



**Appointment to the  
Mental Health Commission  
(MHC)**

**Information Pack**

**February 2024**

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## 1. Summary of Role

### **Mental Health Commission**

#### **Vacancies for: 2 Lay Members**

Term of office: 3 years from date of appointment

#### **What does the Mental Health Commission do?**

The purpose of the Commission is:-

- To keep under review the operation of the Mental Health Act 1998 in respect of patients liable to be detained under the Act;
- To assess and make recommendations regarding the care and wellbeing of patients in hospitals and mental nursing homes;
- To be consulted by the Department on the making of any nomination under section 120 regarding the appointment of independent doctors to carry out the functions of Second Opinion Appointed Doctors in accordance with the Act;
- To contribute to and review the Code of Practice and bring to the attention of the management any acts or omissions within the Code;
- To make comments on proposed changes to legislation which may affect the care and wellbeing of detained patients.

#### **Who are the Mental Health Commission looking for?**

**Members:** The Mental Health Commission (MHC) is a body of 7 Members, at least 2 of which have a suitable professional qualification and recent experience (ie within the last 24 months), of caring for the mentally ill within the context of inpatient services. The MHC is an independent body whose purpose is to assist the Department of Health and Social Care in protecting the rights and interests of patients detained under the Mental Health Act 1998.

The opening to join this Commission will involve working with the Department and Manx Care Mental Health Services to influence the way services are provided for patients. The Commission are looking for individuals who are passionate about quality care for vulnerable patients and who are motivated in offering suggestions for change in this area.

#### **How do I apply?**

**For an application form download a copy here:**

<https://www.gov.im/about-the-government/departments/health-and-social-care/isle-of-man-mental-health-commission/>

Or Request an application form by contacting the Clerk to the Mental Health Commission:-  
By Phone **(07624) 219290** or by email at **mhc.clerk@gov.im**

**Applications should be received by the Clerk no later than 12 Noon on 21<sup>st</sup> February 2024  
Noting provisional interview date is March 2024.**

The application form and Curriculum Vitae you submit must set out how you meet the essential requirements of the role.

If, after reading through this information pack, you have any queries about the duties and responsibilities of the post, or the MHC, in the first instance please contact the Clerk to the Mental Health Commission, on telephone number (07624) 219290.

The opportunity exists for all candidates to speak to the current Chair or any of the Members of the MHC for further information about the function and procedures of the MHC.

## **2. The Mental Health Commission Members**

### **Appointment**

The Members are appointed by the Department of Health and Social Care under section 119 of the Mental Health Act 1998. The Commission consists of 7 Members, one of whom is elected as Chair by the other Members.

### **Secretarial Services**

The Clerk to the Commission provides secretariat services for the Members.

### **Quorum**

No fewer than four Members (including two Members with suitable professional qualifications) are required to render a meeting quorate. In the absence of the Chair, the Chair may nominate another Member to act as Deputy during their absence.

### **Proceedings of the Committee**

The proceedings of the Commission are formally recorded in Minutes. Meetings shall take place in private although the Minutes can be released for public inspection.

### **Term of Appointment**

The Members will be appointed for an initial period of three years from the date of appointment but can be reappointed for a further period of two consecutive terms; up to a maximum of 9 continuous years' service.

## **3. Mental Health Commission: Role Profile and Person Specification**

### **Role Profile**

- Time commitment: The Commission will visit these places where patients are detained on at least 4 occasions over a 2 year period, one of these visits will be announced and the other may be unannounced. The Commission will jointly meet with the Department of Health and Social Care at least twice a year to report on overall status of reports on visits, giving information with regard to the work of the Commission, identify areas of both good and poor

performance, and identify any potential risks. Members would be required to attend regular meetings of the Commission throughout the year, and be able to allocate time to projects and any complaint received.

- Qualifications: Specific qualifications as a lay member are not mandatory but a good level of general education is desirable.
- Experience: Experience of working as a member of a committee, a governing board or similar body would be helpful.
- Members of the Commission shall not previously have been employed by the Isle of Man Department of Health and Social Care within the last three years due to the potential that this could cause a conflict of interest.

### **Knowledge and Skills**

- Prepared and confident enough to be able to challenge professional opinions.
- Be able to read and analyse complex issues.
- Be able to communicate with people who may themselves be experiencing communication difficulties.
- Personal integrity.

### **Conduct**

All Members of the Commission are expected to exercise the highest standards of behaviour in line with the seven principles of public life as set out in the Information Pack (section 4). A breach of the standards of behaviour expected may result in removal from the Commission.

In order to maintain high standards in public life, any appointment made may be terminated in the event that a member is convicted of a criminal offence, and/or where the Members conduct means that he or she is no longer a suitable person for the office.

### **Criminal Offences**

You are required to declare any criminal convictions (which are not considered spent) on the application form for this role.

This post is not considered exempt under the Rehabilitation of Offenders Act and you are not required to declare 'spent' convictions.

