

**MENTAL WELFARE COMMISSION FOR SCOTLAND
MEETING OF THE BOARD
ON TUESDAY 26 APRIL 2022
(via teams) AT 2.00pm**

Present:

Sandy Riddell (Chair)
Safaa Baxter
Mary Twaddle
David Hall
Cindy Mackie
Gordon Johnston
Alison White
Nicola Brown

In attendance:

Julie Paterson, Chief Executive
Alison McRae, Head of Corporate Services
Suzanne McGuinness, Executive Director (Social Work)
Julie O'Neill, Business Change and Improvement Manager
Paula John, Social work officer, item 6.2

Secretary: Alison Smith

1. Welcome and Apologies

Apologies were received from Dr Chopra.

2. Declarations of Interest

No declaration of interests.

3. Chair Update and Announcements

The Advisory Committee met last week, thanks to NB, MT and SM for the good progress made. The Chair advised that the discussion group he attended about the business plan was very supportive of the direction of travel; he got the sense that everyone was very busy on a wide range of complex areas of work and it was important to keep the momentum going.

The Chair highlighted that Alison McRae will be leaving the Commission at the end of June, he acknowledged the huge contribution she has made while in the Commission and the huge loss that will be felt with her departure. SB thanked AM for her invaluable support during the NCF project.

The Chair said he felt it would be difficult for the Board to meet before the Parliamentary reception and asked that transport be arranged. JP agreed to manage this.

4. CE Update

The 60th Anniversary arrangements are going well and Terry Rodgers in the comms team has drafted a formal invite for Gillian Martin MSP to invite all MSPs to attend. Arrangements are also in hand to issue invites to other stakeholders. Both the short film and podcasts are also underway.

The office is opening up with 18 desks now available as we move towards hybrid working.

JP advised that our new part time consultant psychiatrist, the lead for the DMP work, started this week.

5. (a) Minutes of Board meeting held on 22 February 2022(Paper)

The minutes were approved.

(b) Minutes of Extra Board meeting held on 22 March 2022 (Paper)

The minutes were approved.

(c) Action Points (Paper) – The action points paper was noted and it was agreed that the completed actions be moved to the complete actions spreadsheet.

6. Items for discussion and/or approval

6.1 Authority to Discharge Closure report (Julie Paterson)

The Board agreed the format and message from this report was clear and positive. It evidenced the impact of what the Commission does and sends an important message to HSCPs and the Scottish Government around the follow up of recommendations. This will be the first closure report to be published and all closure reports will be published in the future.

JP stated that there is continued focus on delayed discharge and publishing this report will refocus what needs to be done to ensure moves are completed appropriately. SR felt that it would be helpful for the new cohort of council members coming in after the elections to keep this high up on the agenda particularly as some of these members are likely to be on IJBs.

The Board approved the report for publication.

6.2 Investigations lessons learnt report (Paper) (Julie Paterson)

JP presented the report highlighting that it was intended to report on the vast amount of investigatory work undertaken that is not formally reported and to highlight lessons learnt to services. It was also very helpful to have an analysis over the last 10 years.

Paula John reported that the report focussed more on the learning aspects of our investigatory work. The aim was to publish more cases alongside the larger full scale investigations in the future.

The Chair thanked the team for an excellent first effort at the report and said that he was impressed with the reflective practice. He stated that it was really good to highlight the range and scope of the Commission's work. He suggested that the foreword could more 'punchy' and could draw more attention to the key points.

DH felt it was a good opportunity for the Commission to set out the range and depth of what is being doing.

MT said she was glad to see how people with lived experience can contribute to these cases. In scenarios like the welfare guardianship one it reflected cases that people would not normally associate the Commission dealing with.

SB felt the investigations landscape was becoming more complex and cluttered. She reflected that when Colin McKay had been Chief Executive, he met with other organisations to discuss which agency does investigations so that individuals and staff did not get fatigued with people asking multiple times for information. This issue could be revisited.

The Chair said that the report also highlighted leadership themes and a lack of ability amongst strategic leaders. It was concerning given the impending national care service. The report would demonstrate to people that they can approach the Commission and action will take place.

Action point– JP to speak to Mary Mowat over publication of the report on the website and appropriate signposting to stakeholders.

6.3 Older People's Themed Visit Closure Report (Paper) - (Suzanne McGuinness)

JP presented the report for information only and confirmed there were no plans to publish as it was an older report. This closure report had been completed during the challenging Covid 19 lockdown. The Chair said that the report was very helpful and had highlighted some horrific issues, he was reassured that this was going to inform and shape the focus for future visits.

The Board approved publication of the report.

