

Scottish Government submission of 24 August 2023

PE2017/C: Extend the period that specialist perinatal mental health support is made available beyond one year

Please see the information requested below. This addresses:

- an update on how the Scottish Government has progressed recommendation 26 from the Health, Social Care and Sport Committee's inquiry into perinatal mental health;
- an indication of whether there are plans to amend section 24 of the Mental Health (Care and Treatment) (Scotland) Act 2003; and
- Mother and Baby Unit provision in Scotland.

Update on how the Scottish Government has progressed recommendation 26 from the Health, Social Care and Sport Committee's inquiry into perinatal mental health

Community Perinatal Mental Health Teams have a remit to support women in pregnancy or who have an infant under one year of age, who require secondary mental health care, whether their difficulties arise in pregnancy/postnatal period or are pre-existing. Interventions may continue to be provided by a Community Perinatal Mental Health Team beyond the first postnatal year if the work is likely to be concluded within a defined period and it is in the woman's and infant's best clinical interests for that to happen. In some circumstances, it may be clinically more appropriate for women whose infants are close to 12 months to receive assessment and treatment by their local general adult mental health service. Additionally, there may be circumstances where a new referral beyond 12 months would be seen by the community perinatal mental health team, if there is a clear need and that need is best met by the specialist service.

It is important for Boards to identify the service which is most helpful for the patient, which may sometimes be a Community Perinatal Mental Health Team but could also be Maternity and Neonatal Psychological

Interventions (MNPI) or Adult Mental Health Services. We are committed to taking an integrated approach to service provision, reducing barriers to ensure that women and infants get the most appropriate service for their needs and can easily transition between services if needs change.

Indication of whether there are plans to amend section 24 of the Mental Health (Care and Treatment) (Scotland) Act 2003

The Scottish Government recently published our response to the Scottish Mental Health Law Review, setting out initial views on the proposals. We have taken time to carefully consider Lord Scott's recommendations and we will now establish a new Mental Health and Capacity Reform Programme. This will look at how we can update and modernise our mental health and capacity legislation to better reflect international human rights standards. Alongside efforts to strengthen legislation, the programme will drive action to support decision-making and improve the way that human rights are put into practice across mental health services. It will aim to bring changes that give people greater control over their own lives, care and treatment.

In order to deliver the most effective approach, there needs to be more detailed work undertaken so that we can fully consider and develop any proposals which would seek to change existing provisions including those covered by s.24. Therefore, as part of the Mental Health and Capacity Reform Programme, we will consult with key partners and stakeholders to examine the full range of policy options before making any decision. Not all reforms will require legislative change and we will reserve any final decision until further policy development has taken place.

The Reform Programme will include work to scope options for changes to the Mental Health (Care and Treatment)(Scotland) Act 2003 and we are working to publish an initial plan by the end of year, including likely timescales.

Mother and Baby Unit Provision in Scotland

We have noted that the Committee wishes to see the report from the options appraisal which NHS National Services Scotland (NSS) have conducted to expand Mother and Baby Unit capacity. NSS have been utilising the earlier [consultation report](#) along with other relevant information and discussions with stakeholders as part of the options

appraisal process. NSS are currently producing their report and we anticipate delivery of that to the Scottish Government in October 2023. We will update the Committee further upon receiving the report.

In terms of what consideration has been given to the incorporation of a Mother and Baby Unit into the new maternity hospital in Aberdeen, NSS have been assessing possibilities in relation to both existing and new infrastructure as part of the options appraisal process, with a focus on affordability, equity of access, safety and sustainability. Their conclusions and recommendations will be detailed in the forthcoming report.

Perinatal and Early Years Mental Health Policy Team