

Croydon AMHP Approval Policy

Legal framework

This policy has been developed in the context of the legal requirements prescribed in the Department of Health 'Implementation of the Mental Health Act 2007' and The Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008.

The Mental Health Act 1983 (as amended by MHA 2007) has opened up the role of the Approved Social Worker (ASW) to a wider group of professionals and has renamed the role to that of the Approved Mental Health Professional (AMHP).

The responsibility for Approving and Authorising an AMHP remains with the Local Authority as the Local Social Services Authority (LSSA).

This following procedure is intended to set clear standards for the approval of Approved Mental Health Professional's (AMHP) employed in Croydon and to promote good practice in statutory mental health work.

Under the Mental Health Act 1983 (amended 2007), the responsibility to ensure that AMHPs are fully supported in their role remains with the local authority. This should include governance, monitoring and supervision of AMHP related work, planned regular refresher training and re-approval in the context of continuing professional development. Whilst the LSSA can contract other organisations to help them meet these obligations, it cannot delegate the responsibility of approving individual AMHPs to an NHS organisation through section 75 partnership arrangements.

Croydon LSSA should not employ anyone to work as an AMHP if they are not currently approved by a Local Authority and did not practice as an AMHP within the past five years (prior to 3/11/08).

The aim of this procedure is to provide a structured approach to approval/re-approval that is supportive of the AMHP and grounded in the principles of continuing professional development.

TERMS

Approval – the formal process (as required by the Mental Health Act 1983) by which Croydon Social Services Authority (LSSA) determines that an AMHP is competent to practice in the role. This will normally happen following successful completion of the AMHP training.

Re-approval – the formal process by which an AMHP is re-approved to continue practising as such for LSSA. This will normally be every five years.

Authorisation – the process through which an arrangement is made for an AMHP to act on the behalf of LSSA, even if approved by a different local authority. In short, it is the act of being given permission to carry out the AMHP functions.

The Mental Health Act 1983 now distinguishes between being approved as an AMHP and being authorised to carry out the AMHP functions on behalf of a particular LSSA. AMHPs must be approved by only one LSSA but they can authorise to act on behalf of other LSSA's with whom they have an agreement.

Management/Supervision

There will be a borough wide AMHP Manager.

It is essential that an AMHP whose line manager / supervisor does not have experience of working as an AMHP (or does not have recent or current experience) should have access to support from an experienced AMHP. In respect of appraisals, a non AMHP manager must have a three way meeting with the AMHP and a Senior AMHP. The arrangements for AMHP supervision should form part of the AMHPs work plan and be included in the supervision contract with their line manager. This includes AMHPs in integrated Community Mental Health Teams (CMHT) where line management may be from a different clinical or professional discipline.

It is expected that areas of development relevant to AMHP practice will be identified and addressed as part of the supervisory process. Managers who have concerns about an AMHPs practice (specific to AMHP duties), knowledge or value base should discuss these openly with the worker and actively assist the individual in seeking ways of developing.

Professional Requirements to complete the training to become an Approved Mental Health Professional

The professional requirements are as follows—

- (a) a social worker registered with Social Work England.
- (b) a first level nurse, registered in Sub-Part 1 of the Nurses' Part of the Register maintained under article 5 of the Nursing and Midwifery Order 2001, with the inclusion of an entry indicating their field of practice is mental health or learning disabilities nursing;
- (c) an occupational therapist registered in Part 6 of the Register maintained under article 5 of the Health Professions Order 2001 or
- (d) a chartered psychologist who is listed in the British Psychological Society's Register of Chartered Psychologists and who holds a relevant practising certificate issued by that Society.

Registered medical practitioners (doctors) cannot become AMHPs, even if they have one of the qualifications above.

Local Selection and Preparation for AMHP training for Social Workers

Prospective candidates for the AMHP course should initially make arrangements to shadow the AMHP Service. They must have shadowed at least four Mental Health Act assessments before nomination and a further four assessments prior to University entrance interview.

