

## **RCPSYCH BRIEFING ON THE CARE QUALITY COMMISSION – NOVEMBER 2007**

**This briefing relates to the creation of the Quality Care Commission, which is one of the fundamental changes brought about by the proposed Health and Social Care Bill. We will produce a full briefing on other issues once the Bill has been published.**



### **Creation of the Care Quality Commission (CQA)**

The Royal College of Psychiatrists welcomes the strengthening of the regulation of health and social care. We hope that this will create a more flexible, streamlined system which supports and reinforces the roles of commissioners, of Strategic Health Authorities and of providers themselves to ensure that care is both safe and of good quality.

We are, however, particularly keen to see that the functions of the Mental Health Act Commission (MHAC), which will be merged in to the CQA, will be given full priority; and that the CQC is fully resourced to enable it to carry out these functions effectively.

The MHAC currently plays a crucial role in monitoring the operation of the Mental Health Act and in protecting vulnerable patients by, for example, visiting individuals who have been detained under the Mental Health Act.

We were pleased to see that the Government outlined the importance of these roles in its response to the consultation on 'The future regulation of health and adult social care in England'. We would welcome the opportunity to work closely with Parliamentarians during the progress of the Bill through Parliament. We are keen to ensure that the Government commits, either by drafting it in the legislation, or by making statements in Parliament, to ensure that the CQC carries out the following key functions:

- regular unannounced visits to people detained under the Mental Health Act.
- engagement with mental health service users actively as full partners in health and social care assessment, monitoring and inspection.
- monitoring and reporting to Parliament on the needs and rights of detained patients.
- notification of admissions, discharges and deaths of detained patients and other relevant information.
- ensuring adequate and appropriately trained staff, with the establishment of a specialist mental health team or department within the Care Quality Commission, which incorporates the present MHAC team.
- having an overarching principle of equality and human rights, focussing at all time on the civil, legal and human rights of patients

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