

**MENTAL WELFARE COMMISSION FOR SCOTLAND  
MEETING OF THE BOARD  
ON TUESDAY 17 MARCH 2015  
IN CONFERENCE ROOM, THISTLE HOUSE, EDINBURGH  
AT 10.30AM**

**Present**

The Very Rev'd Graham Forbes CBE  
Mr Norman Dunning  
Mrs Elaine Noad  
Ms Jan Killeen  
Mr Paul Dumbleton  
Ms Lesley Smith  
Mrs Safaa Baxter

**In attendance**

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

**Secretary**

Mr Charlie Burns, Administration Manager.

**1 Welcome and Apologies**

Apologies had been given by Dr Sashidharan and Mr Henderson.

**2 Announcements**

The Chair welcomed Ms Fearnley and Mr Diamond to their first Board meeting.

**3 Minutes of Board meeting held on 27 January 2015**

The above minutes were approved.

**4 CEO update**

Mr McKay said that Dr Stephen Anderson had now started with the Commission in his role as Commission Consultant Psychiatrist, replacing Dr Mary Stewart who had retired at the end of February. Dr Anderson currently specialises in eating disorders and formerly was a learning disability consultant. Mr McKay said that offers had also been made to two candidates to fill the Operations and Improvement Manager and HR Manager roles.

Mr McKay said that the Commission had received the report of its staff survey, and had also received a report confirming that we had retained Investors In People status. There are, however, matters that need to be addressed arising out of both reports. These matters included issues about internal communication, relationships with managers and consistency of treatment of all staff groups. Mr McKay said that some scores on the staff survey had dipped, but that the scores remained reasonably high overall. The away day on 6 May will provide an opportunity to make a start to working with staff on some of these issues. The Board offered its help in any way that was felt to be appropriate.

Mr McKay confirmed the success of the Principles into Practice awards event on 6 March, which had demonstrated the inspirational work that some grass roots organisations were doing. Outcomes from the event will be analysed and organisations such as the Scottish Social Services Council will be consulted as they have undertaken similar reviews of awards events.

Ms Fearnley attended the stage 1 debate on the Mental Health Bill on 12 March, when some of the contributors had been complimentary about the Commission's work. While the Minister had been disinclined to make changes to the Bill, he had undertaken to feed in comments made during the debate when he responds to the Health and Sport Committee. Ms Fearnley pointed out that SAMH and others had expressed reservations about the Commission receiving full details of advance statements, in their view name and address details would be sufficient. Mr McKay acknowledged these concerns and confirmed his intention to discuss this matter with other organisations, with a view to adopting an agreed position.

The Commission had hosted the annual meeting of lead officers of social work services on 20 February, when discussion had taken place of the Scottish Law Commission's discussion paper on adults with incapacity. The Commission continues to have concerns about these proposals and consideration is being given to putting up the paper produced earlier by Mr Kappler and Mr Jevon as an alternative.

A discussion is due to take place with Health Improvement Scotland on the investigation of suicides and homicides, with the intention of introducing a more robust process than is in place currently.

Mrs Thomson advised of the intention to drop the term 'focussed' visits, and to replace it with 'local' visits. The large scale thematic visits will continue. The intention is to publish the reports of our local visits on the website, with a target date for introduction of this around end 2015, to allow time for the necessary changes to be made to the style of the report and other preparatory work.

Finally, Mr McKay said that the Commission is providing a lunch for Commission Visitors on 23 March, to recognise their contribution to the work of the Commission. He extended an invitation to Board members to attend this event, if in a position to do so.

## **5 Items for discussion and/or approval**

## **5.1 Report on a pilot themed visit – sections 25-27 of the Mental Health (Care and Treatment) (Scotland) Act 2003**

Mr Diamond introduced his paper. Mr McKay explained that it was not the intention to publish this report; some of the issues it had highlighted would, however, inform future visit activity, perhaps, in particular, next year's planned themed visit to people with severe and enduring mental illness. Mr Diamond said that one of this visit's benefits had been that around two thirds of the people interviewed would not normally have been seen by the Commission.

The Board suggested that the Commission should discuss its visits activity with organisations such as SAMH, advocacy, integrated Boards, HIS and the Care Inspectorate, to obtain their views and to determine whether there are opportunities for collaborative working. The need to maintain a focus upon people with a learning disability was also highlighted.

The Board noted the contents of the report.

## **5.2 Business Plan 2015-16**

Mr McKay introduced the business plan and highlighted some of the main areas of planned work.

The Board asked that the investigation KPI refer to 'at least' two investigations by end March 2016; also, that three 'new' good practice guides should be produced. Mr McKay pointed out that our investigation work requires practitioner staff to identify appropriate cases, and that they might need to be given guidance to help them with this.

The Board suggested that the KPI relating to recommendations arising out of local visits needed to clarify what happens when we are not satisfied with the response. Mrs Thomson confirmed that we do provide an explanation in the annual report when this is the case, but undertook also to refer to the Commission's escalation policy when that has had to be implemented.

The Board asked that review dates are entered where the timescale of the business objective is 'ongoing.'

Subject to the above comments, the Board approved the Business Plan 2015/16.

## **5.3 Strategic Plan**

Mr McKay confirmed that this was a roll over from the previous Plan and that it is intended to consider the introduction of a fixed five year plan from next year, which would have annual components to it.

The Board approved the strategic plan.

## **5.4 Financial review (February 2015)**

The Board noted the contents of Mrs Wallace's paper.

## **5.5 MWC core 'draft' revenue resource budget 2015-16**

Ms McRae said that the proposals anticipate a budget of £3.6million, though this has not yet been confirmed by Scottish Government. There has been no indication to the contrary. She confirmed that the Commission has placed a bid for the cost of implementing changes arising out of the Mental Health Bill in the financial memorandum to the Bill. Scottish Government would need to commit to the depreciation element of what would be a capital charge over 5 years.

The Board noted the contents of Mrs Wallace's paper.

## **5.6 Policy reviews**

### **5.6.1 Standing orders**

The Board asked that the standing orders be made gender neutral, in future if not this year.

The Board approved the standing orders.

### **5.6.2 Standing financial instructions**

The Board approved the standing financial instructions.

### **5.6.3 Fraud prevention and investigations policy**

The board approved the fraud prevention and investigations policy.

## **5.7 Audit Committee annual report**

The Board thanked the Audit Committee for its work and for the report presented.

Ms McRae explained that the Advisory Committee minutes are presented to the Board, and that it has not, therefore, produced an annual report. However, there had been a suggestion at the September 2014 meeting that it review its activities. The Advisory Committee meeting dates will be circulated to Board members for information.

The Board noted the contents of the Audit Committee annual report.

## **6. Items for information**

### **6.1 Risk management strategy**

Mr McKay said that it was intended to look at controls around casework and investigations as it was felt these could be improved.

The Board noted the contents of the risk management strategy.

## **7. Any other business**

Mr McKay said that the next NPM meeting was scheduled for Scotland in November 2015, when the Commission will host an event.

The Board took the opportunity to thank both Mr Kappler and Mr Burns for their contribution to the Commission's work since their appointments in 1994 and 1996 respectively. They acknowledged the respect in which Mr Kappler was held by professional staff, service users, carers and others involved in mental health across Scotland, and paid recognition to his approachability, integrity and commitment. They acknowledged much of the unsung work of Mr Burns in the effective administration of the organisation and his wise counsel around complaints work and paid recognition to his integrity and commitment to staff and the organisation.

## **8. Date of next meeting**

The next Board meeting is scheduled for Tuesday 5 May 2015.