survey Action Plan as at 31.12.2022 (Suzanne McGuinness)**

SM said this was ongoing work showing the scope for 23/24. She said pilot events had been planned but due to COVID these had to be cancelled. Review is in progress on making the website more accessible.

**6.2(iii) Equalities and Outcomes Action Plan as at 31.12.2022 (Arun Chopra)**

AC said that there has been progress since the last Board as noted. One area that is paused is the IIA training and he said that he and the HR Manager are looking at training modules.

In response to reference to outcome 2 and the analysis of recruitment monitoring forms, JP said that no figures are available at this stage. She said that a new person is joining the HR team next week and it is hoped to provide this information next time.

**6.2(iv) Corporate Parenting Action Plan as at 31.12.2022 (Suzanne McGuinness)**

SM said that Corporate Training for the Board has been arranged for Friday 31 March and future training planned for all staff. Actions are ongoing and the remit for the CYP Group will be updated

The Chair welcomed the new format of reporting providing increased clarity of focus. The reports also show the Commission is taking account of all the challenges and giving assurance and context of actions and any delays.

The Board approved the Business Plan Progress Report and the Action Plans submitted.

**6.3 SBAR Strategic Plan 2023 – 2026 (Papers) (Julie Paterson and Julie O'Neill)**

**6.3(i) Draft Strategic Plan**

**6.3(ii) Final Strategic Plan Summary IIA as at 06.02.2023**

**6.3(iii) Consultation Document**

JP referred to the huge amount of work done on the Strategic Plan by Julie O'Neill, and in particular the consultation document which provides an audit trail of engagement.

The Chair expressed disappointment at the level of response to the survey but acknowledged the various efforts made to engage with external stakeholders.

The Board thought it was an excellent integrated and balanced document with clarity, accessible layout and especially welcomed section 6 with the short and medium priorities. Referring to the actions, the Board were keen on the welcome pack to patients, and to develop qualitative feedback from the Advice Line. It was noted that the section on digital transformation was particularly clear.

The Board approved the Strategic Plan.

#### **6.4 Budget Update (Paper) (Elizabeth Halliday)**

JP confirmed that given the late receipt of budget confirmation, approx. £200k underspend is indicated in the budget paper. JP spoke to the increased costs relating to second opinions and the fact that 93% of the budget had been spent by November. The underspend may be used to off-set this as happened last year. JP confirmed that the Commission will be seeking agreement from SG for the cap to remain and also to increase. GJ said that it is important that we get agreement from SG on the cap for DMP fees going forward.

The Chair acknowledged that the delay in receiving our budget caused many other delays and said that this will likely carry over into the next year which will have an impact on challenges going forward and that it will need to be monitored going forward.

The Board noted the contents of the paper provided.

#### **6.5 SBAR Review of Policies:**

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| <b>6.5(i) Standing Orders</b>                  | <b>(Paper) (Julie Paterson)</b>     |
| <b>6.5(ii) Standing Financial Instructions</b> | <b>(Paper) (Elizabeth Halliday)</b> |

JP referred to the two policies and highlighted sections in yellow showing the changes post Audit Performance and Risk Committee, specifically adding more reference to performance management.

The Chair said that it will be important that this committee's focus gives equal attention to matters relating to audit, risk and performance and that no single

aspect should dominate its business. This can be achieved through the committee's agenda planning process. It was also noted that there is a typing error to be corrected where it states CE (Medical).

The Board approved the Standing Orders and Standing Financial Instructions policies.

#### **6.6 AP&R minutes from November 2023**

GJ informed the Board that the external member on the AP&R Committee, Robin McNaught had reached the end of his term. They do not have a replacement for him as yet, but are actively pursuing with partners.

He also said that Grant Thomson have been appointed as external auditors and that the internal auditors have been extended by 1 year with the intention to tender at the end of this year. It was thought that it was important not to have a change in both external and internal auditors in the same year, hence the extension.

The Board noted the contents of the minutes.

#### **6.7 Note of SMHLR ADHOC meeting of the Advisory Committee (Paper)(Mary Twaddle, Nichola Brown, Arun Chopra**

NB informed the Board that this was an additional ad hoc meeting of the Advisory Committee to primarily discuss the work relating to SMHLR. She explained the group broke off into 3 groups and that the detailed note attached provided lots of points and feedback which the Commission will use.

AC said that the amount of effort from the attendees was very much appreciated and showed they had come prepared.

The Chair said the paper was really helpful. He informed the Board that the next full meeting of the Advisory Committee is on 20th April and that any members of the Board can attend if they wish. He noted that no agenda has been planned for this meeting as yet. In terms of next steps, he asked about feeding back to the stakeholders to ensure the communication loop is completed.

AC, MT and NB will meet soon to discuss going forward and structure meetings. They plan to do a bit of work on agenda planning and to use the expertise of the membership, and they hope to broaden the membership of the Committee.

**7. For information**

**7.1 Consultation response to mental health strategy 'vision and priorities' (Paper) (Arun Chopra)**

The Chair said this paper was really interesting and informative.

It was noted that it was good to see the emphasis on separation of mental wellness from mental illness.

The Board noted the contents of the paper provided.

**8. Board Agenda Planning**

The Chair referred to the CP training on 31 March. He also suggested future dates for Board informal Q&A meetings as follows - 5 June, 28 July, 22 September and 24 November. These meetings will take place virtually with the main Board meeting in April taking place in person.

**9. Any Other Business**

He reminded the Board that if they wished to attend any of the Advisory Committee meetings they should let Mary Twaddle or Nichola Brown know.

It is hoped to have a wider session in the autumn with stakeholders.

**10. Date for next Board meeting Tuesday 25 April 2023**