

# SASW Mental Health Officer Conference

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Chief Executive

Mental Welfare Commission for Scotland 23.2.22.



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We are an independent organisation.

We protect and promote the human rights of people with mental illness, learning disabilities, dementia and related conditions.

# National Preventive Mechanism (NPM)



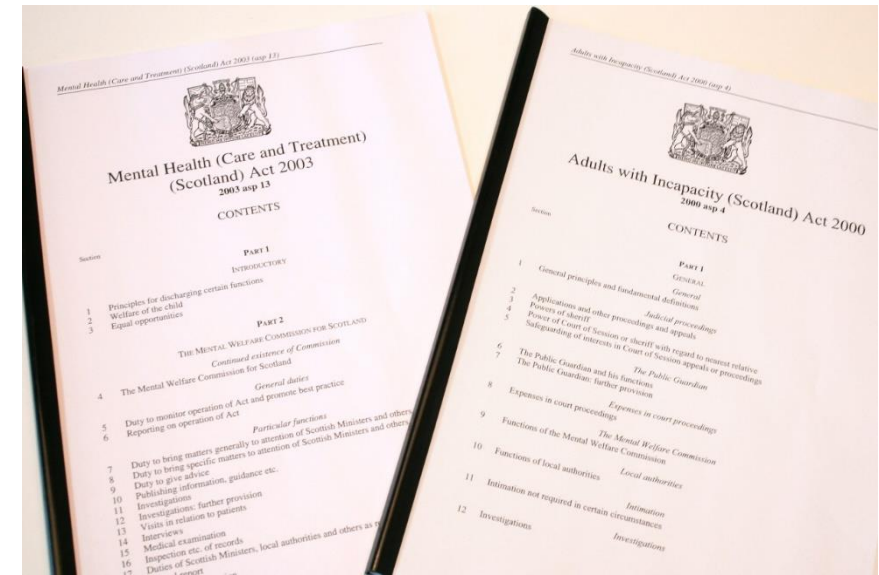


# Thistle House, Edinburgh



# 3 Acts

- Mental Health Act 2003
- Adults with Incapacity Act 2000
- Adult Support & Protection Act 2007



# 5 key areas of our work



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- Visiting people
- Monitoring the Acts
- Investigations & enquiries
- Information and advice
- Influencing and challenging

# Visiting

- Local visits to specific services
- National themed visits
- Visits to people subject to guardianship orders





# Themed Visiting 2021



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## Authority To Discharge

- Sampled 457 cases where people who lacked capacity moved from hospital to a care home.
- 11 recommendations

## Cornton Vale

- 9 women
- 7 recommendations

## AWI & ARBD

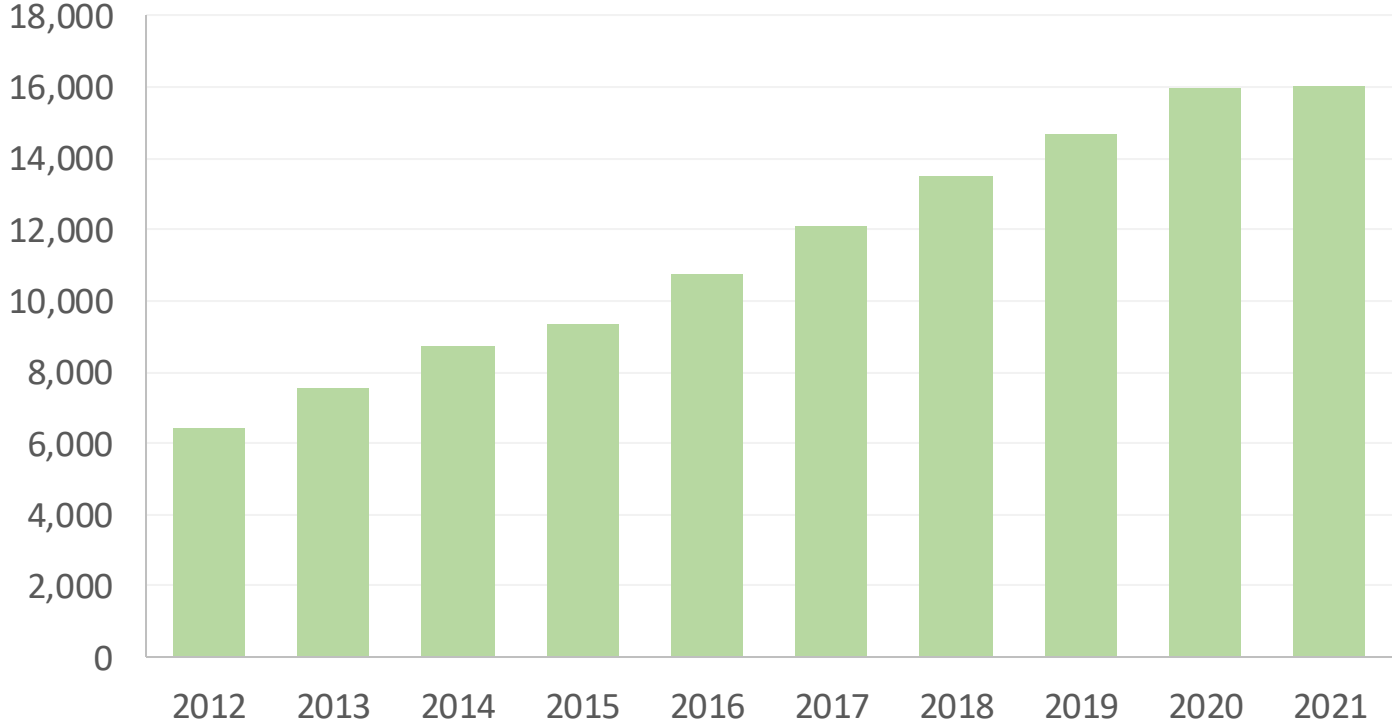
- Met with 50 people
- 4 recommendations

