

MENTAL WELFARE COMMISSION FOR SCOTLAND

MEETING OF THE BOARD

HELD ON TUESDAY 29 APRIL 2025

AT 11.00AM In person

Present:

Sandy Riddell (Chair)

Cindy Mackie

Kathy Henwood

Alison White

David Hall

Nichola Brown

In attendance:

Julie Paterson, Chief Executive

Ashley Dee, Head of Culture and Corporate Services

Julie O'Neill, Business Change and Improvement Manager

Claire Lamza, Executive Director (Nursing)

Suzanne McGuinness, Executive Director (Social Work)

Secretary:

Stuart Gray

1. Welcome and Apologies

No apologies were received.

2. Board Declarations and Register of Interests

No declarations or register of interests were given in advance of today's meeting.

Board and executive team annual register of interests were noted.

3. Chair Update and Announcements

The Chair advised that there were a number of matters that he was going to raise at this point in the meeting but helpfully as the items are covered on the agenda, he would pick them up as we come to them.

He wanted to mention that although it was hoped that our two new Board members would join this meeting of the Board, the newly required process of completing PVG checks for new members to the Commission's Board has not been fully completed. As the Chair will not be given their contact details until checks are finalised, he has been unable to reach out to welcome them. The Scottish Government have given their assurance that this will be expedited as quickly as possible. The Chair suggested that as soon as we can make contact, we try to organise a quick informal introduction on Teams. He added that David and Nichola have kindly offered to act as 'buddies' for our new colleagues so it would be important to organise a time that is suitable for them. The Chair also suggested that he along with JP and AD arrange for the new members to come to Thistle House in order for some initial induction basics to be covered at an early point.

As part of the annual Chair's meeting and in support of ongoing succession planning, the Chair provided an update on committee membership and forthcoming changes to ensure continuity and effective governance. The Board noted the following:

DH has agreed to become Chair of the Audit, Performance and Risk Committee.

NB has agreed to become the sole Chair of the Advisory Committee.

Two Board members have been asked to each become a member of a committee.

In view of David and Cindy's planned departure from the Commission within the next year, the Chair intends to invite each of the new members to join a committee, ensuring sufficient Board representation across key governance areas.

4. Board Self- Assessment

The Chair presented the paper to the Board.

The Chair expressed gratitude for the support of the Board, noting that feedback received had been largely positive. He highlighted the growing momentum of the advisory committee and observed that the feedback reflected ongoing commitment to a strong voice of lived experience. It was acknowledged that the current year represents a necessary 'reset'.

The Chair noted that a key issue raised was the volume of work presented to the Board. He reflected on other committees and suggested the volume of work was less although acknowledged that several policies had had to come to the Board in the past year due to commitment to updating these. The Chair asked about Board members' use of the 30 mins together prior to a meeting and whether the Q&A sessions were used to maximum effect. It was agreed that Board members would reflect and meet again on 5 May to consider further.

In the meantime, the July Q&A session will be dedicated to external risk training, in response to concerns raised by the Board regarding risk management.

NB expressed that it was encouraging to see a shared sense of purpose amongst fellow Board members, providing reassurance that the Board is aligned in working towards common goals. It was acknowledged that previously the board had been asked to be more challenging and robust, and that the results displayed the necessary reflection to deliver this had been taken by all members.

KH agreed but wished to highlight the importance of all individual board members taking responsibility for their own contributions.

KH carried on to suggest that the current comprehensive induction process could be improved upon by considering a performance framework. She noted the importance of being able to report on 'what impact are we having? What do people know about us?'

DH commented that the high quality of papers presented to the board often means there may be no questions required given the detailed analysis provided. He confirmed his confidence that the board would challenge a 'bad' paper. SR agreed that the format of SBAR and paper was allowing clear information to be delivered, reducing the need for questioning. AW continued that it also the case that if one Commission board member asks a question another does not feel the need to ask the same question simply to put it on record that they asked.

CM wished it to be recognised that historically the board had not always been given the necessary information it required, but in recent years, there has been confidence that

information is forthcoming, it is clear, accessible and further questions can be asked where required. CM suggested a meeting in advance of self-assessment reporting next year so that there is context to some of the comments and ratings that arise out of it. The Chair considered this to be a helpful suggestion.

Action: Board members and chair will further discuss the outcome of the 2024-25 self-assessment process on 5 May and agree any further actions required.

5. CEO Update

JP confirmed that Dr John Crichton will take up the post of executive director (medical) on 1 July 2025. She also advised of invitations to two parliamentary committees, one on 1 May (topic is Scottish Parliamentary Corporate Bodies) and the other is 3 June (topic is the Mental Welfare Commission).

JP also advised of the planning arrangements with regards visits to children and young people's units (AW left the meeting at this point given the potential for a conflict of interest).

6. a) Minutes of Board meeting held on 25 February 2025

The minutes were approved as a correct record

b) Action Points

Please see action register for full updates.

7. Advisory Committee

NB updated the Board on the recent Advisory Committee discussion, noting the value of diverse contributions from a broad range of organisations. NB proposed including an action tracker or clear action points in the Committee's minutes to improve accountability and cohesion, given the number of unique actions identified.

