

Pennaeth Iechyd Meddwl a Grwpiau Bregus
Grŵp Iechyd a Gwasanaethau Cymdeithasol

Head of Mental Health and Vulnerable Groups
Health and Social Services Group

Committee Clerk
Health and Social Care & Sport Committee
National Assembly for Wales
Cardiff Bay
Cardiff
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Llywodraeth Cymru
Welsh Government

16 May 2019

Dear Claire

Mental Health Crisis Concordat Assurance Group (MHCCC) 135/136 data sets

At the Health and Social Care & Sport Committee meeting on 4 April I agreed to share with the Committee the new 135/136 data sets that have been developed by the Mental Health Crisis Concordat Assurance Group (MHCCC).

The new national data set for monitoring the use of s.135 and s.136 of the Mental Health Act have been developed by a multiagency task and finish group and recognise the need for all partners to engage in recording and reporting so that reliable and transparent data is available to understand the use of police powers within the continuum of crisis care.

The data set has been approved by the Welsh Information Standards Board (WISB) and since April 2019, following a period of piloting, has been formally implemented. The WISB recognised the complexity of s.135/136 transactions across policing, health and social services and indicated that they would want an update on whether all data is being reported and recorded by partners. As part of that assurance process, Welsh Government officials have convened an all Wales workshop with partners in policing, health boards and Local Authorities which will take place on 17 May. The aim of the workshop is to review the first quarter submission of the data set (January to March 2019) and collectively identify the underlying reasons for any gaps in the data to assure the integrity of the data prior to publication.

The workshop will also be an opportunity for a pilot of digital recording and transfer of s.135 and s.136 data by policing to be shared with all health boards to enable local consideration of system capability to support a safe and effective paperless transaction of the operational process.

The publication of quarterly s.135 and s.136 data is also a recommendation of the Independent Review of the Mental Health Act 1983 commissioned by the UK Government.

I have attached the Explanatory Note and the s.135/136 proforma for the Committee. To note, the documents included are technical in nature and are only sent to individuals involved in the process

of recording and reporting on the data. This information is not published more widely and is not provided bilingually routinely, although it can be provided in Welsh on request.

I hope the Committee finds this information helpful.

Yours sincerely

A handwritten signature in purple ink, appearing to read 'M. Downton', with a stylized flourish at the end.

Matt Downton
Head of Mental Health Vulnerable Groups

**Explanatory Note: Revised National Data for Monitoring the Use of
section 135 and section 136 in Wales**

1. Background

- 1.1 In December 2017, changes made by the Policing and Crime Act 2017 to s.135 and s.136 (s.135/6) of the Mental Health Act 1983 came into force.
- 1.2 In response to those changes as they applied in Wales, the Welsh Government issued an interim form for monitoring the use s.135/6.
- 1.3 The Crisis Care Concordat Assurance Group also agreed that changes in the law provided an opportunity to rethink what we want to know in Wales about the use of s.135/6 and to develop a new data set.
- 1.4 A multi-agency Task and Finish Group with representatives for Local Authorities, Local Health Boards, Policing, Mental Health Act administration and the Welsh Government was established to undertake this work. The work of the group was underpinned by a statement of purpose, principles of design of a new data set and mapping of the end-to-end steps for the person subject to either s.135/6.
- 1.5 A new data set was proposed to capture what we need to know on a National level in Wales and agreed by the Crisis Care Concordat Assurance Group. It is recognised that on a local level, far more detail will be recorded by every organisation involved in the operational process of s135/6.

2. How will the data set work in practice

- 2.1 A change in approach means that the Welsh Government are issuing a “data set” for Wales (rather than a separate form to be completed) so that organisations can “build-in” what needs to be reported into local and existing recording methods and systems. It is hoped that this will prevent operational duplication.
- 2:2 It has also been agreed that s.135 and s.136 data will be published on a quarterly basis via Stats Wales. This will **replace** the reporting of s.135 and s.136 via the KP90 once agreed by the Welsh Information Standards Board (WISB)

[The KP90 is an annual return to the Welsh Government on the use of the Mental Health Act 1983]

Explanatory Note: Revised National Data for Monitoring the Use of section 135 and section 136 in Wales