# Monitoring the Acts (AWI)

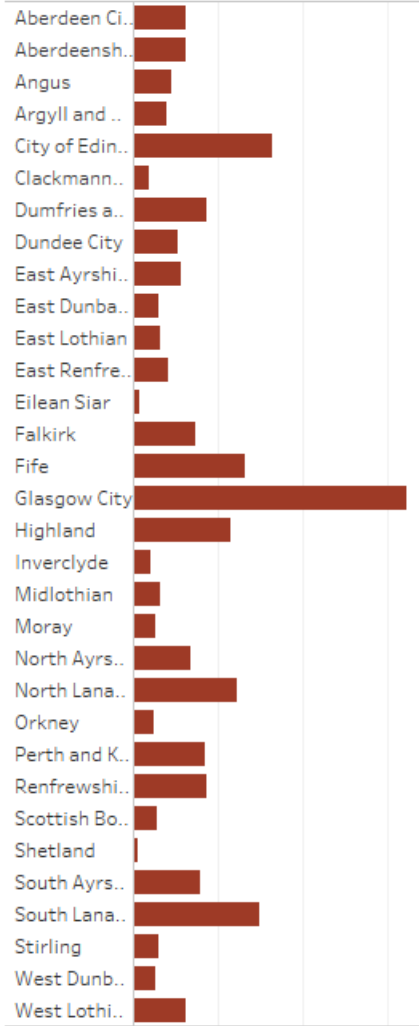


- There were 16,033 individuals subject to a guardianship order on 31 March 2021, compared to 15,973 in 2020.
- A total of 2,194 guardianship orders were granted in 2020-21, which was 30% fewer than in 2019-20.
- Of all granted guardianship orders, 91% were new orders compared to 78% in 2019-20. This increase follows from a consistent downward trend in new orders since 2011-12.

