Values in Mental Health Legislation

1 Values and Values-based Practice

12.10.2016

Bill Fulford and Tamsin Waterhouse

Collaborating Centre for Values-based Practice
St Catherine’s College, Oxford
Outline

1. Values and values-based practice
2. Values-based surgery
3. Montgomery
4. Summary
1. Values and values-based practice
2. Values-based radiography
3. Montgomery
First Exercise - what are values?

1. Write down three words (or very short phrases) that mean ‘values’ to you …

2. Then compare with your neighbour …
What are Values?

• Principles
• Needs
• Wishes
• Preferences
• Hopes
• Ambitions
• Concerns
• Virtues
• Etc!
What are Values?

Values are individually diverse
What are Values?

Values are about ‘what matters’ or ‘is important’ to you
Resources for working with values

• Ethics
• Medical humanities
• Decision analysis
• Health economics
• Etc
Values-Based Practice adds to these ....

......... skills for working with individually diverse values
Values-based practice

Ten Key Process Elements

• 4 Clinical Skills
• 2 Aspects of the model of service delivery
• 3 Strong links between VBP and EBP
• Partnership in decision-making

Together these support balanced dissensual decision making within frameworks of shared values
Values-based practice

Ten Key Process Elements

- **Awareness Skills**
- 2 Aspects of the model of service delivery
- 3 Strong links between VBP and EBP
- Partnership in decision-making

Together these support **balanced dissensual decision making within frameworks of shared values**
Second Exercise - It’s your decision …

• Imagine you have developed early symptoms of a potentially fatal disease …
• NICE has approved two possible treatments
• TREATMENT A - gives you a guaranteed period of remission but no cure
• TREATMENT B - gives you a 50:50 chance of ‘kill or cure’
• Your decision – how long a period of remission would you want from Treatment A to choose that treatment rather than go for the 50:50 ‘kill or cure’ from Treatment B?
It’s your decision …

“How long a period of remission would I want from Treatment A to choose that treatment rather than go for the 50:50 ‘kill or cure’ from Treatment B?”

- Write down your own answer thinking about your decision from own point of view and in your own particular circumstances
- Then compare your answer with your neighbours’ answers
Choosing treatment A over B ...

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Values-based Practice links science with people

Values Based Practice

Evidence Based Practice
David Sackett’s definition of evidence-based medicine ...

... the integration of

~best evidence
~clinical experience
~patient values
‘By patient values we mean the unique preferences, concerns and expectations each patient brings to a clinical encounter and which must be integrated into clinical decisions if they are to serve the patient.’
Values-based Practice links science with people
VBP and EBP are **partners** in the delivery of person-centred care.

Values Based Practice

Evidence Based Practice
Summary

1. Values and values-based practice
   - Values are about **what matters to you** (individually diverse)
   - Values-based practice – **skills for working with individually diverse values**
   - As a **partner to evidence-based practice**

2. Values-based surgery

3. Montgomery
Outline

1. Values and values-based practice
2. Values-based surgery
3. Montgomery
From mental health
From mental health
to values-based surgical care
Ashok Handa
What surgery is about: ‘every man should know his limitations’
What surgery is NOT about:
‘feeling lucky today punk?’
Surgical seminars

- 7 seminars to date
- Content of 3 word and forced choice exercises
- Case based discussions
- Multi-disciplinary teams
- Patients and patient groups actively involved
How VBP has changed *surgical* practice
How VBP has changed surgical practice

‘What would you do doctor?’
• Pre-VBP: answer based on surgeon’s values
How VBP has changed surgical practice

‘What would you do doctor?’

• Pre-VBP: answer based on surgeon’s values

‘What’s important to you?’

• Post-VBP: answer based on patient’s values
How VBP changes applying mental health legislation
How VBP changes applying mental health legislation: this afternoon
How VBP changes applying mental health legislation: this afternoon

A VBP ‘tweak’ to my practice
Summary

1. Values and values-based practice
2. Values-based surgery
   My individual ‘tweak’
3. Montgomery
Summary

1. Values and values-based practice
2. Values-based surgery (and MH legislation)
   My individual ‘tweak’
3. Montgomery
Outline

1. Values and values-based practice
2. Values-based radiography
3. Montgomery
The Montgomery Ruling

Montgomery (Appellant) v Lanarkshire Health Board (Respondent), April 2015
How this will change everyone’s practice

The Montgomery Ruling

Montgomery (Appellant) v Lanarkshire Health Board (Respondent), April 2015
Background

- Mrs Nadine Montgomery’s case:
  - High risk pregnancy (diabetes) under care of Dr McLellan
  - Baby born with shoulder dystocia
  - Child left with serious disabilities

- The facts:
  - Mothers with diabetes are more likely to have a large baby
  - 10% risk of shoulder dystocia

- Mrs Montgomery had raised concerns about vaginal delivery, but Dr McLellan's policy was not routinely to advise diabetic women about shoulder dystocia
Supreme Court Ruling

- Patient should have been told about risk of shoulder dystocia
- Judgment as a whole marks shift from ‘prudent clinician’ to ‘prudent patient’ test of consent in health and social care
Supreme Court Ruling

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• Judgment as a whole marks shift from ‘prudent clinician’ to ‘prudent patient’ test of consent in health and social care
• This is NOT about:
  ~ ‘bombard(ing) patients with technical detail’
  ~ offering ‘futile’ treatments
Supreme Court Ruling

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• Judgment as a whole marks shift from ‘prudent clinician’ to ‘prudent patient’ test of consent in health and social care
• This is NOT about:
  ~ ‘bombard(ing) patients with technical detail’
  ~ offering ‘futile’ treatments
• What it IS about:
  1. Clinicians engaging in ‘dialogue’ with their patient to the point that
  2. they have sufficient understanding of the risks and benefits of the options available to make a choice that
  3. takes into account ‘her own values’
Supreme Court Ruling

• What it IS about:

1. Clinicians engaging in ‘dialogue’ with their patient to the point that they have sufficient understanding of the risks and benefits of the options available to make a choice that takes into account ‘her own values’
Montgomery is about ...
Montgomery is about ...

Values-based clinical care
MONTGOMERY AND ME: IMPLEMENTING THE NEW STANDARD FOR CONSENT TO TREATMENT IN MEDICINE AND HEALTHCARE

- **Where?** St. Catherine’s College, Oxford
- **When?** Friday October 28th 2016

Confirmed speakers include:

- **Baroness Hale**, Deputy President of the Supreme Court and one of the Montgomery judges
- **Professor Sir John Bell**, Regius Professor of Medicine, University of Oxford
- **Professor Jonathan Herring**, Professor of Law, University of Oxford
Summary

1. Values and values-based practice
2. Values-based surgery
3. Montgomery consent

...about values-based clinical care
Overall Summary

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2. Values-based surgery
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Overall Summary

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   • Values-based practice – **skills for working with individually diverse values**
   • As a **partner to evidence-based practice**
2. Values-based surgery
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Overall Summary

1. Values and values-based practice
   • Values are about **what matters to you** (individually **diverse**)
   • Values-based practice – **skills for working with individually diverse values**
   • As a **partner to evidence-based practice**

2. Values-based surgery
   • **My individual ‘tweak’** (this afternoon)

3. Montgomery
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   - Values are about **what matters to you** (individually diverse)
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   - As a **partner to evidence-based practice**
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3. Montgomery
   - ...about **values-based clinical care**
LEARN MORE

The Collaborating Centre

valuesbasedpractice.org

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