

Freedom of Information Request: Our Reference CTMUHB_223_22

You asked:

The issue of consent to treatment following detention under the Mental Health Act is an important part off the care that the patient receives under the mental health services.

I would be grateful if the information is provided from 31stJanuary 2016 to 31st January 2022 inclusive of both dates for patients detained under the Mental Health Act in Cwm Taff Morgannwg Health Board for the following:

1. Data on patients detained under section three of the Mental Health Act received treatment for mental health for which there was no legal authority for the entire or part period of their detention
2. Data on patients recalled under the CTO who not had completion of authority to treat for entire period of recall/detention or part there of following CTO revocations received treatment for mental health
3. Data on patients detained under Sec37 or Sec37/41 of the mental health act received treatment for which there was no legal authority for entire or part period of their detention This information is an essential part of audit of the Mental Health Act work and is collected regularly and presented to quality and safety measure
4. Data on patients who underwent detention under the mental health act which subsequently was deemed illegal.

Our response:

We can confirm that the Health Board does not centrally record this information. The only way we could identify the data relating to the information required would be to check through the case notes for each individual detention, during the 6 year period requested.

As this is not information that the Health Board routinely compiles, we would have to carry out a specific exercise to collate this data. From our preliminary assessment, we estimate that to comply with your particular request would exceed the appropriate costs /time limit under section 12 of the Freedom of Information Act 2000. This is currently £450 or over 18 hours. In reaching this decision we estimate that it would take staff in excess of 205 hours to locate and review patient casenotes. This figure is based on a timescale of 10 minutes per patient casenote, there being 1232 casenotes to review. Therefore, to obtain the data would work out at approximately 205 hours @ £25.00 per hour (cost permitted under the Act) = £5,125.