

Birmingham & Solihull Mental Health NHS Foundation Trust

Mental Health Legislation Group to be held

Report: April 2022 – June 2022
Strategic or Regulatory Requirement to which the paper reports – mental health legal updates
Action: This report is for discussion
Claims/PFDs: We have received 3 PFDs since 1 April 2022 XXXX Section Redacted as it does not relate to PFD XXXX MHA/MCA queries of note/trends: XXXX Section Redacted as it does not relate to PFD XXXX Legislation: XXXX Section Redacted as it does not relate to PFD XXXX Caselaw: XXXX Section Redacted as it does not relate to PFD XXXX Points of interest: XXXX Section Redacted as it does not relate to PFD XXXX
Board Director: XXXX, Medical Director
Previously discussed:



Claims/PFDs:

XXXX XXXX

PFD given due to the Trust not completing an action on the action plan within the timescales and the new date given was too long for the action. The Coroner was unhappy and issued a PFD. The action was completed then immediately.

XXXX XXXX

The PFD was given on a case for an action, where the coroner had already been given assurances that this action would take place. The PFD response explained that assurances had already been given both in evidence orally and in writing.

XXXX XXXX

The PFD given to the Trust related to the L&D team working in the police station. Some of the points are outside of the control of the Trust. Other points related to Police and the Trust not being aware of the role of L&D. The Trust is now in the process of gathering information to respond to the PFD.

Clinical negligence:

XXXX Section Redacted as it does not relate to PFD XXXX

MHA/MCA queries of note/trends:

XXXX Section Redacted as it does not relate to PFD XXXX

Legislation:

XXXX Section Redacted as it does not relate to PFD XXXX

Caselaw:

XXXX Section Redacted as it does not relate to PFD XXXX

Points of interest:

XXXX Section Redacted as it does not relate to PFD XXXX

Capacity guide:

As part of the Mental Health & Justice project, a new website has been launched with guidelines for clinicians and social workers in England & Wales (but also of interest to others, such as lawyers) who are assessing capacity.

<https://capacityguide.org.uk/>