NB also reported an offer from Jenny Miller to support discussions on family involvement in care, particularly addressing barriers to raising concerns. In addition, Justina Murray had offered expertise in peer support models. As Chair of the Advisory Committee, NB emphasised the importance of effectively utilising such contributions.

The Chair noted that the Advisory Committee had grown in strength, providing more informed input and becoming more integrated with the organisation's work.

CM added that the Committee could help promote awareness of rights among children and young people. SR agreed.

Action: JON and NB To meet to look at the development of the minutes and action tracker.

NB informed the Board that Malcolm Rodderick had contacted the Commission to request that two additional individuals with lived experience be allowed to join the Advisory Committee.

KH raised the issue of whether the Commission should use an agreed recruitment process for transparency for consideration. NB acknowledged the importance of developing a clear approach to incorporating lived experience into Commission processes. Discussion then centred on the previous plan to bring a paper to the Board in August 2024 to consider different options to ensure voices of experience are stronger within the Committee and the fact that this action remains outstanding. NB agreed and noted her preference to 'tap into' the organisations who sit on the Committee and have access to a broad range of experience via these routes.

JP suggested that the report expected in August 2024 should still be produced as the information is available. NB will pick this up with JON but noted there needs to be budget available. AW suggested modelling work has to be done to identify what this might look like first. KH highlighted the need for effective use of resources, including the website. AD confirmed the website had recently been updated following an accessibility audit however this could be significantly improved.

All agreed that the website is the Commission's 'front window' and investment in this, with a specific children and young person's section, would be welcomed. NB recommended looking at the Young Scot website as a good example.

Action: JON and NB to discuss the information made available to and by the Committee last year and pull together into a report with model recommendations and potential costs.

8.1 Budget Update

JP presented the paper to the Board noting it was the most up to date however was a draft and unaudited.

JP explained the underspend in relation to the IMS project and overspend of DMP fees. She highlighted risk in relation to NI costs which may not be covered in full. The budget letter from Scottish Government is awaited.

JP confirmed that, in the meantime, letters of comfort have been received in relation to future funding of the IMS project with an additional £440k to support work in relation to our 'Hospital is not home' report, EDCs without MHO consent and deaths in detention work.

The Chair thanked JP, noting this budget was overall positive.

AW sought assurance that the Commission will continue to challenge Scottish Government with particular focus on long term stays of people with forensic needs. JP assured that the 'Hospital is not home' report highlighted that there were hidden people and closer working with MHTS hopefully means that they will now raise matters with the Commission more readily particularly where recorded matters have not been followed through.

Action: AW to provide JP with details of matters that the Commission should be aware of.

The Board noted the paper

8.2 Chief Executive Objectives

JP presented the paper to the Board, confirming that some objectives are ongoing from last year. JP explained that it was important to be agile and responsive to matters arising last year and the hope is for more stability and ability to be more strategic this coming business year.

The Board approved the paper.

8.3 Business Plan Progress Report

JON presented the end-of-year progress report for the 2024–2025 period.

JON asked the Board members to discuss and consider the action in relation to attendance at Health and Social Care Partnership (H&SCP) meetings. DH, having previously attended, noted their value and potential impact.

SR noted the value of having board members attend IJB meetings to raise the profile and understanding of the Commission. JP confirmed that the executive team have produced a slide show that board members can use when attending an IJB however it was noted that dates of IJB meetings and diaries of board members proved challenging last year. The Chair and board members agreed to retain this action on the business plan and for board members to volunteer to attend an IJB as per business plan; the executive team will assist re dates etc.

AW confirmed IJBs have Chairs/Vice Chairs meeting twice a year and suggested that this could be an easier way to connect.

Action: Board members to advise SG if they are willing to attend and IJB prior to end March 2026.

AW to provide JP with contact details for Chairs/vice Chairs meeting as an alternative route into IJBs.

AW asked about the rationale behind using health boards for end of year meetings and whether an individual approach might be more effective. CL clarified that meetings can be conducted either jointly (e.g. Glasgow, one meeting of HB and all HSCPs) or separately (e.g. x3 Ayrshire meetings), depending on preference. All HSCPs are asked what their preference is before the Commission plans meeting dates.

NB suggested consideration of presentations to Community Planning Partnerships as well as IJBs. Whilst the partnerships were noted to be helpful collaboratives, it was agreed that the Commission's key strategic partnership is with IJBs and we should aim to commit to this (noting only one meeting went ahead last year).

CM requested clarification on how places were allocated within the Engagement and Participation Team, specifically in relation to maintaining equity and the inclusion of children and young people (CYP). CL explained that four team members each conduct 10–12 visits each year. Allocation is monitored through a visit tracker to ensure equitable distribution.

CM also asked about the progress of the timeline for recruitment training. AD confirmed that development of the LearnPro module is underway. CM acknowledged the reasons for delay but suggested interim arrangements need to be put in place pending completion. JP agreed to consider whether a presentation from HR could be delivered meantime.

