

**THE BAMFORD REVIEW OF MENTAL HEALTH AND LEARNING
DISABILITY (NORTHERN IRELAND)
42ND STEERING COMMITTEE MEETING
THURSDAY, 14 DECEMBER 2006 AT 10.00am
STORMONT HOTEL**

Present:

Professor Roy McClelland
Dr Oliver Shanks
Dr Fred Browne
Mr Nevin Ringland
Mrs Maureen Ferris
Mrs Marie Crossin
Mr Sean Ferrin

Dr Paschal McKeown
Mr Gary Mullan
Ms Moira Davren
Master Brian Hall
Mrs Angela McLoughlin
Mr Roy Keenan

Apologies:

Professor Alan Ferguson
Mr Martin Daly
Mr Patrick Convery
Mrs Siobhan Bogues
Dr John Owens
Dr David Cameron
Mr Brendan Mullen
Professor Geoff Shepherd
Mr Bill Halliday

Mrs Mary O'Boyle
Mr Colin Beck
Dr Diana Patterson
Ms Eileen Sherrard
Mrs Martha McClelland
Mr Leslie Frew
Miss Joanne McDonald
Mr Glenn Houston
Rev. Trevor Williams

Welcome and Introduction

1. Professor McClelland welcomed everyone to the 42nd meeting of the Committee. He apologised that the date had been changed at short notice. This was to accommodate important prior meetings of the Legal Issues and Dementia Working Committees.
2. Professor McClelland noted the apologies which had been received and called members' attention to the agenda.

Chair's Communications

(i) Meeting with Mrs Linda Brown, Deputy Secretary, DHSSPS

3. Professor McClelland informed members of his meeting on 5 December with Mrs Linda Brown, the new Deputy Secretary in the Department of Health and Social Services, part of whose remit was overall responsibility for the implementation of the Review. She was interested in moving implementation forward as quickly as possible, particularly in light of the Government's current Comprehensive Spending Review (CSR). She was very positive about the quality of the Review's work.
4. Professor McClelland had invited Mrs Brown, as well as Mr David Sissling to the Steering Committee, however they were both unable to attend. He had provided both with copies of the Review's Briefing Paper and would share the final Strategic Priorities report with them when this had been completed.

(ii) Concluding Conference

5. The Committee agreed that the Conference had been very successful. The media coverage was excellent, and the format had kept the audience actively engaged throughout. Special thanks went to Roy Keenan and particularly to Vikki Greenwood for their organising work.
6. Professor McClelland proposed that, with members' approval, he would write to Sam Simpson and Noel Thompson, thanking them for their invaluable contribution in making the event a success. The Committee endorsed this.
7. Professor McClelland noted some criticisms, both on the day of the conference and subsequently, that the Minister had failed to give any commitment to increased resources for either mental health or learning disability. While this was disappointing, it was clear that the Review was now one of the Department's "must-do" issues.
8. Some members urged caution that existing resources might be re-branded as 'Bamford' monies. There was also concern that any new money earmarked for mental health or learning disability must be prioritised specifically to meet the recommendations of the Review. This was particularly important as a recent Budget 2007-08 letter from the Department allocated monies for the development of services which did not accord with priorities within Review reports (as in **SC 68/06**).
9. Professor McClelland agreed that these were important points and that the Review must continue to develop its communication and influencing strategy to guard against such developments. He had already written to the Department about the Budget 2007-08 concerns.