- Minimum of two years post qualifying experience in mental health with a minimum of one year in a community setting where responsibility for cases has been held.
- Hold a level 7 qualification, If there is no level 7 qualification, to have successfully completed the Developing Professional Specialist Practice in mental health and a demonstration of being able to deal with the academic rigours of the training course.
- Have observed at least four Mental Health Act assessments prior to application. One of these is written up for the application written task.
- The professional must be nominated by the AMHP Manager and their line manager and successfully pass the pre University selection panel.
- If the professional does not have the relevant experience, they must complete one day per week for at least twelve weeks prior to application (in preparation for AMHP course) or (have secured) a secondment to mental health services. Having sufficient experience is subject to AMHP management team discretion.

- Successfully complete the selection process of Bournemouth University.
- Sign Learning Agreement with Croydon Learning and Development.
- Ideally have access to a Car and possess UK driving licence (be a driver).

Newly Qualified AMHPs

- For the first year post qualifying, the AMHP will receive regular and independent supervision from an experienced Senior AMHP (should their line manager not be an AMHP). This person will act as a mentor during this first year. Formal AMHP focussed supervision should happen at least once every two months.
- A panel will need to 'approve' the AMHP prior to practice (see Approval Process)
- The AMHP will be placed on the borough wide rota held by Croydon AMHP service.

AMHP Assessors

The following criteria must be met in order to become an assessor for an AMHP candidate;

- Qualified as an AMHP for a minimum of three years.
- Active contribution on the AMHP rota for the duration of that time.
- Attend relevant assessor training courses as required.

See university handbook for details of role.

An honorarium is currently paid to undertake this role (£500).

Locums, Agency Workers

- Locums will require an honorary agreement with the Local Authority and approval and authorisation should be included in the agreement.
- Locums will follow the same procedures as employees, including approval requirements.

APPROVAL

An AMHP will be approved for five years.

If an AMHP comes from another LSSA (in England or Wales), they may remain approved by that LSSA and then authorised to practice in Croydon. Unless the AMHP has relinquished their approval. They will be asked to produce their previous training and assessment list and follow the local process for re-approval.

CONDITIONS OF APPROVAL

- In each year that the AMHP is approved, they shall complete at least 18 hours of training agreed with the approving LSSA as being relevant to their role as an AMHP.
- The AMHP shall undertake to notify Croydon Council in writing as soon as reasonably practicable if they agree to act as an AMHP on behalf of another LSSA, and when such agreement ends.
- The AMHP shall undertake to cease to act as an AMHP and to notify Croydon Council immediately if they are suspended from any of the registers or listings referred to in the professional competencies, or if any such suspension ends.
- The AMHP shall undertake to cease to act as an AMHP and to notify Croydon Council immediately if they no longer meet at least one of the professional requirements or if Croydon Council is no longer satisfied that you continue to maintain the required competencies.
- The AMHP shall undertake to cease to act as an AMHP and to notify Croydon Council immediately if you are approved by another LSSA.

Functions of the Approval Panel

The panel will meet the AMHP to discuss their portfolio and approval/re-approval.

The panel will make one of the following decisions in line with The Mental Health (Approved Mental Health Professionals) (Approval) (England) Regulations 2008:

- Approval
- Re-approval/ non re-approval.
- Suspension of approval
- The panel should attempt to resolve any disagreements, if not resolved, to be escalated to the Head of Service for Mental Health and the DASS (Director of Adult Social Services).

An aspiration of the AMHP service as part of quality assurance, would be for a panel to meet every six months to scrutinise a random selection of AMHP reports. This will also serve to evidence areas of good practice, which may be shared for learning and development purposes. If poor practice is identified, the AMHP concerned will be asked to meet with the panel to identify further action.

