

**Best Practice  
for  
Effective Risk Management  
and the  
Mental Health Act 2001**



Patricia Gilheaney  
Mental Health Commission  
20<sup>th</sup> November 2007

# Objectives for Today

- (1) to raise awareness of the clinical risk assessment component of risk management within regulatory and quality improvement contexts
- (2) to provide an overview of clinical risk assessment from a theoretical and practical perspective with some illustrative examples;
- (3) to ascertain from delegates next steps i.e. how the MHC and CIS can encourage, facilitate and support mental health services and service users in relation to clinical risk management.

# Mental Health Act 2001

- **Section 33:**
  - *Quality Framework for Mental Health Services in Ireland*
- **Standard 7.3:**
  - Learning and Using proven quality and safety methods underpins the delivery of a mental health service.

## Standard 7.3: Criteria

- **7.3.1:** MHS complies with relevant legislation and regulations governing the provision of safe mental health interventions and facilities
- **7.3.2:** Approved Centres adhere to the following regulations: 4,6, 11, 12, 13, 18, 19, 23, 24, 25, 26, 28, 32, 33.

## Criteria (continued)

- **7.3.3:** The MHS has a whole systems approach to safety that ensures clinical risks are addressed, at all levels, from the point of care delivery up to and including board level consideration of risk management.

## Criteria (continued)

- **7.3.4:** The MHS has an effective risk management system that includes but is not limited to the following:
  - (i) captures information on service user safety, including near misses and adverse events
  - (ii) uses information from (i) to learn from and to develop safer mhs
  - (iii) is in accordance with any code of practice or guidance issued by the MHC

## Criteria (continued)

- **7.3.5:** MHS staff receive training in quality improvement and safety methods.
- **7.3.6:** MHS staff have access to a resource to assist in the development of capacity to use modern quality and safety methods and indicators
- **7.3.7:** MHS has a policy regarding implementation of this standard
- **7.3.8:** MHS monitors its performance in relation to this standards as part of a Q.I. process

# Approved Centres: regulations

- Section 66 MHA 2001
  - S.I. no. 551 of 2006
    - Commenced 1<sup>st</sup> November 2006
    - Article 32: Risk Management Procedures

## Article 32

32(1): The R.P. shall ensure that an approved centre has a comprehensive written risk management policy in place that is implemented throughout the approved centre

32(2): The R.P. shall ensure that risk management policy covers, but is not limited to, the following:

## Article 32 (contd)

### 32(2)

- (a) The identification and assessment of risks throughout the approved centre;
- (b) The precautions in place to control the following specified risks:
  - (i) Resident absent without leave
  - (ii) Suicide and self harm
  - (iii) Assault
  - (iv) Accidental injury to residents or staff

## Article 32 (contd)

### 32(2)

- (d) Arrangements for the identification, recording, investigation and learning from serious or untoward incidents or adverse events involving residents
- (e) Arrangements for responding to emergencies
- (f) Arrangements for the protection of children and vulnerable adults from abuse.

## Article 32 (contd)

### 32(3)

The RP shall ensure that an approved centre shall maintain a record of all incidents and notify the MHC of incidents occurring in the AC with due regard to any relevant codes of practice issued by the MHC from time to time which have been notified to the AC.

# Code of Practice

- **Death Notification & Incident Reporting**
  - consultation complete
  - code to be issued by end 2007

# Best Practice: Effective Risk Management

- Department of Health. (2007). *Best Practice in Managing Risk: Principles and evidence for best practice in the assessment and management of risk to self and others in mental health services.*

(Document prepared for the National Mental Health Risk Management Programme)

- 16 best practice points for effective risk management (in pack)

**Web address:** [www.dh.gov.uk/publications](http://www.dh.gov.uk/publications)