

Mental Health Commission publishes 2023 Annual Report

Tuesday, June 25, 2024: The Mental Health Commission (MHC) has published its 2023 Annual Report which sets out its work to promote, encourage and foster the establishment and maintenance of high standards and good practices in the delivery of mental health services.

The report details how the organisation's programmes of registration, inspection, monitoring and enforcement continued to support providers and hold services to account. The publication of both national and individual centre inspection reports ensured a transparency for the public to clearly understand both the strengths and weaknesses of services.

Throughout 2023, the MHC continued to enhance its core objectives to drive standards, improve quality, and safeguard service users by working with all stakeholders. It supported the continuing roll out of 'Sharing the Vision', Ireland's mental health strategy, and worked with government to strengthen the quality and regulatory infrastructure which vindicates human rights of all persons who use mental health services.

The report also shows how the MHC engaged in several quality improvement initiatives across 2023, including the publication of the new 'National Quality Framework: Driving Excellence in Mental Health Services'; the ongoing development of standards for community mental health services; and the launch, with the World Health Organization, of the 'Quality Rights' initiative - a training module designed to support people to understand a human rights model of mental health care.

"With the service user at the centre of our work, we once again delivered a programme of regulation in 2023 which targeted risk and promoted quality and safety in services," said the Chief Executive of the Mental Health Commission, John Farrelly.

"In his first report as Inspector of Mental Health Services, Professor Jim Lucey points to the fact that acute inpatient centres are an essential part of our mental health service and require planned, strategic investment. Currently, a number of acute inpatient centre providers, particularly the HSE, are struggling to meet minimum regulatory standards in key areas of staffing, care planning, risk management and premises.

"The Inspector has said that lower standards of compliance in these areas are associated with negative experiences for patients and staff alike and are not compatible with a human rights-based approach. The Inspector and the MHC continues to call for a targeted funded strategic investment programme in our public mental health system."

The report also details how the MHC operates as the custodian of the process for vindicating the rights of patients who are involuntarily detained in approved centres. It notes that 3,638 orders for a mental health tribunal were made in 2023, with 1,915 of these orders revoked before hearing, and 1,753 orders going to hearing. It also identifies that the number of applications for involuntary detention by An Garda Síochána went down by 4%, while applications from HSE 'Authorised Officers' increased by just 2%, which is disappointing given the focus on the matter over recent years.

In 2023, the MHC saw the culmination of intensive work to deliver Ireland's first ever Decision Support Service (DSS). This is a progressive service that puts Ireland to the forefront of vindicating an adult's right to make decisions, supported - if necessary - by a new framework that is focused on their will and preferences.

Mr Farrelly concluded: “Our 2023 annual report transparently sets out the work of the MHC including our new DSS. At a time when society clearly recognises the value of mental health and decision supports, it is imperative that the State continues to invest in the expansion of public services to ensure that well-staffed multidisciplinary teams deliver person-centred services in a way that sustains hope, choice and dignity.”

Ends

Notes to the Editor:

MHC 2023 Annual Report key statistics:

- 66 approved centres inspected
- No individual service had a regulation compliance rate lower than 60%
- 67% of centres achieved an 80% rate of compliance with regulations or higher
- 52 enforcement actions taken across 29 centres (compared to 45 across 28 in 2022)
- 25 new conditions were attached to the registration of 13 centres (compared to 14 new conditions attached to 12 centres in 2022, and 3 new conditions attached to 3 centres in 2021).
- Four regulations had compliance rates lower than 60%. These were risk management procedures (56.06%), individual care plans (59.09%), staffing (39.39%) and premises (27.27%).
- Compliance with the regulation for premises has been low for some time, with an average compliance rate over the past 3 years of 29.19%.
- There was a 25% reduction in seclusion in 2023, and a 9% decrease in the use of physical restraint.
- There were 14 child admissions to 11 adult units (compared to 20 admissions to 11 adult units in 2022)
- There were 2,666 inpatient beds in approved centres at the end of 2023
- There were 46 recorded instances of overcapacity, compared to 33 in 2022

Enforcement

Enforcement action is taken where the MHC is concerned that an element of care and treatment provided in an approved centre may be a risk to the safety, health and wellbeing of residents, or where there has been a failure to address an ongoing area of non-compliance. The report shows that the MHC took 52 enforcement actions against incidents, events and serious concerns that arose in 29 centres.

Registration Conditions

The MHC can attach conditions to an approved centre’s registration. The most common reason to attach conditions to the registration of an approved centre is continued non-compliance with a regulation or a statutory rule.

About the Mental Health Commission:

The Mental Health Commission is an independent statutory body. The primary functions of the Mental Health Commission are to foster and promote high standards of care and good practice in the delivery of mental health services and to ensure that the interests of those involuntarily admitted are protected, pursuant to the Mental Health Act 2001. To operate an inpatient mental health service in Ireland, the service must be registered as an ‘approved centre’ with the Mental Health Commission. Upon registration, the service must comply with regulations and rules made under the Mental Health Act 2001.

Failure to comply with regulations and rules may result in enforcement action. This can include corrective and preventative action plans, an immediate action notice, a regulatory compliance meeting, registration conditions, removal from the register (closure), and prosecution.

MHC inspection process

There are 39 areas in the inspection process of approved mental health centres. Each approved centre is assessed against a suite of regulations, rules, and codes of practice. Inspectors use a combination of documentation review, observation, and interview to assess compliance. Areas of inspection are deemed either compliant or non-compliant. Where areas are considered non-compliant, these are risk rated. Risk measurements are rated as low, moderate, high, or critical.

Following the inspection, the Inspector prepares a report on the findings. A draft of the report is furnished to the registered proprietor of the approved centre, and includes provisional compliance ratings, risk ratings and quality assessments. The registered proprietor is provided with an opportunity to review the draft and comment on any of the content or findings. The Inspector considers the comments by the registered proprietor and amends the report as appropriate.

Following this, the registered proprietor is requested to provide a Corrective and Preventative Action (CAPA) plan for each finding of non-compliance addressing the specific non-compliances identified. The MHC monitors the implementation of the CAPAs on an ongoing basis and requests further information and action as necessary.

Decision Support Service

The MHC also has statutory responsibility for the Decision Support Service (DSS) under the Assisted Decision-Making (Capacity) Act 2015. The 2023 annual report also includes the Director of the Decision Support Service's first annual report, which provides information on the activities of the Director from the long-awaited commencement of the Act on 26 April 2023 until the end of 2023.