For further information on the Rehabilitation of Offenders Act, please phone the Police Vetting Unit on (01624) 631393.

### **Confidentiality, Data Protection and Information Security**

The Chair and Members are required to ensure the secure handling of both manual and electronic data whilst it is under their personal control.

Unauthorised disclosure of any information gained in the course of this appointment, or its use by the member or others for personal gain or advancement, could result in the appointment being terminated.

**Department of Health and Social Care  
Person Specification**

**Post:** Lay Member

**Committee:** Mental Health Commission (MHC)

<b>Attributes</b>	<b>Essential or Desirable</b>	<b>Method of Assessment</b> Application / CV (The Department reserves the right to interview candidates)
<p><b>Qualifications</b> Qualifications: Specific qualifications are not mandatory but a good level of general education is desirable</p>	D	
<p><b>Experience</b> No specific experience is required although experience of working as a member of a committee, a governing board or similar body would be helpful (Members of the Commission shall not previously have been employed by the Isle of Man Department of Health and Social Care within the last three years due to the potential that this has could cause a conflict of interest.)</p>	D	
<p><b>Knowledge and Skills</b> An interest in mental health issues Computer literate with computer access Prepared and confident enough to be able to challenge professional opinions Maintain independence of judgement Effective communication and interpersonal skills Be able to read and analyse complex issues Be able to communicate with people who may themselves be experiencing communication difficulties Ability to understand issues of confidentiality Experience of writing reports</p>	E E E E E E E E E	
<p><b>Disposition</b> A commitment to 'The 7 Principles of Public Life' (see Section 4 of Information Pack for further information)</p>	E	
<p><b>Circumstances</b> Over 18 years of age Satisfactory references Have time to devote to the work</p>	E E E	

## 4. Conduct, Conflicts of Interest etc. – A Guide for Commission Members

### The Seven Principles Underpinning Public Life

Holders of Public Office should at all times exercise the highest standards of behaviour in line with the seven principles of public life. The principles of public life are as follows:

**Selflessness** Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or other friends.

**Integrity** Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

**Objectivity** In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty** Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** Holders of public office should promote and support these principles by leadership and example.

All candidates who put themselves forward for public appointment must be able to demonstrate their commitment to the principles and values of public service.

### What is a conflict of interest?

Public Appointments require the highest standards of propriety, involving impartiality, integrity and objectivity, in relation to the stewardship of public funds and the oversight and management of all related activities. This means that any private, voluntary, charitable or political interest which might be material and relevant to the work of the body concerned, should be declared.

There is always the possibility for real or perceived conflicts of interest to arise. Both are a problem, as the perceived inference of a conflict may, on occasions, be as damaging as the existence of a real conflict.

The test which should be applied in relation to a potential case of perceived bias is:

*"whether the ascertained relevant circumstances would lead a fair-minded and informed observer to conclude that there is a real possibility that the decision-maker was biased."*

*Judgement delivered by His Honour Deemster Kerruish on 12 February 2007.*

## **Surely a perceived conflict is not a problem, as long as I act impartially at all times?**

The integrity of the individual is not in question here. However, it is necessary for the standing of the Commission that Members of the public have confidence in their independence and impartiality. Even a perceived conflict of interest on the part of a member can be extremely damaging to the Commission's reputation and it is therefore essential that these are declared and explored in the same way as an actual conflict would be. The fact that a member acted impartially may be no defence against accusations of potential bias.

You must declare any personal or business interests, which could be misconstrued or cause embarrassment to the Commission, the Department or the Isle of Man Government. These could include financial interests or share ownership, Membership of societies, activities, associations or employment of a partner or friend in the particular field in which the public body operates.

## **5. Remuneration for MHC Members**

Lay Members receive £78.00 per half day session, a day session being £156.00.

Members are remunerated in accordance with the provisions of the Payment of Members Expenses Act 1989. These expenses must be declared for income tax purposes, but are not taxable.

The following travel allowance is also paid, in accordance with the Travelling Allowances Order 2015:

Car	50p per mile
Motorcycle	26p per mile

'Session' means any of the following periods:

- i) 9.00 a.m. to 1.30 p.m.;
- ii) 2.00 p.m. to 6.30 p.m.;
- iii) 6.00 p.m. to 12 midnight.

## **6. Recruitment Policy**

### **Recruitment Policy Statement**

It is the Department's policy to promote equal opportunities. Procedures in relation to recruitments form part of this commitment. The Commission seeks to select the most suitable person for the post. The selection process is undertaken without discrimination and regardless of disability, gender, ethnic background or religious beliefs.

### **Recruitment Procedure**

The Commission will prepare a shortlist of suitable candidates using the information provided on the application form for the relevant post. It is important that your answers on this form demonstrate how you meet the requirements of the post applied for. Interviews will be conducted in accordance with the policy of the Commission and will be convened by the Commission.