**MENTAL WELFARE COMMISSION FOR SCOTLAND**

**MINUTES OF THE BOARD MEETING**

**HELD ON TUESDAY 27 FEBRUARY 2018**

**IN CONFERENCE ROOM, THISTLE HOUSE, EDINBURGH**

**AT 10.30 AM**

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| **Present:****The Very Rev’d Dr Graham Forbes CBE****Mr Norman Dunning****Mr Paul Dumbleton****Ms Mary Twaddle****Mr Gordon Johnston****Mr Sandy Riddell****Dr Sashi Sashidharan** **Mrs Safaa Baxter** | **In attendance:****Mr Colin McKay, Chief Executive****Ms Alison McRae, Head of Corporate Services****Dr Gary Morrison, Executive Director, Medical****Kate Fearnley, Executive Director, Engagement and Participation****Alison Thomson, Executive Director, Nursing** |

**Secretary: Mrs Katrina Thomson, Office Manager**

**1. Welcome and Apologies**

 Apologies were received from Mike Diamond, Executive Director, Social Work.

**2. Declaration of Interest**

None.

**3. Announcements**

Safaa Baxter will assume the position of Deputy Chair following the departure of Norman Dunning.

**4. Minutes of Board meeting held on 12 December 2017**

The minutes were agreed.

**5. CEO Update**

 ***Policy***

The Scottish Government consultation on revisions to the Adults with Incapacity Act was issued at the end of January. The Commission is working on a response and will circulate the draft response for comment.

The Commission is involved in meetings to follow up the rights theme in the implementation of the Scottish Government’s mental health strategy.

Healthcare Improvement Scotland has changed its suicide review procedures which we believe to be less thorough than previously. The Commission will issue guidance on the process of notifying deaths to inpatients to the Commission.

Colin McKay attended a meeting in London last week on the review of the English mental health act and will keep the Board updated on implications for Scotland.

Colin McKay updated the Board about two current judicial reviews – one around conditions of excessive security and the other challenging the abolition of the ‘default’ named person.

The Chair and CEO will meet with Mrs Watt, Minister for Mental Health on 8 March 2018.

***Advisory Committee***

Ms Twaddle fed back that good discussions took place at the meeting last week, which will inform the AWI consultation response and our future planning for themed visits.

 ***Visits and monitoring***

The process for dealing with visit reports is changing to allow them to be out to the service more quickly and in turn be placed on the web site sooner.

 ***Commission corporate developments***

Progress is being made on the project to reduce our accommodation costs - we are working with another public body and SLAB which will help our business case for funding.

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

**6.1 Community Hospital Dementia Themed Visit Report**

The Board were informed that this was generally positive report, although there were significant areas for improvement in some services. As well as meeting with patients we met with 104 carers over the course of the visits.

It was noted that the report contained a lot of positive points and it was suggested that as well as health boards, recommendations should be directed at Integrated Joint Boards as they have the power to shift resources. The Board confirmed that a number of the points highlighted in the report were consistent with their experience, including the lack of parity between mental and physical health; the lack of advocacy services and environmental issues.

The Board approved the report.

 **6.2 Business Plan 2017/18 progress report**

The contents of the Business Plan progress report were noted.

 **6.3 Finance Managers Report**

It was noted that the underspend was due to the delays in the server upgrade project. Enquiries are being made with the sponsor department as to whether this could be carried over to the next financial year.

 **6.4 Business Plan 2018/19**

The Board noted the final Business Plan and approved its contents.

 **6.5 Draft Budget Report 18/19**

**6.6 Pay Remit**

These two items were discussed together. The Board were informed that the draft budget included three scenarios for a pay award of 3% to staff where they earned less than £36,500 and options for 1, 1.5 and 2% for staff earning over £36,500. Unfortunately there is not a balanced budget in any of the options unless funding is increased. The main difference in the budget position from December 2017 is that we have recently been informed of an increase in rent and rates for 2018/19 of £18k, 10%. The sponsor department has been alerted to the increased costs to the Mental Welfare Commission if the pay award is granted. The Board’s preference is to make a pay award of 3% to those under £36.5k and of 2% to other staff, if this can be afforded. The Board instructed the executive to follow up the request for additional funding with the sponsor department.

**6.7 Policies**

 **6.7.1 Standing Orders**

 The Board approved the Standing orders.

 **6.7.2 Standing Financial Instructions**

The Board approved the Standing Financial Instructions.

 **6.7.3 Fraud Prevention and Investigations Policy**

The Board approved the Fraud Prevention and Investigation Policy.

 **6.7.4 Grievance Policy**

The Board approved the Grievance Policy.

 **6.8 Annual Report from Audit Committee**

The Board noted the report and approved the objectives of the Audit Committee for 2018/19.

**6.9 MOU with Scottish Government**

Referring to paragraph 32, the Board were informed that alternative wording had been discussed with our internal auditors and a suggested change had been sent to Scottish Government. Our firm position is that the Scottish Government’s Internal Audit Directorate cannot have access to our patient or staff records.

The Board approved the MOU subject to these changes.

 ***7.* Items for Information**

 **7.1 Risk Management Update**

The contents of the paper were noted.

**7.2 Sustainability Report**

The contents of the paper were noted.

**7.3 Audit Committee Minutes from 13 November 2017**

 The contents of the paper were noted.

**8. Any Other Business**

The Chairman thanked Norman Dunning for his service to both the Board and to the Audit Committee and to Dr Sashi Sashidharan for his service to the Board. They leave with our best wishes for the future.

**9. Date of next meeting** – **Tuesday 24 April 2018**