

Specification Second Opinion Appointed Doctor (SOAD) Wales

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You can find further guidance for SOADs on our website
<https://hiw.org.uk/review-service-mental-health>

and in the Code of Practice
<https://gov.wales/mental-health-act-1983-code-practice>

Healthcare Inspectorate Wales

Healthcare Inspectorate Wales (HIW) is the independent inspectorate and regulator of healthcare in Wales.

We regulate and inspect NHS services and independent healthcare providers in Wales against a range of standards, policies, guidance and regulations to highlight areas requiring improvement.

Review Service for Mental Health

Our role, as the Review Service for Mental Health, is to review the use of the Mental Health Act 1983 and check that it is being used properly on behalf of Welsh Ministers. The Review Service is independent of all staff and managers of hospitals and mental health teams. The Second Opinion Appointed Doctor Service is part of the Review Service for Mental Health.

The SOAD Service

The Mental Health Act 1983 introduced the SOAD Service as a safeguard of the rights of patients detained under the Act who either refuse the treatment prescribed by the Approved Clinician or are deemed incapable of consenting. From November 2008, the amended Mental Health Act introduced additional safeguards relating to Supervised Community Treatment and ECT.

The role of the SOAD is not to give a second clinical opinion in the conventionally understood medical form of the expression, but to decide whether the treatment recommended is clinically defensible and whether due consideration has been given to the views and rights of the patient.

The SOAD is an independent Consultant Psychiatrist appointed by HIW to undertake this statutory function, and only 'becomes' a SOAD when appointed to an individual second opinion. HIW is responsible for the appointment of SOADs and the SOAD service.

HIW receives approximately 1000 requests for a second opinion each year. The SOAD Service is supported by HIW's dedicated team of staff who receives the requests for second opinions from providers and works with SOADs to allocate requests promptly.

How do I benefit from being a SOAD?

Those who have become SOADs understand the importance of their role as a safeguard for detained patients and the difference they can make to patients and other services through their contact with patients and hospital staff.

Second Opinion visits involve visiting different hospitals and sites and consulting with a wide range of professionals. On both a professional and personal level, the nature of the work can provide an invaluable development opportunity for consultants to

broaden their experience by seeing first-hand different approaches to psychiatric treatment and to view different hospital environments.

As a SOAD, you are provided with full training on the requirements/expectations of the role. This includes training on the Mental Health Act, Mental Capacity Act and other relevant case law and clinical aspects of the role – all of which will be relevant for all consultants.

HIW will provide full support for consultants undertaking this role.

SOAD Role - Responsibilities

SOADs are expected to work to agreed HIW performance targets and undertake all aspects of the role relating to Section 58, Section 58a and Supervised Community Treatment and must:

- Interview the patient in private (wherever possible).
- Read the patient's notes.
- Read the Responsible Clinician (RC)'s treatment plan.
- Talk to the RC and nursing staff.
- Talk to a second professional.

A SOAD is required to make decisions, based on their own independent judgement, taking into consideration clinical rationale, the interests and preference of the patient, the Mental Health Act 1983, the Mental Capacity Act 2005 and the Code of Practice.

Having made these decisions, the SOAD must then record their decision and the reasons for it. S/he must also report to HIW any issues of concern which will be considered as part of HIW's internal intelligence processes.

Person specification – SOAD

Successful candidates will have held permanent substantive posts as consultant psychiatrists for several years. We are looking for psychiatrists at a senior level with demonstrable commitment to a rights-based approach, in-depth knowledge and experience of psychiatry in a variety of clinical settings, and considerable experience of working with detained patients. Candidates should have current or recent hands-on practice in a clinical environment, and should be up to date with current practice, both clinical and non-clinical, including measures to promote equality of service provision for all patients. Consultants must both be a registered medical practitioner and hold a current licence to practice in the UK.

The role of SOAD is a challenging one which demands professional credibility, the ability to question decisions in a non-adversarial but firm style, and excellent negotiating and inter-personal skills. SOADs will attempt to agree an appropriate plan of treatment with the Responsible Clinician or Approved Clinician as opposed to a SOAD insisting on an "ideal/or academic" plan of treatment. You will need to understand the practicalities of clinical treatment. It will be necessary for you to be able to place decisions about medication within the wider context of treatment, and you must be able to balance the interests, wishes and preferences of the patient

against the need for treatment. The ability to employ independent judgement and to justify decisions in the face of potential external pressures is essential. We are particularly interested in candidates who can demonstrate an interest in and commitment to improving the lives of detained patients.

