

## DUNDEE CITY COUNCIL

**REPORT TO:** SOCIAL WORK AND HEALTH COMMITTEE - 1ST JULY 2009

**REPORT ON:** ELECTRONIC SUBMISSIONS OF MHO APPLICATIONS TO THE MENTAL HEALTH TRIBUNAL FOR SCOTLAND (MHTS)

**REPORT BY:** DIRECTOR OF SOCIAL WORK

**REPORT NO:** 294-2009

### 1.0 PURPOSE OF REPORT

The purpose of this report is for information and:-

- 1.1 To advise members of the statutory responsibility of Mental Health Officers on behalf of the local authority to ensure applications under the Mental Health (Care & Treatment) (Scotland) Act 2003 are received by the MHTS within timescales set by statute.
- 1.2 To advise members of the agreement Dundee City Social Work Department has with NHS Tayside to submit the applications electronically on our behalf which results in speedy and efficient delivery.

### 2.0 RECOMMENDATIONS

That the Social Work and Health Committee:-

- 2.1 Approves the arrangement with NHS Tayside Mental Health Act Administration Service to email via a secure network applications under the Mental Health (Care & Treatment) (Scotland) Act 2003 on behalf of Dundee City Council.

### 3.0 FINANCIAL IMPLICATIONS

None.

### 4.0 MAIN TEXT

- 4.1 The Mental Health (Care and Treatment) (Scotland) Act 2003 **Section 63** places a **duty** on the Mental Health Officer to make an application for a Compulsory Treatment Order. The application must be accompanied by two Mental Health Reports, the MHO report and the proposed Care Plan. Since the introduction of the Act there have been plans for applications to be made electronically. On this basis there have been two pilots in West Lothian Council and East Renfrewshire Council.
- 4.2 In December 2007 during the postal strike the Mental Health Tribunal Service gave applicants with access to secure E-mail systems the option of lodging reports by secure E-mail. Dundee, through the Centralised Mental Health Act Administration Service at Carseview Centre, Ninewells Hospital adopted this method and have continued to do so with great success. All applications have been received on time at the Mental Health Tribunal Service. This method has also been used to forward all Mental Health Act paperwork including renewal requests as well as revocations of orders which are a Responsible Medical Officer's duty to submit.
- 4.3 In other areas there have been technical difficulties with the electronic submissions, but these have been around the electronic signatures and the capacity of computer systems to cope with the size of applications. These are sent by organisations at quiet times during the night and therefore applications are often a day late. However, the NHS Tayside system does not have these issues as the NHS net has adequate capacity and only fully completed and signed documentation is scanned into the secure E-mail system and then sent making the application a method of posting rather than the full electronic application being considered by the other two pilots.

4.4 Dundee has been working in partnership with NHS Tayside and the Mental Health Services, presently through the Clinical Support Services which manages the centralised Mental Health Act Administration Service currently at Carseview Centre, for well over 20 years in managing the applications for formal admissions to psychiatric hospitals. This cooperation and joint working enables a smooth organisation of an application with medical reports being available on time and applications being coordinated and lodged within statutory timescales.

4.5 The benefits of this arrangement is that:

- The Medical Administrative staff receive contact from the RMO that an application is to be made.
- Medical Administrative staff give advanced warning to the MHO Services that an application is being commenced.
- They then contact the appropriate doctor to provide the second mental health report.
- They advise the MHO when both reports are ready.
- When the MHO returns the application and both mental health reports to Carseview, it is scanned into their computer and E-mailed directly to the MHTS. A confirmation receipt is then E-mailed back to Carseview at which point any application / renewal is considered as lodged.
- The Mental Health Administration Service also contact the MHOs when review forms or other forms are requiring MHO input.
- Carseview also provides the venue for MHTS hearings and the administration around the hearings given the majority of Hearings are for people who are already in hospital.

## **5.0 POLICY IMPLICATIONS**

This Report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management.

There are no major issues.

## **6.0 CONSULTATIONS**

The Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance have been consulted in preparation of this report. In addition there has been consultation with NHS Tayside Mental Health Administration Service and Dundee City Council's MHO Service.

## **7.0 BACKGROUND PAPERS**

None.

Alan G Baird  
Director of Social Work

DATE: 15 May 2009