- 2:3 Mental Health Act Administration departments of Local Health Boards across Wales will continue to complete and report the data to the Welsh Government on a quarterly basis. Retiring the reporting of s.135 and s.136 via the KP90 is hoped to reduce burden and duplication on these busy departments.
- 2:3 To make sure that the data meets the requirements of published statistics, the excel form for submitting returns to Welsh Government is formatted to support consistent entries. This will also eliminate variations that make it more difficult to analyse the data on a national, regional or local basis.
- 2:4 Data points needing manual entries are kept to a minimum. For example, the reason why it was not practicable for a police officer to consult with a specified health professional before exercising s.135/6 powers. It is intended that when enough information is available through a period of reporting to establish thematic reasons, these will then be adjusted into a drop-down pick list.

3. Next steps

- 3.1 Local Authorities, Health Boards and Policing Areas are asked to make sure that local recording systems are able to record the new data set. Some of the data will already be collected and reported but there are also new data points to:
- a) reflect changes in the law and,
 - b) reflect what is agreed we need to know on a National basis.
- 3.2 To aide this exercise, we have provided a list of the data points and drop-down “pick-lists” in Word format which might be more user-friendly when cross-referencing and building into local recording methods
- 3.3 Any questions or queries about the data set should be sent to: MentalHealthandVulnerableGroups@gov.wales
so that we can collate common questions and provide clarity in the round.

4. Timescales

- 4.1 The new data set will be:
- piloted from **1 January 2019** so that there is a chance to work through any amendments or tweaks that we need to make and to gain approval by Welsh Information Standards Board (WISB).
 - Formal reporting of the new data set is aimed to start **1 April 2019**

**Explanatory Note: Revised National Data for Monitoring the Use of
section 135 and section 136 in Wales**

5. What other developments are happening?

- 5.1 It was also agreed by the Crisis Care Concordat Assurance group that separate data needs to be developed for the purpose of:-
- a) Learning about the lived experience of the person of s.135 and s.136
 - b) Understanding more about the “consultation” between police officers and health professionals where s.136 is not used in order to learn about alternatives and less restrictive responses across systems.
 - c) The Welsh Government is working with NWIS to ensure this data set is aligned with the development of the Mental Health Core Data Set and WCCIS.
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Column	Indicator	Heading	Description
B	Indicator 1	Health Board where person is resident	The area in Wales covered by the Local Health Board where the person was ordinarily resident. Where the person is not a Welsh resident, please select 'Non-Welsh resident' in the drop down list. If, for example, the person has no fixed abode such as a gypsy or traveller or you do not know where the person is ordinarily resident, then please select 'Unknown' in the drop down list.
C	Indicator 2	Date of Birth	To be inputted as dd/mm/yyyy
D	Indicator 3	Gender	Any person should be classified according to the gender they consider themselves to be. If any persons are not able or willing to state their gender, these should be classified according to the last available classification, for example during a previous hospital admission or that available from their GP.
