Mental Health Act Annual Statement October 2009

North Bristol NHS Trust
Riverside Unit

Introduction
The Care Quality Commission (CQC) visits all places where patients are detained under the Mental Health Act 1983. Mental Health Act Commissioners meet and talk with detained patients in private and also talk with staff and managers about how services are provided. As part of the routine visit programme information is recorded relating to:

- Basic factual details for each ward visited, including function, bed occupancy, staffing, and the age range, ethnicity and gender of detained patients.

- Ward environment and culture, including physical environment, patient privacy and dignity, safety, choice/access to services/therapies, physical health checks, food, and staff/patient interaction.

- Issues raised by patients and patient views of the service provided, from both private conversations with detained patients and any other patient contacts made during the course of the visit.

- Legal and other statutory matters, including the scrutiny of Mental Health Act documentation, adherence to the Code of Practice, systems that support the operation of the Act and records relating to the care and treatment of detained patients.

At the end of each visit a “feedback summary” is issued to the provider identifying any areas requiring attention. The summary may also include observations about service developments and/or good practice. Areas requiring attention are listed and the provider is asked to respond stating what action has been taken. The response is assessed and followed up if further information is required. The information is used by CQC when verifying the NHS Health Check and making decisions about the inspection programme in both the NHS and Independent Sector. In future years it will be used to inform the registration decisions.

Riverside Unit was visited on 27 June during 2009.

Background
North Bristol NHS Trust is a specialist acute Trust mainly providing care from two large acute Hospitals (Frenchay and Southmead). The Trust also manages a specialist child and adolescent inpatient unit, The Riverside Unit, which is situated at Blackberry Hill Hospital. It is that service which is the focus of this Annual Statement.
The Riverside Unit can accommodate up to 10 young people for inpatient care, anyone of whom may be detained under the Mental Health Act 1983.

This Annual Statement draws on findings from the visits by the Mental Health Act Commissioners both under the auspices of the Mental Health Act Commission (MHAC) and those, which took place after 1 April 2009 when the functions of the MHAC were absorbed by the CQC.

The Annual Statement provides an overview of the main findings from visiting, highlighting any matters for further attention and/or areas of best practice. It is published on the CQC website, together with other publications relating to individual mental health providers.

**Main findings**
Relations between Mental Health Act Commissioners and senior managers of the Trust have remained constructive throughout the reporting period. The Board received the final Annual Report of the MHAC in 2008 positively and an energetic action plan was published. This has been monitored by Mental Health Act Commissioners on their visits during the reporting period and considerable progress noted in a number of areas. In particular the CQC was pleased and reassured to note the Trust takes issues of concern raised by Mental Health Act Commissioners on visits very seriously and clear action plans are immediately put into place. The main areas of concern, which have required improvements, are around Section 132 and Section 58. These have been of concern in previous years and it is reassuring to report that the Trust is attempting to continue to vigorously address this aspect of service delivery.

In June 2009 the Mental Health Act Commissioner for the Trust, Vincent Alexander, visited the Riverside Unit on an announced visit and met with members of staff on duty. One the day of the visit there were no detained patients under the care of the unit.

**Mental Health Act and Code of Practice**
The following points highlight those Mental Health Act issues raised by Mental Health Act Commissioners on visits. The detailed evidence to support them has already been shared with the provider and is not rehearsed here.

**Detention**
The Mental Health Act Commissioner was impressed with the diligence of the Mental Health Act Managers in ensuring that all detentions are lawful. On the rare occasions where errors have been found, they have quickly been corrected and steps taken to ensure that they are not repeated.

**Section 58**
Responsible Clinicians will need to continue to ensure good practise is maintained in recording assessments of capacity when negotiating consent to treatment. They will also need to ensure that they have informed the patients concerned were applicable, the outcome following the visit of a Second Opinion Appointed Doctor (SOAD).
Section 132
The Riverside Unit has devised an improved format of recording and providing information under Section 132 of the Mental Health Act and this is evidenced in the patient care plans.

Other Issues raised from Mental Health Act Visiting Activity

Care Programme Approach (CPA)/ Section 117
The quality and detail of care plans is impressive, as is the linkage between care planning and risk assessment/risk management process.

Staffing
Communication between staff and patients on the day of the visit was observed to be good and the Mental Health Act Commissioner noted that there was a positive multidisciplinary team approach in operation.

The CQC notes from previous Annual Reports that the small pool of available bank staff at its disposal in this area may present potential difficulties and the Trust is requested to ensure that this area is under constant review to ensure appropriate staff cover can be provided at times of increased workload.

Environmental and Organisational Matters
The Riverside Unit, following a series of upgrades now provides a special care area in operation to nurse young people considered to be challenging and/or at particular risk. The Mental Health Act Commissioner was concerned to note at the time of the most recent visit by the CQC, there were no protocols or guidelines available on the use of this facility. The Trust is also advised to carry out a robust ligature risk assessment on this facility as the Mental Health Act Commissioner highlighted on the day of the most recent visit the load bearing design of the window handles within the high care area.

Patient Care and Treatment
The CQC is pleased to note during the course of all of the most recent visits, patients, both detained and those of informal status are always complimentary of the positive multidisciplinary care afforded to them.

Recommendation for Action
The Trust is asked to ensure that whilst detained patients cared for on the unit is a rarity, nursing and medical team members will need to continue to ensure that their knowledge and skills on all aspects of the revised Mental Health Act and Code of Practice and in particular Part IV of the Mental Health Act are maintained through appropriate training and development.

Forward Plan

- Mental Health Act Commissioners will continue to visit the Riverside Unit in the coming year/s to monitor the operation of the Mental Health Act and to meet with detained patients in private.
• Mental Health Act Commissioners will work with other colleagues within the CQC to develop an integrated approach to the regulation of the Trust’s services.

• During the coming years CQC plans to meet with the senior management team and staff to review progress on the issues raised in this report.