Appealing a decision

- Appeals should be made to the Head of Service for Mental Health and the DASS.
- The Professional is entitled to be accompanied by a union representative, colleague or friend.
- The DASS will make a final decision to either:
 - a) Uphold the decision of the panel.
 - b) Refer back to panel for further consideration.
 - c) Provide recommendation re further action.

Breaks in Practice

If a previously approved AMHP has not practiced for five years or over, they will need to complete the full AMHP training again.

If a previously approved AMHP has not practiced in the last three years, they will need to:

Complete the 3 day Re-approval training and follow the AMHP re-approval pathway.

Authorisation

If an AMHP's SWE registration lapses for any reason, the AMHP will cease to be authorised for the period they are not registered.

Remuneration of extra or top up salary payments can be withdrawn.

Records

A record of all AMHPs who have been approved including:

- Their name
- Profession
- Date of SW (SWE) Registration.
- Date of AMHP approval and subsequent re-approvals
- Details of their annual 18 hours law refresher training
- Details of any previous approvals
- Names of other LSSA's for whom they act as an AMHP (it is the responsibility of the AMHP to pass on these details to the training department)
- Any period of suspension
- Date of and reason for end of approval, if applicable

These records shall be retained for five years from the day on which the AMHPs approval ended.

Content of the Portfolio

The portfolio will contain:

1. The log of all Mental Health Act assessments, including those that did not proceed to detention – see Approval Process.

The log should include all assessments done within the last two years. All newly qualified AMHPs and all those entering the borough from other authorities are advised to keep a log of all their assessments.

2. The log of all mental health training – See Approval Process.

The log should cover any training relevant to the role and responsibilities of an AMHP over the last five years. All staff are advised to keep a running log of training. The training section should also have a record of courses undertaken via LSSA.

The three day AMHP refresher training should be completed approximately two months before the portfolio is due, as this training is designed to assist the AMHP with portfolio preparation.

Support and Training Needs

- All AMHPS will be required to complete 18 hours training (as provided by Local Authority) relevant to the AMHP role.
- There will be additional support for AMHPs with dyslexia, visual, hearing or verbal impairment and other identified disabilities.

APPENDIX 1

Competencies

Regulation 2

SCHEDULE 1 Professional Requirement

The professional requirements are as follows—

- (a) a social worker registered with the Social Work England;
- (b) a first level nurse, registered in Sub-Part 1 of the Nurses' Part of the Register maintained under article 5 of the Nursing and Midwifery Order 2001, with the inclusion of an entry indicating their field of practice is mental health or learning disabilities nursing;
- (c) an occupational therapist registered in Part 6 of the Register maintained under article 5 of the Health Professions Order 2001; or
- (d) a chartered psychologist who is listed in the British Psychological Society's Register of Chartered Psychologists and who holds a relevant practising certificate issued by that Society.

Regulation 3(2)

Matters to be taken into account to determine competence

1. Key Competence Area 1: Application of Values to the AMHP Role

Whether the applicant has—

- (a) The ability to identify, challenge and, where possible, redress discrimination and inequality in all its forms in relation to AMHP practice;
- (b) An understanding of and respect for individuals' qualities, abilities and diverse backgrounds, and is able to identify and counter any decision which may be based on unlawful discrimination;
- (c) the ability to promote the rights, dignity and self determination of patients consistent with their own needs and wishes, to enable them to contribute to the decisions made affecting their quality of life and liberty, and
- (d) a sensitivity to individuals' needs for personal respect, confidentiality, choice, dignity and privacy while exercising the AMHP role.