Essential criteria

- GMC registered
- MRCPsych or equivalent qualification recognised by the RCPsych and GMC
- Substantive consultant status in psychiatry for several years
- GMC Specialist registration
- Registered in good standing for CPD
- Current or recent hands-on clinical practice
- Breadth of psychiatric practice in a variety of settings
- Experience of working with patients liable to detention
- Excellent inter-personal skills
- Demonstrable practical commitment to equality and diversity
- Legible hand-writing
- Availability to undertake a minimum of 30 SOAD visits per annum
- Commit to attending an annual training day and also undertake the relevant CPD for your role as a SOAD
- Computer literate, with experience of sending and receiving email, completing MS Word documents, receiving PDF documents and use of encryption applications.

Desirable criteria

- Evidence of leadership in relevant areas
- Experience of multi-disciplinary working at a senior level
- Specialist expertise, e.g. CAMHS, Elderly, High Secure
- Welsh Speaker
- Language skills

Application Process

Applications will require submission of:

- Completed application form
- Completed proforma
- Letter of support from current employer
- CV

Appointment Process

If applicants are successful at interview, then appointments will be subject to:

- Completion of induction training
- Receipt of two professional references

- Enhanced DBS check

SOAD vacancies are advertised and selection for interview is based on the information provided in the application form and proforma. If successful at selection, candidates will be invited to attend a formal interview. Successful applicants following interview will be notified and invited to attend induction training following receipt of professional references.

Conflicts of interest

HIW does not preclude SOADs from carrying out second opinions within the Health Board they are employed, as long as:

- It is not the hospital they currently work at (or have worked in the last two years) or a hospital they have clinical responsibilities for.
- There is no management relationship between the SOAD and the responsible clinician/approved clinician in charge of the treatment.
- There are no other potential conflicts (for example the SOAD used to be the patient's responsible clinician).

If you have completed a second opinion on a patient, you will always have a conflict of interest if sitting as a medical member of a mental health review tribunal for that patient in the future.

Fees and expenses

Fees and expenses will be payable in accordance with HIW's policies as follows:

Fee for an individual Second Opinion visit: **£190**

Travel & Subsistence Rates

1. Motor Mileage Allowances

Will be paid at 45 pence per mile, up to 10,000 miles in a tax year. Over 10,000 miles will be paid at the current public transport rate of 25 pence per mile.

In order to claim mileage allowances, the driver must ensure that they have adequate insurance taken out on the vehicle. The level of insurance required is Business Class.

Parking fees, tolls etc – will be reimbursed in full, providing receipts are attached to the expenses claim and submitted.

2. Hire Cars

SOADs are not eligible for hire cars using the Welsh Government's contract.

HIW encourage both staff and reviewers to use public transport where practicable. If there is no other form of transport available, HIW will reimburse taxi fares if receipts are provided.

If there is no public transport or private hire vehicles available, then a SOAD can request authorisation to hire a car. Receipts for both the car hire, and petrol must be produced in order to be reimbursement to be arranged.

3. Overnight Accommodation

This will normally be booked by the HIW SOAD team, and will include dinner, bed and breakfast.

Where possible lunch will be pre arranged, however if this is not practicable then the daily subsistence rates detailed below can be claimed.

Where SOADs are required to arrange their own accommodation, then HIW will pay up to £95 for each 24-hour period. This is to include accommodation and breakfast. In addition, SOADs can claim up to £9 for lunch and an evening meal up to £27. These are ceiling rates and reimbursement will be made on actual costs and receipts will have to be submitted.

HIW will not meet the payment of alcohol, tray surcharges (if meals are taken in hotel rooms) or for other incidentals, such as newspapers and phone calls, charged to hotel rooms.

4. Rail and Air Journeys

HIW will not reimburse first class travel. However, we are happy to arrange for the purchase of tickets in advance of travel. HIW will reimburse the purchase of tickets against receipts provided with the expense claim.