

**MENTAL WELFARE COMMISSION FOR SCOTLAND
MINUTES OF THE MEETING OF THE BOARD ON TUESDAY 29 AUGUST 2017
IN CONFERENCE ROOM, THISTLE HOUSE, EDINBURGH AT 10.30 AM**

Present:

The Very Rev'd Dr Graham Forbes CBE
Mr Norman Dunning
Ms Mary Twaddle
Mr Gordon Johnston
Mr Sandy Riddell

In attendance:

Mr Colin McKay, Chief Executive
Ms Alison McRae, Head of Corporate Services
Mrs Alison Thomson, Executive Director, Nursing
Ms Kate Fearnley, Executive Director, Engagement and Participation
Mr Mike Diamond, Executive Director, Social Work
Dr Gary Morrison, Executive Director, Medical

Presentation on GDPR – Mrs Alison Aiton

Observer: Dr Stephen Anderson, Consultant Psychiatrist
Mr Jamie Wilson, Communications Officer

Secretary: Mrs Alison Smith, Operations and Improvement Manager

Alison Aiton introduced a short presentation from the Information Commissioner's Office outlining the new GDPR regulations that will come into force in May 2018. This will have ramifications for the Commission in dealing with patient sensitive information.

1. Welcome and Apologies

Apologies were received from Dr Sashidharan, Paul Dumbleton and Ms Baxter.

2. Declaration of interest

None.

3. Announcements

None.

4. Minutes of Board meeting held on 27 June 2017

Approved.

5. CEO Update

Visit reports

The Homelessness themed visit report was published in July with good coverage and has been well received.

Local visits

Reports are being published and attracting increased media coverage.

Forensic themed visit

The report will be published on 30 August 2017

Investigations/casework

The Mr QR investigation will be published in mid-September. The Commission is planning facilitated sessions to review its investigations process which will input from other organisations that carry out investigations.

The Commission is involved in a potentially important case about the boundaries of using the Mental Health Act in treatment for physical conditions.

Influencing and policy work

The recruitment of the Chair for the review of use of the Mental Health Act for people with learning disability and autism is still awaited but the Scottish Government expect to announce it by October.

Adults with Incapacity Act reform

Further meetings have been held with Scottish Government which expects to issue formal consultation by end of the year.

Investigation of deaths

The Scottish Government is consulting on the proposals we sent them in November 2015 to improve homicide investigations; a separate review on deaths of detained patients is getting underway chaired by Prof Craig White. Colin McKay and Gary Morrison will be involved. The Commission is concerned about Healthcare Improvement Scotland changing the suicide review process to a potentially less rigorous system and are seeking clarification from HIS

Conferences

Colin McKay and Gary Morrison spoke to the Royal College of Psychiatrists international conference on capacity/law reform. Colin McKay presented at 3 sessions at IALMH conference in Prague, funded by IALMH.

Sharing intelligence

The Commission are part of this network co-ordinated by Healthcare Improvement Scotland, which published a report of its work in August.

Staffing

New medical practitioner Ritchie Scott is now in post. Alison Thomson has been appointed deputy chair of the Royal College Psychiatrists Combined Committee for Accreditation.

6. Items for discussion and/or approval

a. Report of recommendations and outcomes from local visits 2016

Alison Thomson reported that she was continuing to work on improving the report and presenting more meaningful information. In the future it was hoped to link groups of recommendations to the Care Pathway Care Planning. The report will be published on the website.

b. Annual Report

The Board invited staff to consider how to make the introductory sections more hard hitting. Norman Dunning highlighted that corporate parenting duties need to be included in the report next year. The Board noted that the Commission has exceeded many of the key performance indicators and this should be acknowledged. The Board thanked Mary Mowat for drafting and Jamie Wilson for coordinating the report.

c. Financial Review

Noted

d. Business Plan

The quarterly update report was noted.

e. The Commissioner for Ethical Standards Diversity in Governance Research

Alison McRae advised that this was a two stage process. The first is a desk based questionnaire to identify current practice and the second an individual questionnaire for Board members. The Board agreed to proceed with the standard questionnaire but agreed it was not a priority piece of work at present.

f. Records Management Policy

The updated policy was approved and agreed that renewal should be every 2 years.

7. Items for information.

a. Post legislative scrutiny committee response from MWC

Noted

b. Letter from the Cabinet Secretary

Noted

c. Audit Committee minutes from meeting held on 29 August 2017

Noted

8. Any other business

None

9. Date of next meeting – Tuesday 31 October 2017