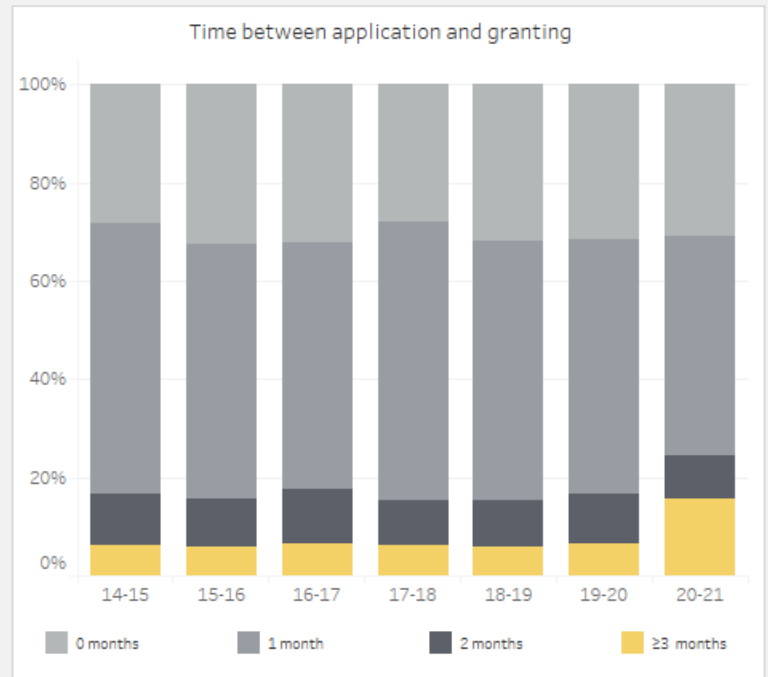
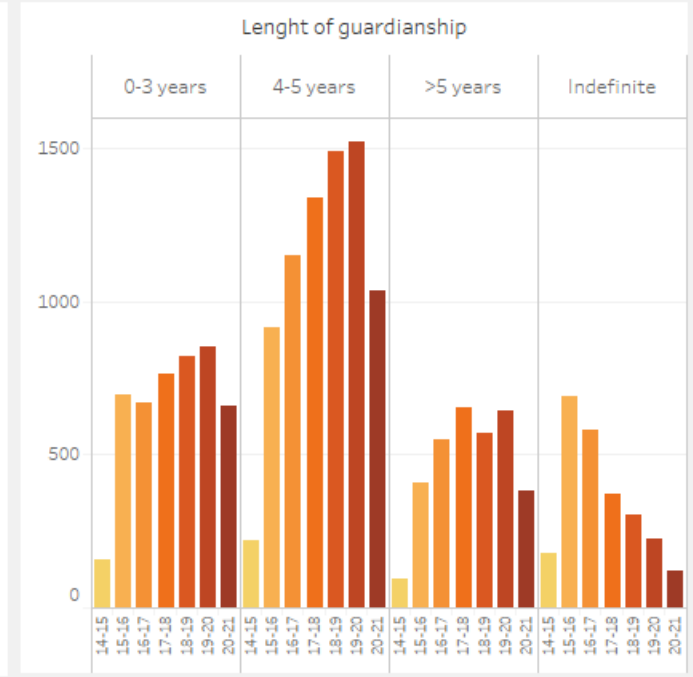
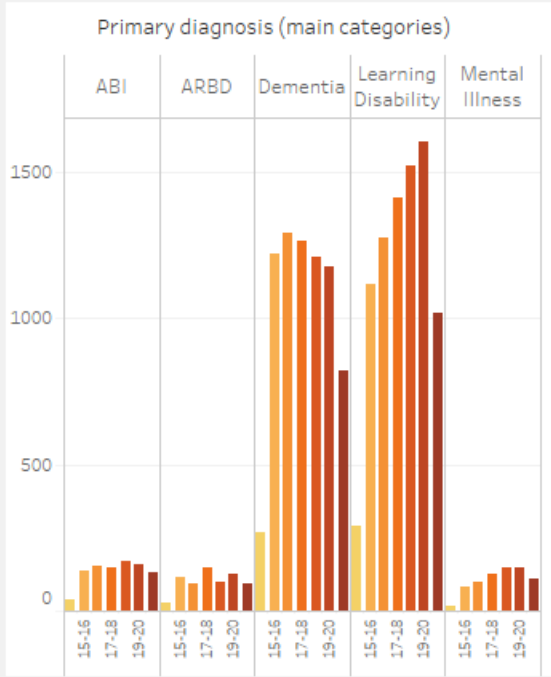
