

REPORT TO THE TRUST BOARD: PUBLIC
6 June 2019

Title	Mental Health Committee 6 June 2019 – Chair’s Report
Committee Chair	Jenny Kay, Committee Chair
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Purpose of the report

To bring to the Board’s attention key issues and assurances discussed at the Mental Health Committee meeting held on 6 June 2019.

Issues to be brought to Board’s attention

The following key items and assurances were considered by the Committee at its meeting on 6 June 2019:

- **AHM Appointments & Terminations:** Five new appointments have been made in East London; there have been no termination of appointment since the meeting in February 2019.
- **Mental Health Law Department:** The Committee received an update on the changes to improve support to AHMs from the Mental Health Law Department. The aim is improve communication and support by developing a central hub in Tower Hamlets by December 2019. Full hearings will continue to take place on the site where the patient is based and onsite support will be provided by a member of the Mental Health Law Department. The intention is to move towards a paperless process. The Committee agreed that two AHMs will be co-opted on the team designing the new office and support arrangements.
- **Learning from Experience:** AHMs shared feedback on their experience in the role in particular with regards to paper reviews, adjournments and the completion of electronic decision forms.
- **Mental Capacity (Amendment) Act 2019 Update:** The Committee noted:
 - The amended Act will not come into force yet. Regulations and a Code of Practice need to be developed
 - Deprivation of Liberty Safeguards (DoLS) will be replaced by Liberty Protection Safeguards (LPSs)
 - Key differences between the DoLS and LPS included:
 - DoLS only apply to people in hospital, residential or nursing homes. LPS will additionally apply to those living in supported accommodation and their own home
 - LPS will be transferable between clinical sites
 - The minimum age will be 16 for LPS (18 formerly under DoLS)
 - The maximum time for which a LPS will apply is one year in the first instance and three years for renewals
 - ELFT will authorise LPS whereas previously the Trust had to apply to the local authority for DoLS.

- **Code of Practice 38.9 Reappointment Process:** A group discussion exercise considered how the Trust should conduct its reappointment process for AHMs that would be effective and beneficial to both AHMs and the Trust, taking account of the time and resources available. A draft process taking account of the discussions will be presented at the next MHA Committee meeting.
- **AHM Training Needs:** The Committee noted that a review of the training requirements for AHMs was being undertaken with HR; this review will also take account of a system for communicating with AHMs with regards to matters such as DBS and payslips.
- **Mental Health Act Annual Report 2018/19:** The Committee considered the draft report which provides information and assurance on the Mental Health Law functions within the Trust. It was agreed that the report would be amended to take account of the feedback from the Committee including a section on governance arrangements, i.e. the role of the Quality Assurance and Mental Health Act Committees.