

MENTAL CAPACITY ACT 2005 SUB-GROUP

TERMS OF REFERENCE

1. Remit of the group

The group will operate as a sub-group of the Staffordshire and Stoke on Trent Adult Safeguarding Partnership Board (SSASPB) and will report regularly on its activity and developments and form part of the Boards Constitution and Sub-group Business Plan.

The group will be responsible for seeking assurance of the multi-agency implementation of the Mental Capacity Act 2005 (MCA) and the Deprivation of Liberty Safeguards across Staffordshire and Stoke-on-Trent. Workstreams will involve links and pathways with the Mental Health Act (MHA).

The group will receive regular reports on the Independent Mental Capacity Advocacy Service (IMCA), training initiatives, DoLS arrangements, funding and other relevant issues (e.g. offences under Section 44).

The group will receive information about the number of complex cases relating to the Mental Capacity Act 2005 with multi-agency involvement and disseminate any lessons learned.

The group will promote and/or produce multi-agency guidance and procedures regarding MCA as necessary.

The group will liaise through agreed leads with regional or national lead officers in relation to best practice and general queries regarding the MCA.

The group will by exception invite the attendance of non-members to assist and inform discussion following agreement by the Chair.

2. Membership

Membership of the group shall consist of board partners whose remit includes support to people who may lack Mental Capacity to make certain decisions.

Members of the group will be the agency leads for the implementation of the Act or their nominated deputies.

The group will be chaired by a member of the Staffordshire and Stoke on Trent Adult Safeguarding Partnership Board with representatives from;

- Staffordshire County Council
- Stoke on Trent City Council
- Local Authority DoLS Leads

- North/South Staffordshire and Stoke on Trent CCGs
- South Staffordshire & Shropshire NHS FT
- North Staffs Combined Healthcare NHS Trust
- Staffordshire & Stoke on Trent Partnership Trust
- University Hospitals North Midlands Burton Hospitals FT
- Advocacy Services in Staffordshire (ASIST)
- Independent Provider representative (to be identified)
- West Midlands Ambulance Service
- Staffordshire Police
- SARCP
- Staffordshire Fire and Rescue Service

3. Frequency of meetings

The group will meet a minimum of six times a year.

4. Quoracy

Minimum representation of the Local Authorities, CCGs and Provider Services.

5. Minutes

All meetings of the group will be minuted and copies of minutes will be circulated to sub-group members and also be made available to members of Staffordshire and Stoke on Trent Adult Safeguarding Partnership Board upon request. The Chair of the group will be responsible for ensuring the minuting of these meetings and for the distribution of the minutes and agendas for the meetings. Meeting will be administrated by the SSASPB Administrator to ensure consistency across the sub-groups but Staffordshire County Councils offer of administrative support will be requested as needed.

6. Review

The terms of reference will be reviewed in January 2016 or as and when required due to national or local guidance or organisational change.