CM noted that issues in the Western Isles had come in both reports before the Board and it was confirmed that these would be discussed at a meeting arranged with their senior management in May.

Action point – SM to add information in closure reports to the agenda for meeting with Western Isles senior management team.

6.4 Eating disorder Themed Visit Closure Report (Paper) (Suzanne McGuinness)

The Chair highlighted that this was an excellent piece of work. SM acknowledged that the project had been led by Alison Thomson. The report had been published in 2020, the findings were very worrying but work continues on this through the visit programme. DH highlighted the timing of this report was influencing what was happening more widely. There was some concern about who would be doing this work if the Commission wasn't, and it was agreed that the Commission needs to evidence the work we are doing really well to demonstrate our effectiveness.

6.5 Board Code of Conduct & Register of Interests (Papers)(Alison McRae)

AM advised the draft Code had been consulted on in 2020 and is now published for public bodies to adopt. The main changes were outlined in the paper. The one of most interest was the three stage process in identifying interests. This three stage test allows a member to differentiate between a connection and an interest. If an interest is declared then the code states you should leave the meeting.

It was agreed that item 2 on our Board agenda is amended to state “declaration and register of interests” to prompt Board members to consider whether there is a need to update their register of interests. The register of interest is for a member's full term so interests are updated but not removed from the register. Board members to send any updates to their register of interests to Katrina Thomson.

The Board adopted the model code in full.

The Board approved the register of interests for publication on the website, subject to individual amendments following the meeting.

6.6 Board Self Assessment (Verbal)(Julie Paterson)

The Chair reported that the self-assessment had previously been delayed. The Board needed to reflect on what had been done and decide what needed to be done. JP advised that the self-assessment is reviewed every year and agreed to send this out with a reminder of what had been done and what was still to be done.

Action point – JP to send a reminder of what was being done and still to be done for the Board Self Assessments.

6.7 Budget Update (to end March 2022) (Verbal) (Alison McRae)

AM reported she was still working on the underspend which was likely to be slightly higher than previously reported, partly due to delays in the IMS project. We are currently finalising the second opinion fees which are over budget but she would not request more funding from the SG due to the underspend, but would need to be clear that this was only for this year and not beyond. The increase in DMP work had materialised due to shorter authorisations for T3s being granted during the lockdown. The overall trend is up in line with the rising detentions. The IMS project has been delayed and there had been issues recruiting a business analyst, things were now moving forward. The Board noted the budget.

6.8 Chief Executive's Objectives 2022-23 (Paper) (Julie Paterson)

JP reported the Business Plan was her main objective. The Strategic Plan is a crucial objective this year. The Chair reflected that there had been a lot achieved over the last year the nature of some of the objectives had been very challenging. There had been an interesting comment offered from the advisory committee that it was important to have some wiggle room to deal with unexpected events. Organisations are finding it difficult to replace people who are taking breaks. The Board was very supportive of the objectives acknowledging that it covered the areas expected. There were challenges in not using Covid 19 as an excuse for not being ambitious. The Chair reflected that it was sometimes difficult to get the right people in place in time. CM was supportive on the range of objectives and pleased to see workforce modelling and hybrid working in place. GJ said that the challenge was that the CE is responsible for everything.

The Board approved the objectives.

6.9 AR&IG minutes (from Feb) (Paper) (Gordon Johnston)

GJ advised that key decisions and recommendations came to the last meeting. The Chair said that he had not been listed in the minutes but he had been there and requested the minutes reflect that.

6.10 Pay Remit (Paper) (Alison McRae)

AM advised that the proposals outlined are in line with the SG guidance. There was a bit of flexibility for staff earning over £40k, if the £500 pay increase is implemented these staff will be worse off. It is proposed to offer 1.5% which will need to be approved by SG pay policy unit.

The Board approved the proposal dependent on confirmation of the core budget and subject to SG pay policy unit approval.

7. For Information

7.1 Prisons Themed Visit Report (Paper) (Suzanne McGuinness) –

The Board thanked SM for an excellent piece of work which had captured interest, not least the media.

7.2 Spending Review Consultation (Paper) (Julie Paterson)

The response to the spending review is to make sure mental health is front and centre.

7.3 DMP Activity Paper (Paper) (Arun Chopra)

For information, noted.

8. Board Agenda Planning - See Appendix 1 attached

The Chair said an agenda was required for the Board meeting in May. JP and the Chair will meet to discuss the meeting in August in the hope that it will be a face to face meeting. It would be helpful to agree this to allow planning of hotels and travel.

9. Any Other Business

No further business. Meeting virtually at the end of June.

10. Date for next Board meeting Monday 27 June 2022