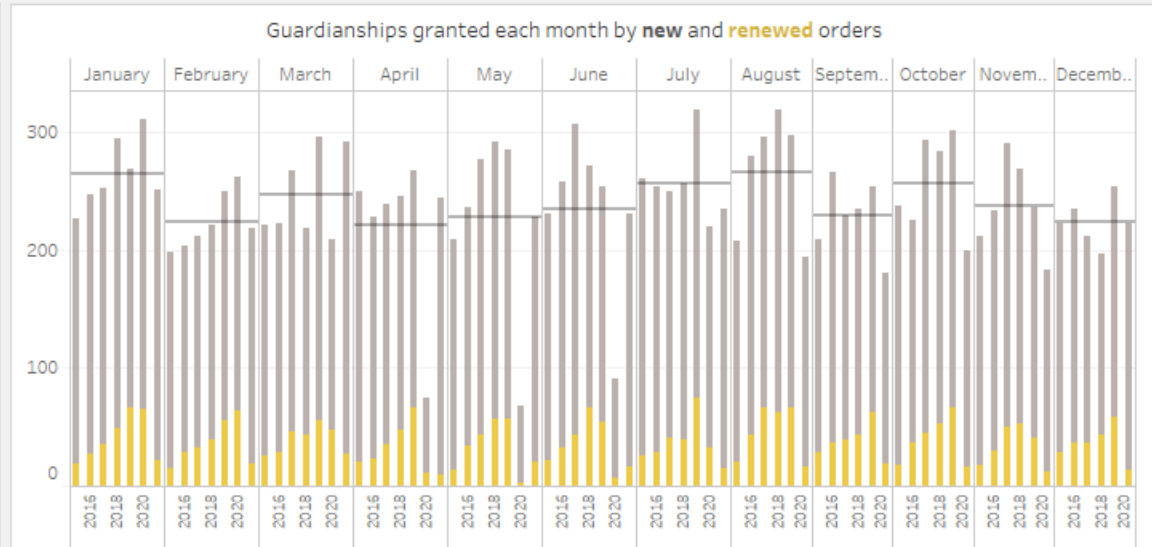
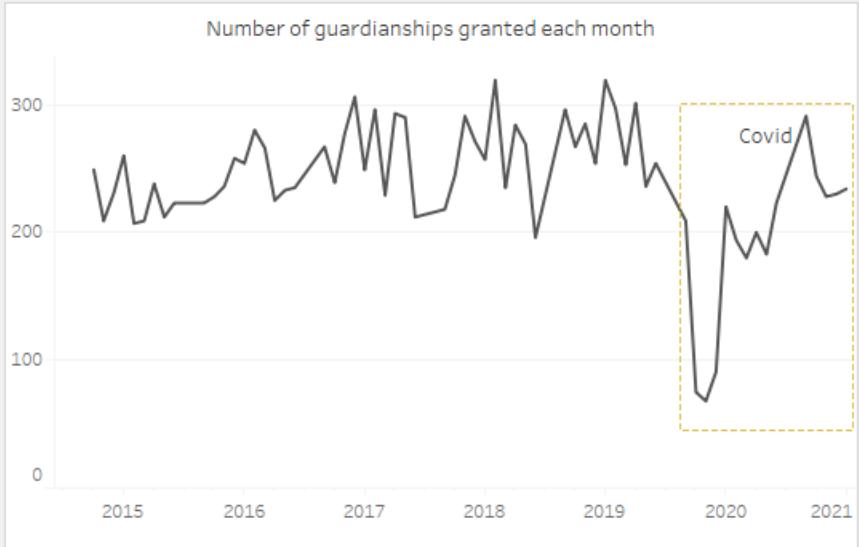
# Guardianship Orders Increasing Year on Year



