

Freedom of Information Request

Reference Number: [EPUT.FOI.22.2603](#)
Date Received: [09.08.2022](#)

Information Requested:

We are emailing to make a formal freedom of information request in accordance with the Freedom of Information Act 2000 in relation to data held by the Trust. The information we request is as follows:

1. The number of detained individuals in mental health in-patient settings within the Trust by ethnicity and which section they are detained pursuant to the Mental Health Act 1983 (as amended)
 - a. This data should be a monthly statistic covering the period of the last 5 years
[Please see the attached Excel Spreadsheet details of the response. The activity is based on admissions for calendar years 2017 to 2021, grouped by MHA Section on admission and ethnicity.](#)

[Note, the data has been aggregated by year and not broken down by month in order to protect patient confidentiality.](#)
2. The average length of detention periods for those within the Trust by ethnicity and which section they are detained pursuant to the Mental Health Act 1983 (as amended)
 - a. This data should be a monthly statistic covering the period of the last 5 years
[Please see the attached Excel Spreadsheet details of the response. The activity is based on discharges for calendar years 2017 to 2021, grouped by MHA Section on admission and ethnicity.](#)
[Average length of detention is based on the total numbers of days from admission to discharge.](#)
[Please note that due to the nature of Forensic Sections there terms of stay are normally longer, the responsible clinician cannot release a patient without the authority of the Mental Health Tribunal or Secretary of State.](#)

3. The number of times restraint is used within in-patient mental health units within the Trust by ethnicity and which section they are detained pursuant to the Mental Health Act 1983 (as amended)
 - a. This data should be a monthly statistic covering the period of the last 5 years
The Trust does not hold the Section of the Mental Health that each person is detained under centrally, to determine this would require a manual trawl of each individual restraint incident and relating patient records, therefore the Trust is unable to provide all of the information requested as this would exceed the time and cost limits, as set out in the Act. The Trust is therefore applying Section 12 of the Act (where cost of compliance exceeds).

4. The number of patients subject to T3 forms within in-patient mental health units within the Trust by ethnicity and which section they are detained pursuant to the Mental Health Act 1983 (as amended)
 - a. This data should be a monthly statistic covering the period of the last 5 years
The Trust does not hold information regarding T3 forms centrally, to determine this would require a manual trawl of each individual patient records, therefore the Trust is unable to provide all of the information requested as this would exceed the time and cost limits, as set out in the Act. The Trust is therefore applying Section 12 of the Act where cost of compliance exceeds appropriate limit.

5. The number of patients given PRN by intramuscular methods within in-patient mental health units within the Trust by ethnicity and which section they are detained pursuant to the Mental Health Act 1983 (as amended)
 - a. This data should be a monthly statistic covering the period of the last 5 years
The Trust does not hold the Section of the Mental Health that each person is detained under centrally, to determine this would require a manual trawl of each individual restraint incident and relating patient records, therefore the Trust is unable to provide all of the information requested as this would exceed the time and cost limits, as set out in the Act. The Trust is therefore applying Section 12 of the Act where cost of compliance exceeds appropriate limit.

6. Details and copies of the policies in place to identify and account for any disparities between different ethnicity groups within in-patient mental health units within the Trust
Essex Partnership University NHS Foundation Trust does not hold a policy in relation to the request.

7. The number of instances of covert medication used in mental health in-patient settings within the Trust by ethnicity and which section they are detained pursuant to the Mental Health Act 1983 (as amended)

- a. This data should be a monthly statistic covering the period of the last 5 years
The Trust does not hold instances of covert medication centrally, to determine this would require a manual trawl of each individual patient, therefore the Trust is unable to provide all of the information requested as this would exceed the time and cost limits, as set out in the Act. The Trust is therefore applying Section 12 of the Act.

Section 12 (Exemption where cost of compliance exceeds appropriate limit):

- (1) Section 1(1) does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit.
- (2) Subsection (1) does not exempt the public authority from its obligation to comply with paragraph (a) of section 1(1) unless the estimated cost of complying with that paragraph alone would exceed the appropriate limit.
- (3) In subsections (1) and (2) “the appropriate limit” means such amount as may be prescribed, and different amounts may be prescribed in relation to different cases.
- (4) The Secretary of State may by regulations provide that, in such circumstances as may be prescribed, where two or more requests for information are made to a public authority—
 - (a) by one person, or
 - (b) by different persons who appear to the public authority to be acting in concert or in pursuance of a campaign, the estimated cost of complying with any of the requests is to be taken to be the estimated total cost of complying with all of them.
- (5) The Secretary of State may by regulations make provision for the purposes of this section as to the costs to be estimated and as to the manner in which they are to be estimated

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A

publication scheme is a guide to the information that is held by the organisation.
EPUT's Publication Scheme is located on its Website at the following link
<https://eput.nhs.uk/about-us/freedom-of-information/publication-scheme/>