

Appendix 3

COVID19 PROCEDURES FOR REMOTE LAY MANAGER HEARINGS – APPEALS & RENEWALS

1. Panels will be booked in the usual way by the MHLA i.e. contacted by preferred mode of contact.
2. Lay Managers accepting a remote hearing booking are automatically confirming they will be conducting the hearing in an environment which does not breach confidentiality in any way.
3. The MHLA will set up the hearing on Microsoft Teams and invite all participants as guests to the hearing at the point of confirming the date.
4. MHLAs will send out the confirmation for the Lay Manager hearing to Lay Managers in the usual way via email to their personal email address and the panel is expected to put this date in their diary. Papers and the MS Teams invite will be emailed to nhs.net accounts of Lay Managers by 4pm the day before the hearing.
5. Lay Managers are asked to confirm receipt of the papers and invite and confirm they can open all documents.
6. If solicitors require access to patient's records, they should be directed to Head of Care Records XXX XXXX.
7. The hearing times will be convened in the same way as usual e.g. 10am for 10.30am start to allow the panel the usual ½ hour reading and discussion time.
8. Please ensure that the 30 minutes is used in the same way as a physical hearing. The ½ hour reading time should be used to confirm:
 - Who will chair – should be decided in the usual way
 - Have the statutory documents been checked
 - Who has read the reports – any issues / questions
 - Who is attending the hearing – confirm with MHLA
 - Agree with the MHLA whether the panel wish them to stay for the ½ hour or how they will be contactable
 - Ensure participants panel is open and be aware of who is joining the meeting and if they join early, they should be asked to leave and indicate the time they should return
 - Each member of panel's view on screen is appropriate – lighting/background/face not too close to screen – Chair to lead on this
9. If professionals are attending, the panel must hear their evidence as they would in a face to face hearing. A decision without hearing evidence can only be made if no professionals attend the MS Teams hearing.
10. The Chair should confirm with those present that the chat function on MS Teams is not used during the hearing to ensure transparency and equity for all in attendance.
11. The Chair is responsible for managing confidentiality during the hearing and to pause hearing if any concerns – for example other people entering the hearing.

12. Panel members to ensure that the patient is the focus of the hearing as it is “their” hearing.
13. The Chair must confirm with the patient and professionals (in attendance) whether they will be returning to the hearing for the decision.
14. If professionals / patient plan to return, a time should be given to avoid any breaches of confidentiality.
15. If no-one plans to return, then the decision may be given to the MHL office to relay to the clinical team.
16. The usual decision making process following CoP guidance applies.
17. The Decision form at the end of the hearing will be completed on screen by the Chair and emailed back to the MHLA from their nhs.net account.
18. The MHLA will keep a copy of the email with the decision form.
19. Once the decision form has been submitted to the MHLA, all 3 of the panel members **must delete all emails containing the documents pertaining to the hearing; delete all deleted items; and shred / destroy any written notes made in reference to the hearing.**
20. The submission email will act in place of a signature if no electronic signature is available.
21. These procedures will remain in place during the COVID19 period and are liable to change based on government guidance.
22. They will be formally reviewed for continuing suitability as appropriate.