### Granted guardianships by Local Authority



# Granted guardianship applications



Data on this dashboard relates to guardianships with an approval date between 1 March and 31 December.  
 Last update was on 8 February 2021.

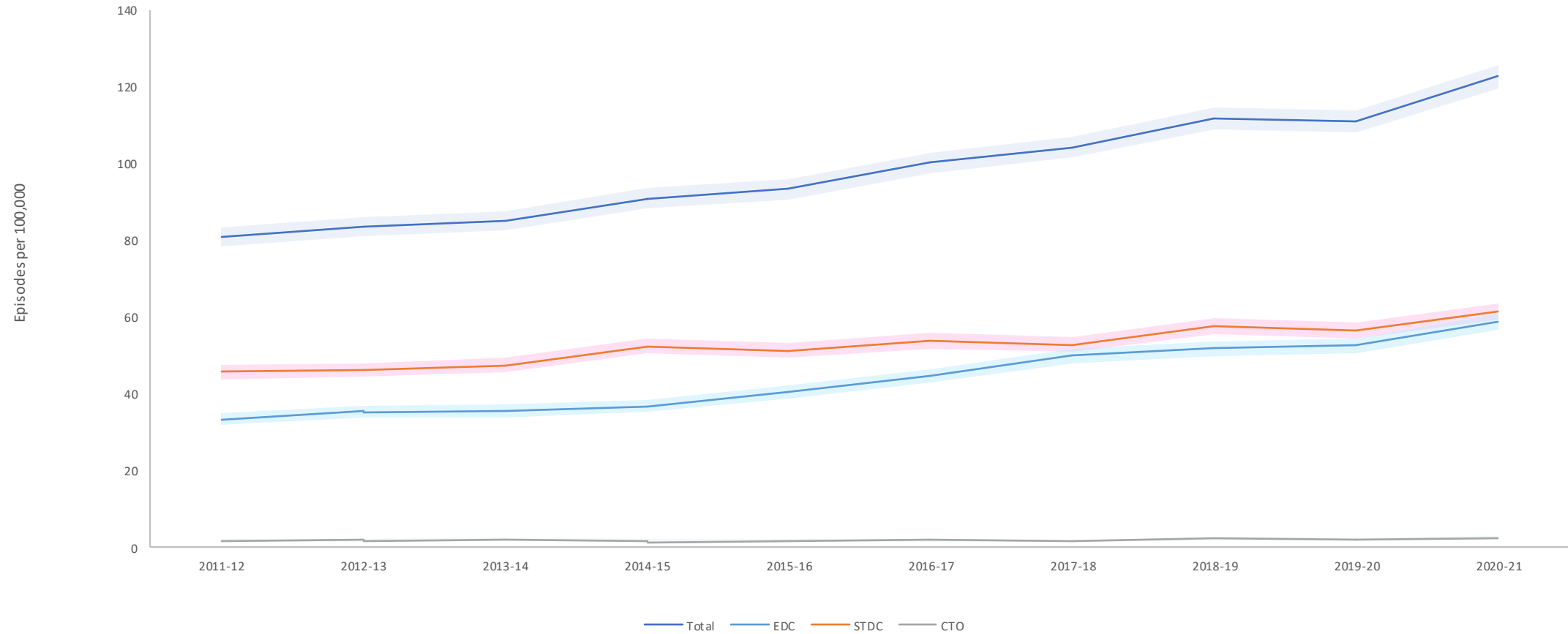
# Monitoring the Acts (MH Act)



- A total of 6,699 detention episodes began in 2020-21, which was 10.5% more than in 2019-20 and higher than the average year-on-year increase in the previous years of 4.5%.
- Half of all episodes began with a short term detention certificate (STDC), 48.0% with an emergency detention certificate (EDC) and 2.0% with a compulsory treatment order (CTO) or an interim compulsory treatment order (iCTO).
- The proportion of individuals from an ethnic minority group (Asian, African, Caribbean or Black, Other, or Mixed) in the general population is 4%. Of detention orders that took place in 2020-21, the proportion who were from these groups was 6.0% for EDCs, 7.4% for STDCs, and 7.6% for CTOs.



# Detentions Increasing Year on Year



# Investigations & Enquiries

- Pick up issues - visits, correspondence, advice line calls.
- Make further enquiries if we feel we need more information.
- Receive notifications and examine reports on serious accidents and incidents.
- We have become involved in a growing number of judicial review processes in the last 12 months as a result of concerns raised.
- Lessons learned report due spring 2022.





Scottish Government  
Riaghaltas na h-Alba  
gov.scot

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Chair, Professor Craig White  
2018

investigating the deaths  
of patients being treated  
for mental disorder

The Scottish Government will ask the Mental Welfare Commission for Scotland to develop a system for investigating all deaths of patients who, at the time of their death, were subject to an order under either the Mental Health (Care and Treatment)(Scotland) Act 2003 or part VI of the Criminal Procedure (Scotland) Act 1995 ....



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# More and More Engagement



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- Prison Themed Visit: March 2022
- Lessons Learned Report: spring 2022
- Dual Diagnosis Themed Visit: July 2022

# Working Together to Make Progress



- Take up of Advance statements
- Completion of SCRs
- MHO consent to EDCs
- Guardianship and allocation
- Back to back STDCs

The true measure of any society  
can be found in how it treats its  
most vulnerable members

Thank you mental health  
officers



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**Advice line: 0800 389 6809**

**Email: [mwc.enquiries@nhs.scot](mailto:mwc.enquiries@nhs.scot)**

**[www.mwscot.org.uk](http://www.mwscot.org.uk)**