E	Indicator 4	Ethnicity	Any person should be classified according to the ethnicity they consider themselves to be. If any persons are not able or willing to state their ethnicity, these should be classified according to the last available classification, for example during a previous hospital admission or that available from their GP. The list of ethnicities provided in the drop down menu is taken from those used in the 2011 Census.
F	Indicator 5	Preferred language	Any person should be classified according to the language they have stated they wish to use.
G	Indicator 6a	Date warrant executed	The date on which the warrant was executed. To be inputted as dd/mm/yyyy
H	Indicator 6b	Time warrant executed	The time at which warrant was executed. To be inputted as hh:mm
I	Indicator 7	Is the address identified on warrant considered suitable PoS for assessment	Whether or not it has been agreed that the address on the warrant is a suitable place for the assessment to be carried out
J	Indicator 8a	First PoS identified	The first place of safety (PoS) will be the place of detention to which the person is kept at or first taken. (If person taken first to A&E for urgent medical attention, the date and time of start of detention is noted as time of arrival at A&E)
K	Indicator 8b	First PoS conveyance method	This is the method of transport by which the person was taken to the first place of safety.
L	Indicator 8c	If a police vehicle is used - state reasons why	The reason a police vehicle was used instead of a different organisational/type of vehicle
M	Indicator 9	Time s135 began if removed to PoS (when received there)	The time at which the person arrived at the first place of safety. To be inputted as hh:mm
N	Indicator 10	At the time of being detained, were there any indications that the person was suffering the effects of substances or alcohol?	The professional opinion of the detaining police office as to whether the person was suffering the effects of substances and/or alcohol at the time of detention.
O	Indicator 11a	Transfer to 2nd PoS	Specify the next place of safety if it is not provided in the drop down list in indicator 12.
P	Indicator 11b	2nd PoS conveyance method	This is the method of transport by which the person was taken to the second place of safety.
Q	Indicator 11c	If a police vehicle is used - state reasons why	The reason a police vehicle was used instead of a different organisational/type of vehicle
R	Indicator 11d	Reason for transfer to 2nd PoS	The primary reason for the transfer of the person from the first place of safety to a subsequent place of safety.
S	Indicator 12a	Transfer to 3rd PoS	Specify the next place of safety if it is not provided in the drop down list in indicator 12.
T	Indicator 12b	3rd PoS conveyance method	This is the method of transport by which the person was taken to the third place of safety.
U	Indicator 12c	If a police vehicle is used - state reasons why	The reason a police vehicle was used instead of a different organisational/type of vehicle
V	Indicator 12d	Reason for transfer to 3rd PoS	The primary reason for the transfer of the person from the second place of safety to a subsequent place of safety.
W	Indicator 13a	Date assessment completed	The date on which the assessment was completed To be inputted as dd/mm/yyyy
X	Indicator 13b	Time assessment completed	The time at which the assessment was completed. To be inputted as hh:mm
Y	Indicator 14	Extension of 24 hour agreed	Whether the extension of 24 hour period been authorised.
Z	Indicator 15a	Date detention ended	The date on which the outcome of the assessment was completed To be inputted as dd/mm/yyyy
AA	Indicator 15b	Time detention ended	The time at which the outcome of the assessment was completed. To be inputted as hh:mm
AB	Indicator 16	Outcome of assessment	What happened to the person after the assessment was completed.
AC	Indicator 17	Comments - Please use this space to record any relevant information not captured elsewhere on the form	Please use this section to input any information that may be relevant which is not captured elsewhere on the form.

