

Royal College of Psychiatrists' briefing Emergency Covid -19 Response Legislation | March 2020



We support the Government's targeted proposals to ensure that the NHS is equipped to deal with this unprecedented crisis. This is about ensuring patients suffering from serious mental illnesses can continue to receive the treatment they need in a safe environment. If people are at risk, we have to be able to get them into hospital.

The RCPsych has been working closely with the Department of Health and Social Care to make sure these changes are appropriate and in the best interest of patients.

We are already hearing from members that there are shortages caused by members who are having to self-isolate because of Covid-19. Putting significant pressure on mental health services. We recommend that safeguards are kept in place where possible but should there be excessive staff shortages during this crisis period we accept some changes will have to be made. Changes should only occur where this absolutely no alternative and should be reviewed promptly as soon as the crisis period has finished.

The RCPsych is also working with NHS England and the Devolved Nations to develop specific guidance on Covid-19 for NHS professionals working with people with a mental illness our initial guidance can be found on our website here. We will be keeping a close watch on how mental health services are coping with this unprecedented strain and will advise the Government accordingly.

What the changes will mean to mental health services

The Bill will make it possible for the Secretary of State to enact temporary changes to the rules setting out safeguards for detaining people under the Mental Health Act. While we are waiting for the full text of the Bill more details can be [found here](#).

These include changes that would mean that Approved Mental Health Professionals (AMHPs) would be able to apply to detain someone under the Act with the agreement of just one registered medical professional rather than two, extend time limits on nurse, doctor, police and magistrate holding orders and amend second opinion and appeal procedures.

We are also expecting changes to how the Mental Health Act relates to people who are already in contact with the justice system including those in prisons. Once these have been published we will be able comment more fully.

In 2018-19 there were 49,988 new detentions recorded under the Mental Health Act.

How the RCPsych is supporting clinicians

As the NHS response to Coronavirus (COVID-19) moves quickly the Royal College of Psychiatrists is working with NHS England (NHSE) and NHS Improvement to frequently update guidance for psychiatrists and other health and care professionals working in mental

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health settings. NHSE expects to release the updated guidance we are working on by the end of the week.

While specific guidance relating to COVID-19 is being developed, much of what has already been on the [NHS worker guidance on COVID-19](#) will apply to working in mental health settings.

This includes information on [assessment and diagnosis](#) and management of [suspected](#) and [confirmed](#) cases. In the sections below we have highlighted some general points for people working with patients with a mental illness. In addition, NHS England have said that Mental Health, Learning Disability and Autism providers must plan for COVID-19 patients at all inpatient settings. It is necessary to identify areas where COVID-19 patients requiring urgent admission could be most effectively isolated and cared for (for example single rooms, en-suite, or mental health wards on acute sites). Case by case reviews will be required where any patient is unable to follow advice on containment and isolation. It is essential all staff are taught how to assess for triggers for transfer of patients to acute care.

We recognise that during these difficult times it might be necessary for clinicians to work beyond their usual disciplinary boundaries and we trust as dedicated professionals they will be happy to do so. But this must be proportionate to their expertise and area of training and knowledge. [The four UK chief medical officers, the national medical director, the Academy of Medical Royal Colleges and the GMC have written to all UK doctors](#) stressing that it will be appropriate and necessary for clinicians to work beyond their usual disciplinary boundaries and specialisms under these difficult circumstances, and they will support individuals who do so. Equivalent considerations apply for nurses, AHPs and other registered health professionals. While it may be necessary and appropriate for clinicians to work beyond their usual disciplinary boundaries they must ensure they do not put patients at greater risk.

Questions for the Minister

- How does the SoS intend to determine when to trigger the changes? Will they be done on a national or local basis?