Note of the Last Meeting (SC 60/06)

10. The note was agreed as drafted.

Matters Arising

(i) Communication and Influencing Strategy

11. Professor McClelland informed members that the Review was continuing to engage with a range of key stakeholders, eg:
 - the Chief Executives Designate of the 5 new Trusts,
 - the MLA All-Party Interest Group,
 - key colleagues and agencies involved in the legal issues committee's work; and
 - a proposed meeting with all the new Directors with responsibility for or an interest in mental health and learning disability services.
12. The Review had held a seminar in mid-November for policy makers within Departments, which was well attended. Following this, Linda Brown had proposed a meeting as soon as possible with the Principal Finance Officers in other Departments to discuss how the Bamford Review should be included into their CSR bids. Professor McClelland would be attending this meeting.
13. This development meant that the Review would not now be organising similar briefing seminars on specific issues for Departments and Professor McClelland would be writing to the Permanent Secretaries to this effect.
14. The meeting was also advised of a debate in the Transitional Assembly on the Bamford Review the following Monday. Marie Crossin had been asked to attend in the public gallery and would feedback any significant points.

(ii) User and Carer Paper

15. This paper had been finalised and it was agreed that it could be sent to DHSSPS. Professor McClelland encouraged Marie Crossin and Martha McClelland to let him know if he could support them in any other way in promoting the paper.

(iii) Workforce Paper

16. Maureen Ferris reported that the drafting group was working actively on this paper. The group had reconvened in October and had met with Maureen McCartney at the Department to discuss what form the paper should take. She and Professor McClelland had agreed to meet in the next few days to finalise a first draft which would be circulated to that group for comment.
17. Members agreed that the workforce was the 'engine of change' and, as such, the paper's main thrust should be included in the Strategic Priorities report, with the complete paper added as an annexe.

(iv) Implementation Plans

18. It was understood that interviews for the new Director post were scheduled for January. In addition, the Support Team had prepared a spreadsheet setting out

the main recommendations in the Review's reports, where lead responsibility for implementation was for Departments other than DHSSPS. This was a background paper for Mrs Brown's forthcoming meeting, as detailed at paragraph 12 above.

'Living Fuller Lives' – Draft final report from the Dementia and Mental Health Issues of Older People Committee (SC 64/06)

19. Professor McClelland asked Nevin Ringland, to present the report.
20. Nevin began by giving members a brief overview of the process involved in arriving at the final report. This included establishing a Committee with extensive expertise and experience in both dementia and mental health issues. It also involved engaging with users of services and carers, and consultation with key stakeholders.
21. The significant issues in the final report were now agreed:
 - Programme of Care (PoC) – The Committee agreed that recommendation 1 of the report was the best approach. Specifically, that having Dementia Services in either the Mental Health or the Elderly PoC could work: the important point was that ring-fenced funds etc should be provided.
 - Health Promotion – It was agreed that the new Director of Mental Health and Learning Disability would play an important role in ensuring that physical aspects to mental health promotion were not missed.
 - Cost – The committee had estimated that an additional £50million was needed, excluding demographic changes, for dementia and mental health services for older people. Nevin would be engaging with the Needs and Resources Committee to finalise these figures.
 - Interface with Learning Disability – Consistent with the Equal Lives and Strategic Framework for Adult Mental Health Services reports, people with a learning disability should be able to access good quality dementia care. (Recommendation 54 referred)
22. The Committee had received a good range of feedback from the consultation, most of which was positive and easily assimilated into the document.
23. Members endorsed the report, which, with some mainly editorial work (including looking at the presentation of the graphics) could proceed to publication.

Draft Consultation Report, "A Comprehensive Legal Framework (SC 65/06)

24. Professor McClelland welcomed Dr Maria McGinnity and Dr Ivan Bankhead for this agenda item. Both were heavily involved in drafting the report. He asked Master Hall to introduce the papers.