2. Key Competence Area 2: Application of Knowledge: The Legal and Policy Framework

(1) Whether the applicant has—

- (a) Appropriate knowledge of and ability to apply in practice—
 - (i) Mental health legislation, related codes of practice and national and local policy guidance, and

(ii) relevant parts of other legislation, codes of practice, national and local policy guidance, in particular the Children Act 1989, the Children Act 2004, the Human Rights Act 1998 and the Mental Capacity Act 2005;

(b) a knowledge and understanding of the particular needs of children and young people and their families, and an ability to apply AMHP practice in the context of those particular needs;

(c) An understanding of, and sensitivity to, race and culture in the application of knowledge of mental health legislation;

(d) An explicit awareness of the legal position and accountability of AMHPs in relation to the Act, any employing organisation and the authority on whose behalf they are acting;

(e) The ability to—

(i) Evaluate critically local and national policy to inform AMHP practice, and

(ii) Base AMHP practice on a critical evaluation of a range of research relevant to evidence-based practice, including that on the impact on persons who experience discrimination because of mental health.

(2) In paragraph (1), “relevant” means relevant to the decisions that an AMHP is likely to take when acting as an AMHP.

3. Key Competence Area 3: Application of Knowledge: Mental Disorder

Whether the applicant has a critical understanding of, and is able to apply in practice—

- (a) A range of models of mental disorder, including the contribution of social, physical and development factors;
- (b) The social perspective on mental disorder and mental health needs, in working with patients, their relatives, carers and other professionals;
- (c) The implications of mental disorder for patients, their relatives and carers, and
- (d) The implications of a range of treatments and interventions for patients, their relatives and carers.

4. Key Competence Area 4: Application of Skills: Working in Partnership

Whether the applicant has the ability to—

- (a) Articulate, and demonstrate in practice, the social perspective on mental disorder and mental health needs;
- (b) Communicate appropriately with and establish effective relationships with patients, relatives, and carers in undertaking the AMHP role;
- (c) Articulate the role of the AMHP in the course of contributing to effective inter-agency and inter-professional working;
- (d) Use networks and community groups to influence collaborative working with a range of individuals, agencies and advocates;
- (e) Consider the feasibility of and contribute effectively to planning and implementing options for care such as alternatives to compulsory admission, discharge and aftercare;
- (f) Recognise, assess and manage risk effectively in the context of the AMHP role;
- (g) Effectively manage difficult situations of anxiety, risk and conflict, and an understanding of how this affects the AMHP and other people concerned with the patient's care;
- (h) Discharge the AMHP role in such a way as to empower the patient as much as practicable;
- (i) Plan, negotiate and manage compulsory admission to hospital or arrangements for supervised community treatment;
- (j) Manage and co-ordinate effectively the relevant legal and practical processes including the involvement of other professionals as well as patients, relatives and carers, and
- (k) Balance and manage the competing requirements of confidentiality and effective information sharing to the benefit of the patient and other persons concerned with the patient's care.

5. Key Competence Area 5: Application of Skills: Making and Communicating Informed Decisions

Whether the applicant has the ability to—

- (a) Assert a social perspective and to make properly informed independent decisions;
- (b) Obtain, analyses and share appropriate information having due regard to confidentiality in order to manage the decision-making process including decisions about supervised community treatment;
- (c) Compile and complete statutory documentation, including an application for admission;
- (d) Provide reasoned and clear verbal and written reports to promote effective, accountable and independent AMHP decision making;
- (e) Present a case at a legal hearing;
- (f) Exercise the appropriate use of independence, authority and autonomy and use it to inform their future practice as an AMHP, together with consultation and supervision;
- (g) Evaluate the outcomes of interventions with patients, carers and others, including the identification of where a need has not been met;
- (h) Make and communicate decisions that are sensitive to the needs of the individual patient, and
 - (i) Keep appropriate records with an awareness of legal requirements with respect to record keeping and the use and transfer of information.

Key to abbreviations:

AMH- Adult Mental Health

AMHP – Approved Mental Health Professional

MH – Mental Health

MHA – Mental Health Act

CMHT – Community Mental Health Team

MHOA – Mental Health Older Adults (over 65yrs)

OA – Older Adults (over 65yrs)

YA – Younger Adults (under 65yrs)

AWLD – Adults with Learning Disabilities

LD – Learning Disability

LSSA – Local Social Services Authority