Action: JP/AD to consider an interim action to support recruitment training pending completion of Learnpro.

8.4 Strategic Plan Proposal

JON presented the Strategic Plan and confirmed that a briefing note would be issued to stakeholders between May and June. As discussions around the Business Plan and Strategic Plan had begun to overlap, SR proposed an additional Board meeting in August focused solely on the Strategic Plan. It was agreed that the August Board meeting would be extended to a full-day session to facilitate. JON asked the Board to approve the timeline.

Action: SG to extend Aug Board meeting to all day

The Board approved the timeline

8.5 CQC Report

JON presented the paper assessing the Mental Welfare Commission (MWC) against areas of criticism identified in the Care Quality Commission (CQC) review, positioning it as a proactive health check on the MWC. DH welcomed the approach and expressed satisfaction with the outcomes.

CM asked whether a written procedure exists for escalations, suggesting that documenting this process would provide Commission staff with a clear reference on thresholds. JON confirmed this process could be incorporated into the current drafting of the visits Standard Operating Procedure (SOPs).

Action: CL to draft a written escalation process for Commission staff to ensure consistency of approach to raising and addressing significant concerns.

The Board approved the paper.

8.6 Communications Plan

JP presented the update on behalf of AD, confirming that the new Communications Manager, Joslyn Ngu, had joined in February. Drawing on her experience in social media, she is currently reviewing the suitability of all social media platforms.

CM acknowledged that the Children and Young People (CYP) Strategy is integrated into the overall strategy but raised a question about how people access the Commission's information and how that access is being tracked. It was noted that the website is a key component of the Commission's communications strategy as referred to previously.

NB added that members of the Advisory Committee may have useful suggestions for improving the website with minimal investment and proposed including links to relevant external organisations, such as the Children's Commissioner. NB also noted difficulty in locating information on the 'Advisory Committee' via the site's search function.

KH suggested that if the Commission does not have the necessary in-house expertise, the most effective approach would be to put the work out to tender.

The Board approved the plan

8.7 Travel & Subsistence Policy

AD presented the paper, noting that it had been extensively reviewed by the Executive Leadership Team (ELT), and was informed by external advice and comparison with other organisations. A letter had been sent to HMRC, with a response expected by the end of May. Finance Manager EH had also sought guidance from her professional body.

DH asked whether there had been any changes in approach; AD confirmed that no changes had been made.

CM queried whether the work on the Lone Working Policy could be aligned with the issues raised in the paper, specifically regarding late travel to train stations.

The Board approved the paper.

8.8 MWC and SAMH Visits Programme

JP presented the paper on behalf of CL, confirming that the Commission is exploring the use of Peer Support Workers to accompany MWC staff on visits. CM noted that this initiative offers additional engagement opportunities for both organisations.

The pilot programme will be developed over the next six months and will require to consider information sharing arrangements with advice from the Information governance manager, DPIA and IIA. NB asked whether the delay of 6 months applied solely to the Commission or if SAMH had further responsibilities to complete. JP confirmed that SAMH workers have received the necessary training and volunteers have been identified. There are however governance arrangements within the Commission that must be respected.

JP further confirmed that the outline costs—£200 per day or £50,000 for a full time Peer Support Worker—are specific to the pilot phase. NB suggested that these costs are entirely reasonable; JP however confirmed there is no additional budget for this work and monies would require to be from core. If successful, the model may inform the development of a programme similar to the Commission previous visitor arrangements. Any extension would require an open tender process and budget.

The Board approved the paper

8.9 Closure Reports – Investigations

SM explained that the closure reports presented today in respect of AB (2023) and Mr TU (2023) are the Commission's first closure reports relating to the Deaths in Detention/Mental Health Homicides Project.

SM carried on to say that the publication of closure reports ensures evidence of action taken in response to recommendations made by the Commission and is evidence of how the Commission's work can lead to changes in practice.

KH asked how lessons learned are communicated to child protection agencies. SM confirmed that the reports are shared with all stakeholders across HSCPs and discussions take place at end of year meetings regarding the governance routes our reports have followed.

The Board approved the paper

8.10 IMS Project

SM presented the paper to the Board, confirming that project delivery had been agreed. The supplier, CDS, had identified the need for additional developers as part of their internal governance process. A slight increase in the revised budget was noted.

AD is now attending contract meetings alongside EH, as this responsibility falls within AD's remit.

*Discussion on the topic was concluded early due to a fire alarm and subsequent evacuation of the building.

The Board noted the paper for information.

9.1 Staff Event Evaluation Report (event held 1 April 2025)

JON presented the paper to the Board for information.

NB sought clarification on how feedback would be provided to staff. JP confirmed that staff had already received the report and that this aligns with AD's ongoing work on the Commission's Organisational Development (OD) plan and future consultation on this.

JP said that there is clearly a desire for more opportunities for staff to come together and thought is being given to this within the next 6 months.

10. Board Agenda Planning

A further two investigation closure reports will be added to the next Board agenda.

11. Next Board meeting – Tuesday 24 June 2025 (Via Teams)