Removal of a Suspected Mentally Disordered Person to a Place of Safety Under Section 135/136 of the Mental Health Act 1983 - Quarterly Pro-forma

Guidance Notes

General Points

(1) Local Health Boards to provide one completed template for all hospital and police detentions within their Health Board area.

(2) The submission requirements for 2018/19 are quarterly as follows (if the submission date falls on a weekend, please submit on the next working day following the weekend):

Data relating to	Submission Date
April - June 2018	31st July 2018
July - September 2018	31st October 2018
October - December 2018	31st January 2019
January - March 2019	30th April 2019

(3) All submissions should be e-mailed to the Welsh Government Delivery & Performance Division inbox at: HSS.Performance@gov.wales

Column	Indicator	Heading	Description
B	Indicator 1	Health Board where person is resident	The area in Wales covered by the Local Health Board where the person was ordinarily resident. Where the person is not a Welsh resident, please select 'Non-Welsh resident' in the drop down list. If, for example, the person has no fixed abode such as a gypsy or traveller or you do not know where the person is ordinarily resident, then please select 'Unknown' in the drop down list.
C	Indicator 2	Date of Birth	To be inputted as dd/mm/yyyy
D	Indicator 3	Gender	Any person should be classified according to the gender they consider themselves to be. If any persons are not able or willing to state their gender, these should be classified according to the last available classification, for example during a previous hospital admission or that available from their GP.
E	Indicator 4	Ethnicity	Any person should be classified according to the ethnicity they consider themselves to be. If any persons are not able or willing to state their ethnicity, these should be classified according to the last available classification, for example during a previous hospital admission or that available from their GP. The list of ethnicities provided in the drop down menu is taken from those used in the 2011 Census.
F	Indicator 5	Preferred language	Any person should be classified according to the language they have stated they wish to use.
G	Indicator 6a	Officer encounter with patient	Indicates whether the officer is responding to a contact about the person <u>or</u> has come across the person in a public place
H	Indicator 6b	Date of officer encounter	The date on which the officer encountered the patient To be inputted as dd/mm/yyyy
I	Indicator 6c	Time of officer encounter	The time at which the officer encountered the patient. To be inputted as hh:mm
J	Indicator 7	Police officer concern for patient's MH	The reason why the police officer is considering whether s.136 powers need to be used
K	Indicator 8a	Police officer consultation with (specify)	The specified professional role of the person that the police officer consults with in considering whether s.136 powers need to be used
L	Indicator 8b	Time of consultation	The time at which the consultation occurred. To be inputted as hh:mm
M	Indicator 8c	If consultation not practicable state reasons why	The reason the police officer considered that it was not practicable to consult with a specified health professional before exercising s.136 powers
N	Indicator 9	Outcome of consultation	Whether the officer decides to exercise s.136 powers following consultation <u>or</u> exercises s.136 powers against the advice of the specified health professional that s/he consulted with
O	Indicator 10a	First PoS identified	The first place of safety (PoS) will be the place of detention to which the person is kept at or first taken. (If person taken first to A&E for urgent medical attention, the date and time of start of detention is noted as time of arrival at A&E)
P	Indicator 10b	First PoS conveyance method	This is the method of transport by which the person was taken to the first place of safety.
Q	Indicator 10c	If a police vehicle is used - state reasons why	The reason a police vehicle was used instead of a different organisational/type of vehicle
R	Indicator 11	At the time of being detained, were there any indications that the person was suffering the effects of substances/alcohol?	The professional opinion of the detaining police officer as to whether the person was suffering the effects of substances and/or alcohol at the time of detention.
S	Indicator 12a	Time s136 began if removed to PoS (when received there)	The time at which the person was kept at or arrived at the first place of safety. To be inputted as hh:mm
T	Indicator 12b	Time s136 began if kept at PoS (should be the same as s136 arrest)	The time at which the person was kept at or arrived at the first place of safety. To be inputted as hh:mm
U	Indicator 13a	Transfer to 2nd PoS	Specify the next place of safety if it is not provided in the drop down list in indicator 12.
V	Indicator 13b	2nd PoS conveyance method	This is the method of transport by which the person was taken to the second place of safety.
W	Indicator 13c	If a police vehicle is used - state reasons why	The reason a police vehicle was used instead of a different organisational/type of vehicle
X	Indicator 13d	Reason for transfer to 2nd PoS	The primary reason for the transfer of the person from the first place of safety to a subsequent place of safety.
Y	Indicator 14a	Transfer to 3rd PoS	Specify the next place of safety if it is not provided in the drop down list in indicator 12.
Z	Indicator 14b	3rd PoS conveyance method	This is the method of transport by which the person was taken to the second place of safety.
AA	Indicator 14c	If a police vehicle is used - state reasons why	The reason a police vehicle was used instead of a different organisational/type of vehicle
AB	Indicator 14d	Reason for transfer to 3rd PoS	The primary reason for the transfer of the person from the second place of safety to a subsequent place of safety.
AC	Indicator 15a	Date officer released	The date on which the Date officer was released To be inputted as dd/mm/yyyy
AD	Indicator 15b	Time officer released	The time at which Date officer was released. To be inputted as hh:mm
AE	Indicator 15c	Reason officer stays with person	The reason that the police officer stays with the person at the place of safety once received there
AF	Indicator 16a	Date assessment completed	The date on which the assessment was completed To be inputted as dd/mm/yyyy
AG	Indicator 16b	Time assessment completed	The time at which the assessment was completed. To be inputted as hh:mm
AH	Indicator 17	Extension of 24 hour agreed	Whether the extension of 24 hour period been authorised.
AI	Indicator 18a	Date detention ended	The date on which the outcome of the assessment was completed To be inputted as dd/mm/yyyy
AJ	Indicator 18b	Time detention ended	The time at which the outcome of the assessment was completed. To be inputted as hh:mm
AK	Indicator 19	Outcome of assessment	What happened to the person after the assessment was completed.
AL	Indicator 20	Comments Please use this space to record any relevant information not captured elsewhere on the form	Please use this section to input any information that may be relevant which is not captured elsewhere on the form.