

Information Governance

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Russia Lane
London
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Website: <https://www.elft.nhs.uk>

29 March 2022

Our reference: FOI DA4066

I am responding to your request for information received 13 January 2022. I am sorry for the delay in responding to your request. This has been treated as a request under the Freedom of Information Act 2000.

I am now enclosing a response which is attached to the end of this letter. Please do not hesitate to contact me on the contact details above if you have any further queries.

Yours sincerely,



Keshia Harvey
Information Governance Manager

If you are dissatisfied with the Trust's response to your FOIA request then you should contact us and we will arrange for an internal review of this decision.

If you remain dissatisfied with the decision following our response to your complaint, you may write to the Information Commissioner for a decision under Section 50 of the Freedom of Information Act 2000. The Information Commissioner can be contacted at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: 0303 123 1113
Web: www.ico.org.uk

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Chair: Mark Lam

Chief Executive: Paul Calaminus

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Request:

Good afternoon,

I am emailing to request information under the Freedom of Information Act 2000. I am requesting:

I would like to receive the information electronically in a spreadsheet, with the questions as column headers

Question 1. For each month between and including March 2019 and December 2021, please provide the number of detentions of children (under 18) detained under Section 136 of the Mental Health Act 1983

Answer: Please see table below:

Month/Year of Detention	Total by Month
March 2019	2
April 2019	5
May 2019	2
June 2019	0
July 2019	3
August 2019	3
September 2019	3
October 2019	0
November 2019	2
December 2019	6
January 2020	0
February 2020	0
March 2020	2
April 2020	2
May 2020	4
June 2020	3
July 2020	2
August 2020	0
September 2020	1
October 2020	0
November 2020	2
December 2020	4
January 2021	1
February 2021	3
March 2021	0
April 2021	5
May 2021	3
June 2021	8
July 2021	2
August 2021	3
September 2021	3
October 2021	3
November 2021	3

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Question 2. The total number of individual children detained under Section 136 of the Mental Health Act during the following periods:

a. 28/02/2019 to 29/02/2020

Answer: 26

b. 01/03/2020 to 01/03/2021

Answer: 24

Question 3. In reference to question (1), for each detention can you provide:

a. The month and year of the detention (MM/YYYY)

b. The age of the child (broken down into the following bands to avoid potential identification):

i. 0-5

ii. 5-11

iii. 12-15

iv. 16-17

Answer: Please see table below:

Month/Year of Detention	Aged 0-5	Aged 5-11	Aged 12-15	Aged 16-17
March 2019	0	0	2	0
April 2019	0	0	0	5
May 2019	0	0	0	2
June 2019	0	0	0	0
July 2019	0	0	1	2
August 2019	0	0	0	3
September 2019	0	1	0	2
October 2019	0	0	0	0
November 2019	0	0	1	1
December 2019	0	0	4	2
January 2020	0	0	0	0
February 2020	0	0	0	0
March 2020	0	0	1	1
April 2020	0	0	0	2
May 2020	0	0	2	2
June 2020	0	0	0	3
July 2020	0	0	0	2
August 2020	0	0	0	0
September 2020	0	0	0	1
October 2020	0	0	0	0
November 2020	0	0	0	2
December 2020	0	0	0	4
January 2021	0	0	0	1
February 2021	0	0	1	2
March 2021	0	0	0	0

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Month/Year of Detention	Aged 0-5	Aged 5-11	Aged 12-15	Aged 16-17
April 2021	0	0	2	3
May 2021	0	0	0	3
June 2021	0	0	2	6
July 2021	0	0	1	1
August 2021	0	0	0	3
September 2021	0	0	2	1
October 2021	0	0	1	2
November 2021	0	0	1	2
December 2021	0	0	2	1

c. The gender of the child

Answer: Please see table below:

Month/Year of Detention	Female	Male
March 2019	2	0
April 2019	2	3
May 2019	2	0
June 2019	0	0
July 2019	2	1
August 2019	2	1
September 2019	1	2
October 2019	0	0
November 2019	0	2
December 2019	4	2
January 2020	0	0
February 2020	0	0
March 2020	2	0
April 2020	1	1
May 2020	2	2
June 2020	3	0
July 2020	0	2
August 2020	0	0
September 2020	0	1
October 2020	0	0
November 2020	2	0
December 2020	2	2
January 2021	1	0
February 2021	1	2
March 2021	0	0
April 2021	4	1
May 2021	1	2
June 2021	6	2
July 2021	1	1
August 2021	3	0
September 2021	2	1
October 2021	2	1

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Month/Year of Detention	Female	Male
November 2021	3	0
December 2021	1	2

d. The reason for detention

Answer: Section 1(1) of the Freedom of Information Act 2000 states:

Any person making a request for information to a public authority is entitled—

*(a) to be informed in writing by the public authority whether it holds information of the description specified in the request, and
(b) if that is the case, to have that information communicated to him.*

The Trust does not record the reason for the Police using their powers under section 136. The Trust does not hold the information requested and is therefore unable to disclose it to you.

e. Was it a detention of a child looked after by a local authority?

Answer: Please see table below:

Month/Year of Detention	No.ofCYPs
March 2019	2
April 2019	0
May 2019	2
June 2019	0
July 2019	0
August 2019	1
September 2019	0
October 2019	0
November 2019	0
December 2019	1
January 2020	0
February 2020	0
March 2020	1
April 2020	0
May 2020	2
June 2020	0
July 2020	0
August 2020	0
September 2020	0
October 2020	0
November 2020	1
December 2020	1
January 2021	0
February 2021	0
March 2021	0
April 2021	0
May 2021	0

Month/Year of Detention	No.ofCYPs
June 2021	0
July 2021	0
August 2021	3
September 2021	0
October 2021	0
November 2021	0
December 2021	0

- f. Where did the detention take place:**
i. Accident and emergency department
ii. A paediatric ward
iii. A “place of safety” at a mental health trust
iv. Other

Answer: The Trust only record assessments that have come to a Trust place of safety and would not record the option of using Accident and Emergency Department or paediatric wards for the assessments as these would come under the jurisdiction of another Trust.

g. How long was the person detained?

Answer: Section 12(1) of the Freedom of Information Act 2000 states:

Section 12(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

The Trust has reviewed your request for information and in order to collate this information, staff would have to review each detention to ascertain how long the person was detained under section 136. This is because the information is not routinely recorded on the clinical system in a searchable format.

Therefore, the Trust is unable to comply with this particular part of your request as the cost of compliance and extracting your exact requirements would exceed the appropriate cost limit of £450 which is specified in Section 12 of the Freedom of Information Act 2000. This is based on a rate of £25 per hour, regardless of the rate of pay of any individual involved in the retrieval of requested information, and equates to 18 hours work.

Question 4. How many “places of safety” (as required under Section 136 of the Mental Health Act) are there within the trust’s area of responsibility and what is the capacity of each

Answer: The Trust has three health based “places of safety” within the Trust; Newham has a capacity of one, Luton has a capacity of two and City and Hackney has a capacity of three.