

## **DUNDEE CITY COUNCIL**

**REPORT TO:** Social Work and Health Committee – 13 August 2007

**REPORT ON:** Mental Health Officer Service

**REPORT BY:** Director of Social Work and Assistant Chief Executive (Management)

**REPORT NO:** 361-2007

### **1.0 PURPOSE OF THE REPORT**

1.1 The purpose of this report is to highlight recent developments and service requirements in ensuring the Council is able to meet its statutory duties under the Mental Health (Scotland) Act 2003.

### **2.0 RECOMMENDATIONS**

It is recommended that the Committee:-

2.1 Notes the content of the report and agrees the proposal in 6.5.

2.2 Remit the Director of Social Work and Assistant Chief Executive (Management) to progress staffing implications.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 The cost of implementing the recommendations in this report will be £21,900 in 2007/08 and £52,500 in a full financial year. This will be met from the existing Social Work Department revenue budget.

### **4.0 SUSTAINABILITY POLICY IMPLICATIONS**

4.1 Funding for the additional post of Mental Health Officer and for allowances for MHO's on the rota will be met from existing revenue budgets on a recurring basis. In addition the statutory duties required to be met and the demands on the role of MHOs are likely to increase.

### **5.0 EQUAL OPPORTUNITIES IMPLICATIONS**

5.1 The recommendations above ensure that the establishment of one MHO post and the proposed remuneration for existing MHOs and future MHOs fits within the strategic workforce development framework and therefore meets with equal opportunities. This also ensures that the Social Work Department provides an equitable service that protects and improves the lives of local citizens with mental health problems who come under the terms of the Act regardless of race, gender and/or disability.

### **6.0 MAIN TEXT**

- 6.1 Report to Committee in July 2005 (No. 354-2005) proposed the establishment of a full time Mental Health Officer (MHO) team to enhance the Social Work Department's ability to respond to statutory obligations contained within the Mental Health (Care and Treatment) (Scotland) Act 2003, which was implemented in October 2005. The Act imposed new and extended duties on local authorities and in particular requires local authorities to appoint a sufficient number of Mental Health Officers (MHOs) in relation to compulsory measures of care and treatment under -
- (a) The Mental Health (Care and Treatment) (Scotland) Act 2003
  - (b) The Criminal Procedure (Scotland) Act 1995; and
  - (c) The Adults with Incapacity (Scotland) Act 2000
- 6.2 The Act further provides that a local authority shall appoint 'only persons who are officers of a local authority, and who satisfy such requirements as the Scottish Ministers may direct as to registration, education and training, experience, competence, and any other matters which may be specified in the directions' (Section 32 [2]). MHO training and qualification is restricted to social workers qualified for a minimum of two years.
- 6.3 MHOs on the rota (other than MHOs in the dedicated team) work in substantive posts in social work teams across the Department, and participation in the duty rota involves them in carrying out work over and above their normal workload, thus impinging on their non-working time. In recognition of this Committee (report no. 354-2005) approved an MHO allowance of £680 per annum which was to replace the interim payment scheme approved by the Personnel Committee in November 2003 (equivalent of two additional increments). However, further monitoring and review of MHO activities was required. The dedicated MHO Team of one Senior MHO and 4 full time posts (equivalent) was established and is now fully staffed.
- 6.4 13 MHOs actively contribute to the MHO rota. Nine of these are basic grade workers working in community care fieldwork teams and criminal justice services. These staff currently receive the interim payment of an additional two increments. A further four are from the dedicated MHO Team who are graded at senior practitioner level. In addition there are 4 Senior Social Workers (Senior MHO, Learning Disabilities, CMHTs and CJS) who are not on the rota but help out with the demand. There are also 2 MHOs in the OOHS team, although only 1 is practising - the other is a co-ordinator. The following MHO qualified staff do not practise as MHOs on a regular basis but are willing to help out if necessary: Senior Officer (Business & Quality Manager), Senior Officer (Mental Health).
- 6.5 The proposal is to enhance the model of MHO service ensuring effective service delivery and response to statutory duties. The frequency of MHOs being on the rota would shift from once in every six weeks to once in every ten to twelve weeks with back up from the MHO Team. This proposal would increase the MHO Team by 1 full time MHO which would increase the capacity of the team to respond to the longer term MHO requirements under the Act and lessen the pressure for MHOs on the Rota and their individual teams. In addition it would commit to maintaining the current payment arrangements for existing MHOs and those currently in training for a period of three years after which they would receive a payment of £750 per annum. New MHOs embarking on training from now on would be remunerated with an additional payment of £750 per year. There would still be an incentive for MHOs in fieldwork teams to apply for senior practitioner posts.

## 7.0 MHO ACTIVITY

- 7.1 In the year April 2006 - March 2007 Dundee had the highest number of Compulsory Treatment Orders (Long Term Detentions) in Tayside per 1,000 head of population (Dundee 47 per head, Perth and Kinross 45 per head, Angus 18 per head). In addition Table 1 below shows the level of **new** activity in Dundee between 31 March 2006 and April 2007. It excludes the number of renewals undertaken.

*Table 1 new MHO activity in 2006/07*

Emergency Detention Orders	65
Short Term Detention Orders	127
Interim Compulsory Treatment Orders	26
Compulsory Treatment Orders	57
Compulsory Orders (Court)	16

- 7.2 In addition to the above Scottish Executive Guidance is expected later in the year requiring Local Authorities (MHOs) to ensure that reviews and Mental Health Tribunal Hearings are held for every person who has been detained for 2 years who has not had a Hearing. Work is in progress to quantify anticipated activity.

## 8.0 Summary

- 8.1 An appraisal of the Mental Health Officer Service was undertaken, taking account of statutory duties and human resource considerations. This proposal provides the best overall benefit to mental health service delivery and provides the best consistency with the Social Work Department's structure for qualified social work staff.

## 9.0 Consultation

- 9.1 The Chief Executive, the Assistant Chief Executive (Management), the Depute Chief Executive (Finance), the Depute Chief Executive Support Services and Trade Unions have all been consulted in the preparation of this report.

Alan G Baird  
Director of Social Work

Date: 03 August 2007

Jim Petrie  
Assistant Chief Executive  
(Management)

Date: 03 August 2007