

**MENTAL WELFARE COMMISSION FOR SCOTLAND  
MINUTES OF THE BOARD MEETING  
HELD ON TUESDAY 30 APRIL 2019  
CONFERENCE ROOMS 1 & 2, THISTLE HOUSE**

**Present:**

Sandy Riddell  
Safaa Baxter  
Mary Twaddle  
Gordon Johnston  
Cindy Mackie  
Dr David Hall  
Nichola Brown

**In attendance:**

Colin McKay, Chief Executive  
Alison McRae, Head of Corporate Services  
Alison Thomson, Executive Director, Nursing  
Mike Diamond, Executive Director, Social Work  
Kate Fearnley, Executive Director, Engagement and Participation

**Secretary:** Katrina Thomson, Office Manager

**1. Welcome and Apologies**

Sandy Riddell said he was delighted to be in post as the new Chair of the Mental Welfare Commission. The Commission has had a huge influence on mental health over the years and although not without its challenges, there is a major role for the Commission in the future.

Safaa Baxter commented on how pleased the Board were that Sandy had been appointed as Chair.

The Chair welcomed Nichola Brown, newly appointed Board member, to her first Board meeting.

**2. Introductory meeting with Donna Bell, Director of Mental Health, Scottish Government**

Donna Bell gave the Board an update on Scottish Government priorities for mental health.

**3. Declarations of Interest**

None.

#### **4. Announcements**

The Chair acknowledged the recent shock for the whole organisation at the unexpected death of Dr Gary Morrison, Executive Medical Director. He had played a major role in mental health care over the years and recently with the Commission, and was a great loss.

The Chair recommended that Gordon Johnston would now take on the role of Chair of the Audit, Risk & Information Governance Committee and that Dr David Hall would also join the Committee. This was agreed.

The Chair said that work was underway to recruit a new Board member but it would likely be October before they would start. The intention was that the vacant post would be specifically targeted at a manager of services, particularly health service or integrated board management, and asked for views on this. It was agreed to widen the post to include nursing, allied health professional and third sector management experience.

The Chair also said that he would welcome individual meetings with Board members over the next couple of months, and added that he was also meeting with stakeholders.

#### **5. Minutes of Board meeting held on 26 February 2019**

The minutes were approved.

#### **6. CEO Update**

On the Mental Health Act Review the CEO reported that they were still waiting an announcement on the appointment of the Chair. This will be core business for the Commission over the next year.

Regarding the issue of interim care beds it is hoped to have a joint meeting with Central Legal Office (for the NHS), the Equalities and Human Rights Commission and Greater Glasgow and Clyde Health Board in May/June to discuss further the unlawful transfer of patients without consent, and then update the July Board meeting.

The Commission is continuing to work with health boards, the Mental Health Tribunal and Scottish Government on identifying patients detained or treated by the bogus psychiatrist.

It is planned to present the reports of the themed visits to people with autistic spectrum disorder and to people in rehabilitation wards to the June meeting. For this year it is planned to do themed visits to people with eating disorders and to individuals with functional mental illness in older people wards. For 2020/21 it is proposed to do a themed visit to people with comorbid mental illness / alcohol and drugs misuse as well as a themed visit to people using

mental health services in prisons, concentrating on physical health care and dementia.

Referring to the Polmont Review and the mental health care for young offenders, a report has been circulated to a wider reference group. The report is far reaching and it is hoped to be completed by the end of May.

The review of suicides is a key priority for the Scottish Government with the process for review still to be mapped out. The Executive Director (Nursing) reported that risks involving ligatures are being looked at across health boards following a meeting of relevant bodies instigated by the Commission.

The accommodation refurbishment has now been completed and has exceeded expectations. The Chair noted that it had been very well managed.

The new website will be launched in June. The Advisory Committee had been very positive following the presentation at the last meeting.

Jayne Laidlaw who has experience in child services has been appointed as the new Head of NCF and will be meeting with the Commission Chair and Forum sponsor department at the beginning of May.

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

### **7.1 Business Plan 2019/20**

The CEO apologised that this had not been signed off at the February Board meeting as is the usual practice, due to workload issues around the accommodation project. The review of the Mental Health Act could have a significant impact on the work of the Commission and so any detailed work on a revised strategic plan should await the outcome of that review. Ordinarily a strategic review would come before a staff structure and skill mix review but as the strategic review timelines may change it is imperative to proceed with the skill mix review and that is detailed in this business plan.

The highly unusual situation of not knowing the current year budget is impacting on our planning for this financial year. The business plan as it stands could only be fully implemented if we receive an increase in funding to cover the shortfall identified by the increase in employer pension contributions.

The Board agreed the Business Plan subject to confirmation of the 2019/20 budget. It should not be published until we know the budget.

### **7.2 Budget 2019-20 and Pay Remit**

The Chair said that following his meeting with Donna Bell earlier today she could not confirm what the 2019/20 budget would be for the Commission.

Following discussion on the pay award the Board agreed that as a good employer this had to be met. The impact of implementing the pay award means that current vacant posts will be cut in the 2020/21 budget. The Board instructed the executive team to proceed with implementing the full pay award.

The Board requested the CEO to engage with the Scottish Government on the consequences of not receiving the additional funds required for the additional work to be undertaken. It was reported that work has been reduced over the past 3 -5 years and there needs to be discussion and agreement as to what is the minimum the Commission should do to deliver its statutory responsibilities.

The Board agreed that the Chair and CEO should meet when the budget is finalised and if necessary either have an extraordinary meeting of the Board or issue a note to Board members of recommendations.

### **7.3 MWC March 2019 Finance Manager's Report**

The contents of the report were noted.

### **7.4 Report on Chief Executive's Objectives 2018-19**

The CEO spoke to the report on his performance against objectives for 2018-19, which had been agreed with the Chair.

### **7.5 Chief Executive's Objectives 2019-20**

The CEO said that the work law reform, on adults with incapacity and on suicides have been carried over. The Board approved the CEO objectives.

### **7.6 Register of Interests 2019-20**

#### **7.6(i) Board**

#### **7.6(ii) Executive**

The Registers of Interests, both for the Board and Executive Group, were approved and will be updated on the Commission website.

### **7.7 2018-2019 - Annual Complaints Performance Report**

The Board noted the contents of the paper.

**8. Items for Information**

**8.1 Advisory Committee note of meeting**

It was noted that the meeting held on 21 February 2019 had been an interesting meeting with contrasting sessions. The contents of the paper were noted.

**8.2 Minutes of Audit Committee held on 4 February 2019**

The contents of the paper were noted.

**9. Any Other Business**

No items for discussion.

**10. Date of next meeting – Tuesday 25 June 2019**