

MENTAL HEALTH TRIBUNAL for SCOTLAND
GUIDANCE to TRIBUNAL MEMBERS No. 1/2019, revised 2024

**Process for completing Full Findings and Reasons
in MHTS cases**

1. To meet obligations under the Data Protection legislation, and to reduce the administrative burden on casework teams, no FFR should be circulated between panel members by email and no draft FFR should be sent to a caseworker for circulation to other panel members.

2. The Judicial Members' Area of the MHTS website has secure facilities for uploading documents. That is the only means by which a draft or final FFR should be shared among panel members. A copy of the Operating Procedure for uploading documents to the Members' website is appended to this guidance.

3. There are two methods by which an FFR may be completed:

(1) The panel may complete the FFR at the venue on conclusion of the hearing, together with the relevant Order. The Clerk will scan the FFR and Order onto the Case Management System (CMS) then assign the case to the Casework Team on CMS for a final check before processing the decision and closing the case on CMS.

(2) Where the convener and panel members do not complete the FFR at the conclusion of the hearing, it may be completed at a later date. The draft FFR should be uploaded to the secure members' area of the MHTS website for the medical and general members to review. The convener may wish to use email to notify the other panel members that a draft is available. Once the panel have agreed the contents, the convener should upload the final signed FFR to the secure area of the website in the same way as the draft.

4. After an in person hearing, the clerk will scan only the Order onto CMS then assign the case to the Casework Team. For a remote hearing, the clerk will share the draft order with members via the website, to allow them to confirm that it is correct. The FFR should be completed and received by the administration within ten days from the date of the hearing. The signed FFR can be received via the website or by SECURE email only. Again, the Casework Team will carry out a final check to ensure that details are correct before processing the final decision and closing the case on CMS.

5. Members should be aware that caseworkers are not responsible for circulating draft FFRs between panel members or for addressing any errors in the FFR.



Laura J Dunlop QC
President

28 October 2019

APPENDIX

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Welcome to the Mental Health Tribunal for Scotland

We provide a responsive and accessible, independent and impartial service to help make decisions on the compulsory care and treatment of people with mental disorders in Scotland.

Venues

Use the interactive map to find a venue.

Click to access now

News

Read the latest news from the Mental Health Tribunal for Scotland.

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Tribunal Members

Insert your login details to get started.

Username

Enter Username

Password

Login

Insert your 'Username' and the 'Password' you have created.

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Judicial Members' Area

Hello n413528 and welcome.

[Click here to access the Members' News Archive](#)

December 2015 Members' Newsletter

[Click here](#) to download the electronic version of the latest Newsletter.

[Go to "Members' Newsletters"](#) to view all Newsletters.

Members' Expenses Claims deadline

Please note that submission date/time for members' expenses claims for inclusion in January 2016 pay is:

12 noon on Wednesday, 30 December 2015

Increase in Members' Fee from 1 April 2015 (March 2015)

In line with the Public Sector Pay Policy for 2014/15 and 2015/16 for Senior Appointments, conveners and members should please note that fee increases are capped to 1% (see paragraph 2.1 on page 8 of the Pay Policy document). These will be implemented accordingly with effect from 1 April 2015. The [Guidance to Members on Claiming Expenses](#) has been updated accordingly.

Please contact the Finance Team at MHTSFinance@scotland.gsi.gov.uk if you have any questions or queries.

Member Appraisals - Updated guidance and documents

The appraisal guide has been updated and both the appraisal and self-appraisal forms have been simplified. These can be downloaded from the following links:

[Appraisal Guidance](#)

[Self-appraisal form - to be completed by member prior to appraisal](#)

[Appraisal form](#) [Self-appraisal form - to be completed by members prior to appraisal](#)

DPA e-learning course

[To view the Protecting Information course, please click here](#)

[To view the DPA e-learning course, please click here](#)

Updated Guidance on handling Tribunal data (28 March 2014)

[Click here](#) to access the updated STS Guidance which was emailed to members on 4 March 2014.

Media Guide for Tribunal Members (17 January 2014)

Click on 'Admin Send Documents'

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Site Search

search

Members' Search

Please select the members that you need to send a document to and click on "Proceed to Document Sending".

Search through the Tribunal Members' database:

Using Member Type:

ALL

And / or Member name:

Search

Currently selected members:

Resize Text: [A](#) [A](#) [A](#)

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Insert panel member's surname and click the 'Search' button.
A list with all Panel Members with that surname will appear

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Search through the Tribunal Members' database:

Using Member Type:

ALL

And / or Member name:

Search

Currently selected members:

	Member Type	Name	Occupation
☐	Legal Member		
☐	Medical Member		
☐	Legal Member		
☐	Legal Member		solicitor
☐	Legal Member		Solicitor

Add

Cancel

Resize Text: [A](#) [A](#) [A](#)

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Select the correct member using the **Check Box** next to their name.
Then Click on the 'Add' button .

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Search through the Tribunal Members' database:

Using Member Type: ALL

And / or Member name:

[Search](#)

Currently selected members:

	Member Type	Name	Occupation
☐	Legal Member		
☐	Medical Member		
☐	Legal Member		
☐	Legal Member		solicitor
☐	Legal Member		Solicitor

[Add](#) [Cancel](#)

The added member will be shown as above.

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[Proceed to Document Sending](#)

Search through the Tribunal Members' database:

Using Member Type: ALL

And / or Member name:

[Search](#)

Currently selected members:

	Member Type	Name	Occupation
☐	Legal Member		
☐	Medical Member		
☐	Legal Member		
☐	Legal Member		solicitor
☐	Legal Member		Solicitor

[Add](#) [Cancel](#)

Resize Text: [A](#) [A](#) [A](#)

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Repeat the process to add other panel members.

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Search through the Tribunal Members' database:

Using Member Type:

And/or Member name:

Currently selected members:

Member Type	Name	Occupation
☐ General Member		

Resize Text: [A](#) [A](#) [A](#)

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Once all members have been added, they will be shown as above.

Click on **‘Proceed to Document sending’**.

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Send a Document

This option allows you to send a document to the Mental Health Tribunal Members.

Hearing Date: * (e.g. 11-NOV-2012)

Description: *

Case Reference: * (e.g. Venue, patient name)

Classification: * Electronic Papers

File: *

	Browse...
	Browse...
	Browse...
	Browse...
	Browse...
	Browse...
	Browse...
	Browse...
	Browse...
	Browse...

Recipients:

‘Hearing Date’ – **N.B. When uploading to the website the hearing date has to be in the future or the document will not show. **Choose a date 2 weeks after the hearing date.**

‘Description’ – Insert details as requested – Patient Name, time, location etc. Also add here any message you wish to convey to the member/s – for example how to respond and any timescale you wish to set.

‘Case Reference’ – Insert the case reference.

Click **‘Browse’** to access your draft FFR and upload the document.

Once your document has been selected click the **‘Send’** button.

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Your document has been sent successfully.

The email notifications were sent successfully

Recipients:

Once the documents have been sent, a confirmation will appear.