

## KENT COUNTY COUNCIL

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### **REGULATION COMMITTEE MENTAL HEALTH GUARDIANSHIP PANEL**

MINUTES of a meeting of the Regulation Committee Mental Health Guardianship Panel held in the Swale 3, Sessions House, County Hall, Maidstone on Friday, 27 January 2012.

PRESENT: Mr M J Harrison (Chairman), Mr R E Brookbank and Mr C P Smith

IN ATTENDANCE: Mr P Absolon (Social Care Commissioner for Mental Health), Ms D Divine (Policy Officer - Mental Health), Ms M Brown (Administration Officer) and Mr A Tait (Democratic Services Officer)

#### **UNRESTRICTED ITEMS**

##### **1. Minutes of the meeting held on 21 January 2011**

*(Item 3)*

The Minutes of the meeting held on 21 January 2011 were noted, having been previously approved at the Regulation Committee meeting on 17 May 2011.

##### **2. Guardianship Register and Guardianship Review Panel**

*(Item 4)*

(1) The Social Care Commissioner for Mental Health reported that since the new provisions of the Mental Health Act had come into force in 2007, there had been regular bi-monthly Guardianship Review Panel meetings to oversee the cases of every service user on the Guardianship Register and to consider potential new cases. Only one new application had been made in 2011/12.

(2) The Policy Officer – Mental Health reported that very good progress was being made in partnership with the clinical practitioners to improve the accuracy of the Register.

(3) Work had also been undertaken to develop generic practice guidance and a proforma document for recording legal changes.

#### **EXEMPT ITEMS**

##### **(Open Access to Minutes)**

*(Members resolved under Section 100A of the Local Government Act 1972 that the public be excluded from the meeting for the following business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 12A of the Act.)*

(4) The Panel Members were shown an electronic version of the Guardianship Register and noted that since 1 April 2011, 11 service users had been removed from it. It was anticipated that a further 5 might be removed before the end of March 2012. This would leave only 17 names on the Register.

(5) The Panel agreed the recommendations set out in the report and also decided that, in order to avoid confusion with the Guardianship Panel, it would change its own name to “Regulation Committee Mental Health Guardianship Sub-Committee.”

(6) RESOLVED that:-

- (a) the report and the contents of the Guardianship Register be noted and that endorsement be given to:-
  - (i) the development of an information leaflet for service users and carers detailing the statutory provisions under Section 7 of the Mental Health Act 1983 (amended 2007) and the right of appeal to a mental Health Tribunal and to Local Social Services Authority Members respectively;
  - (ii) the introduction of an electronic guardianship register held on a secure database. It is envisaged that this will have the capacity for digital sign-off by members. The rationale is to improve efficiency by reducing the need to hold a paper record. While it is unlikely that all paperwork associated with the guardianship process can be eliminated, it will be possible to archive closed cases, the number of which currently stands at approximately 40; and
  - (iii) the Operational Support Unit following up published policy and practice guidance by surveying practitioners at intervals, receiving feedback and checking this against compliance rates; and
- (b) in order to avoid confusion with the Guardianship Panel, this Panel be renamed the Regulation Committee Mental Health Guardianship Sub-Committee.