

Mental Welfare Commission for Scotland

Minutes of meeting of the board

Held on Tuesday 29 October 2019

Present:

Sandy Riddell (Chair)
Mrs Safaa Baxter
Ms Mary Twaddle
Mr Gordon Johnston
Ms Nichola Brown
Dr David Hall

In attendance:

Colin McKay, Chief Executive
Alison McRae, Head of Corporate Services
Alison Thomson
Kate Fearnley
Moirra Connolly
Alison White (observer)

Secretary:

Stuart Bowes

1. Welcome and Apologies

Apologies received from Ms Cindy Mackie, Jayne Laidlaw (Head of NCF), Michael Diamond.

2. Declaration of interests

No declaration of interests.

3. Announcements

No announcements.

4. Minutes of meeting held on 27 August 2019

The minutes were approved.

5. Reflections on Board Away Day (Verbal)

The day was felt to be very successful and the Board were reassured to find that their views were in-line with the Executive team. Going forward the Board away day will be held annually.

Key points from this session will be relayed to Commission staff at their away day early next year.

6. CEO update

Legislation and policy reviews

The Terms of reference for the MHA Review have been published and the first two advisory groups are meeting soon. The Head of the Review will be speaking at the Commission's DMP seminar on 8 November 2019.

Court cases

There are two cases underway looking at interim care beds and excessive security. The Commission is involved in both Judicial Reviews. The next steps are likely to take place late November.

The UN Committee for the Prevention of Torture

The Committee recently visited prisons in the UK. The Commission was involved directly, and as an NPM member, in responding to concerns about women in prison who should be in hospital. We will follow up some of the issues in the themed visit to prisons next year.

Publications

The ST investigation was published and received good coverage. The CEO raised the question of whether or not the Commission should continue to anonymise its investigations.

The Board stated that they would welcome a discussion paper on anonymity in investigation reports.

Action: A paper for discussion on anonymity in investigation reports to be presented to the Board meeting scheduled for 25 February 2020.

Visits

It was noted that the good practice guide on seclusion received good coverage and even attracted overseas media attention. Our first visits to people with eating disorders are scheduled for December with phase two following in the New Year. The report on visits to older people is scheduled for early 2020.

Skills mix review

The review is underway with several staff consultation groups having been held and a report back to the executive team.

Tayside

The CEO met with David Strang (the Chair to the Independent Inquiry into Mental Health Services in NHS Tayside). The report is due to be published in December. The Commission has also met with HIS and NES. As part of their Quality of Care review NES are focussing on community services and the barriers that hinder access to these.

Staffing/Board

The CEO informed the Board of the appointment of Arun Chopra as the new Executive Director (Medical), and the secondment of two Nursing Officers.

7. Items for discussion

7.1 Business Plan 2019-20 Progress Report September 2019

The report showed that most tasks are on schedule. It was confirmed that areas of slippage would be back on track by the end of the year.

The Board noted the publication of the patients' rights pathway modules on LearnPro and enquired about statistics on usage. These modules have been published by NES through a different system so there is no data available on usage.

An additional project will be added to the plan. This project will involve analysis of the administration of the Second Opinion visits, with a view to offering a digital solution, to streamline the process.

7.2 Finance Papers

7.2.1 Financial Review September 2019

The Board noted the report and the potential underspend. It was agreed that the budget should be used to meet the excess cost of the second opinion fees without requesting additional funding from the Scottish Government as is usually the case if the costs go beyond £396k per annum.

7.2.2 MWC 2019/20 Forecast Budget 2019/20

The Board noted the report and requested to be kept informed of further developments and changes.

7.3 Complaints Policy

This policy was approved by the Board.

7.4 Learning Disability and Autism in Mental Health Act Consultation

The consultation is in its final stage with responses due in November. The CEO will respond to the consultation stating that the Commission supports the overall proposals of a rights based approach but that some of the other areas being suggested for the Commission would pose a challenge with current resources.

The Board confirmed that they are happy with the response outlined by the CEO.

7.5 Mental Health Act and Forensic Mental Health Reviews Update

The consultation group for the MHA Review has been established. Compulsory treatment will be the first area to be looked at. There is also a consultation paper issued for the forensic review.

7.6 Board Meeting Dates 2020/21

The date listed for the April 2020 Board meeting was mistakenly set at the 26th, this is a Sunday, the correct date is the 28th.

All other dates were agreed.

7.7 Web Portal for Meeting Papers

The Commission is looking at a 'paper free' option for the delivery of Board papers. This work is at a very early stage and the Board will be kept informed of developments.

8. Items for information

8.1 Advisory Committee Note of Meeting 6 September 2019

The contents were noted.

9. Any Other Business

None.

10. Date of next meeting – Tuesday 10 December 2019