25. Master Hall reported that a Legal Issues Drafting Group had been meeting since late summer to develop the report. Its members' thinking had evolved considerably since then and while the Steering Committee had had the benefit of a couple of earlier presentations on the overall direction of the report, they would note that the current draft was a much "higher-level" document. The aim was to translate the widely-agreed principles-based and human rights approach into a comprehensive Framework for future legislation; and to try to show (in chapter 7) how such a Framework could operate in practice. The document was structured in a way which led up to this key Framework element. The Group was anxious, however, for comment as they work to finalise the report for consultation by the end of January. The Legal Issues Committee itself had met earlier that week to consider the draft.
26. Dr McGinnity added that the Group had taken a strong lead from the Scottish approach to its mental health and capacity legislation, where the Millan Report had advocated that legislation on these two issues should in the future be brought together.
27. The Drafting Group was also conscious that the proposals they were developing would have an impact on other Departments and agencies, such as the criminal justice division of the NIO and the Office of Law Reform. The Group were, therefore, in ongoing discussions with these stakeholders about the general thrust of the document. A meeting had also recently been held with the Law Centre. The proposals were receiving broad acceptance at these meetings.
28. Members' comments were supportive. The draft was regarded as readable, coherent and flowing well. Endorsement was given to complete the work to issue the document for consultation.
29. Some specific suggestions were made:
 - advocacy should feature in the flowchart at all levels where there was deprivation of liberty;
 - the inherent value of the individual needs to be strengthened in the principles;
 - there had to be clarity on whether the Framework covered mental health needs or impaired decision-making;
 - the capacity approach has major implications for criminal justice and the PSNI as regards issues such as fitness for interview and to be tried.
30. It was pointed out that the major element missing was recommendations; and some discussion followed on the approach which the document should adopt on these. It was agreed that it should contain a small number of key, high-level recommendations, flowing from the Framework approach. The Drafting Group and the Legal Issues Committee would take this forward.

31. Finally, as regards chapter 8 (which was still only in summary form) Professor McClelland pointed out that this did not necessarily need to be written before the consultation period, as it would at least in part comprise issues around implementation.
32. He thanked members for their helpful comments on the draft and the Drafting Group for their hard work to develop the document to this stage. He looked forward to seeing the consultation version and advised that the consultation exercise would be more pro-active than with most other reports, involving seminars and workshops to discuss some of the key issues involved.

Draft Final Strategic Priorities Report (SC 66/06)

33. Referring to this paper, Professor McClelland advised that this represented the pre-final version. Work was ongoing to finalise it by early January, particularly in relation to making some of the recommendations more SMART and the tables more consistent. The Forensic Services section also needed to be finalised. When the document was complete it would help DHSSPS as regards its bid under the Comprehensive Spending Review and, in the longer term, its implementation work. Members' comments were, therefore, still important.
34. The main change considered necessary was to review and/or revise the Making it Happen section once the workforce and training paper had been signed-off by the Review Group. Some caution was expressed on the capacity of service users and carers to fully participate in planning, evaluation and delivery of services, as recommended in the paper, without some preliminary capacity-building work with them. A comment was also made as to whether the Introduction fully encapsulated the point about the level of learning disability and its link to social deprivation, as mentioned in the Equal Lives report. It was also pointed out that on page 20, the paragraphs on the RPA changes needed to be "beefed-up", particularly making the point that the new structures needed to take due account of the priority for mental health and learning disability services and to how Trusts structure these services. Change management and leadership also needed to be flagged up as regards implementation.
35. Professor McClelland thanked members for their comments and undertook to e-mail them the draft final version of the report for comment.

Reports from Working Committees

Needs and Resources

36. Professor McClelland reported that this Committee met on 5 December, concentrating on its draft report, on which figures for comparative spend with the rest of the UK were awaited. The report, due early in the New Year, will call for a 5 year strategy to address the key priorities in the Strategic Priorities paper.

Promoting Social Inclusion

37. The Promoting Social Inclusion report was being issued for consultation, for responses by 23 March. 2007.

Learning Disability

38. The Learning Disability Committee will meet on 19 December with Leslie Frew to discuss implementation of "Equal Lives".

Mental Health Promotion

39. This Committee plans to meet again in January to review progress on its recommendations.

Date of Next Meeting

40. No date was set. This depends on progress with finalising the Promoting Social Inclusion and Legal Issues reports after their consultation, but it is likely to be in late April. The Support Team will advise of the date and venue in due course.