

Section 136 Mental Health Act Detentions in Kent and Medway Analysis

At its meeting on 6 November 2018, the Medway Health and Wellbeing Board requested a report to the next meeting of the Board on the work to address the Section 136 concerns. It was requested that this should set out what an effective system would look like, what type of provision would be most effective and if this could not be achieved, what would be the alternative. It was asked that the report also include details of timescales and actions required to facilitate delivery.

This report provides an analysis of the S136 Mental Health Act Detentions in Kent and Medway.

Information is currently collated by KMPT hospital based place of safety (HBPOS) and Kent Approved Mental Health Practitioner Service (AMPHS) in and out of hours for Kent and out of hours for Medway (the data is set out at Appendix One and Two).

Information available shows each month:

- Which of the three HBPOS the person is detained to
- The age band of the people detained (children, young person, ages 18-64 and over 65)
- Gender
- If the person is open to specialist mental health service
- CCG area the person is from
- Delay reason if the assessment is delayed
- Outcome following assessment.

Information is **not** collated to identify the public place from where the person is moved to the place of safety, the number of people detained more than once, those detained and assessed in other places of safety e.g. general hospital emergency depts. general hospital wards, custody. Kent AMHPS data is only collated for those assessments carried out in the HBPOS. They are not able to identify assessments completed in other places of safety as these are recorded under “police referrals” and therefore not able to differentiate assessments carried out in custody from a section 136 assessment. Medway AMHPS data was not made available.

The information from April to November 2018 shows that the county’s three HBPOS were used 1278 times; Canterbury (559 times) and Maidstone (475 times) being the highest of the three. 95% of detentions were for those aged 18-64 with 3% for Children and Young People mostly from the Dartford Gravesham and Swanley area. 41% of those detained were open to specialist services. Following assessment, just under 53% needed acute mental health care, either in hospital (31%) or at home with the Crisis Resolution Home Treatment Team

(CRHTT) (22%)¹, 18% required specialist community follow up and 24% were assessed to have no mental disorder and not in need of specialist follow up.

Kent police identified that they arrested for offence or bailed and placed on a section 136 at the same time, one person a month during the same period.

Questions:

1. What is the current number and rate per 100,000 of the population, detained under section 136 in Kent and Medway to HBPOS and all identified places of safety; and how does this compare to the national and regional rate?
2. How many people were detained more than once, how many times and % of total section 136 annually and how does this compare to national/regional percentage or rate?
3. How do Kent and Medway outcomes compare to those nationally?
4. What public locations are people usually in when they are moved by the police to place of safety? (Postcode information)
5. What is the use of non HBPOS and is it relevant?
6. Where have people who are detained previously accessed support / tried to access support and what support could have prevented them needing a section 136? (might need qualitative audit)

Some of the data required to answer these questions is already available however additional information, highlighted with an asterisk below is not:

1. Profile

- Age
- Male Female
- Ethnicity
- Postcode or partial postcode*

2. Process

- Date and time of detention*
- Post code or partial postcode of public place person moved from*
- Place of Safety location or post code/partial postcode person taken to*
- Transfer from custody Y/N*
- Transfer from A&E Y/N*
- Location or postcode/partial post code where MHA assessment completed

¹ 2018 CRHTT evaluation identified that following a Section 136 assessment, some people are accepted on to their caseload to manage disappointment of not being admitted in the absence of a mental disorder.

3. Outcomes

- Open to community mental health services in last month* Y/N
- Open to substance misuse service in last month* Y/N
- Discharged from inpatient ward in last month* Y/N
- Detained on section 136 previously in last 6 months* Y/N if yes how many times?
- Outcome following assessment
- Issues/Notes narratives particularly about access/tried to access those services above*

The way forward

To include a diagnostic/deep dive as part of the Kent and Medway STP mental health urgent and emergency care programme.

Engage current representation through section 136 group as well as those statutory organisations not involved, to agree a period of collating wider activity data as highlighted above.

The aim is for statutory organisations to gain a shared and broader view of section 136 undertakings in order to inform strategic and policy decisions; joint working; improve outcomes for people detained and increase satisfaction between practitioners and professionals involved in the section 136 process.

Proposed milestones

- Lead identified to coordinate pilot period
- Leads identified to work together and agree timescales for wider activity data collation that includes interviews (phone or face to face) with practitioner and professionals involved from Police, HBPOS clinicians, AMHPS, other to be agreed
- Explore and agree how those who have been detained can give feedback
- Design interview proforma for practitioner and professional feedback as well as statutory organisations' message to workforce involved
- Agree data activity required and design template
- Receive and collate activity data and comparisons for outcomes achieved and impact
- Hold interviews with practitioners and professionals
- Literature search and hypothesis on impact of change in legislation on section 136 detentions
- Receive feedback from those detained and collate
- Analyse data and make regional/national comparisons (expertise to be sought from NHSE)
- Provide a first draft of report for comment
- Provide a second draft for wider comment
- Provide final version of report.

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| Appendix One | Hospital Based Place of Safety Activity Data April to November 2018 |
| Appendix Two | Kent Approved Mental Health Practitioner Activity |

136 Data Supplied by Kent Police

The below clients have either been arrested for offence and placed Sec 136 at the same time or released under investigation (bailed) and detained Sec 136 during that period.

| Breakdown of 136 custody detentions | | | | | | | | |
|---|-----------|-----------|-----------|-----------|----------------|----------------|---------------|---------------|
| | FY 11/12 | FY 12/13 | FY 13/14 | FY 14/15 | FY 15/16 | FY 16/17 | FY 17/18 | FY18/19 |
| Apr | 9 | 0 | 5 | 9 | 3 | 4 (4) | 0 | 1 arrest also |
| May | 3 | 2 | 1 | 5 | 5 | 12 (12) | 0 | 1 arrest also |
| Jun | 4 | 1 | 7 | 0 | 6 | 22 (22) | 0 | 1 arrest also |
| Jul | 6 | 4 | 9 | 8 | 4 | 7 (6) | 1 (1) | 1 arrest also |
| Aug | 6 | 6 | 3 | 5 | 5 (4) | 6 (6) | 1 (1) | 1 arrest also |
| Sep | 6 | 4 | 0 | 17 | 3 (2) | 6 | 0 | 1 arrest also |
| Oct | 3 | 4 | 4 | 7 | 3 (3) | 2 | 0 | 1 arrest also |
| Nov | 7 | 4 | 4 | 6 | 9 (9) | 0 | 1 (1) | |
| Dec | 4 | 3 | 4 | 2 | 16 (16) | 4 (1) | 1 arrest also | |
| Jan | 5 | 1 | 1 | 1 | 10 (10) | 0 | 2 arrest also | |
| Feb | 3 | 6 | 5 | 7 | 3 (3) | 0 | 0 | |
| Mar | 5 | 2 | 4 | 3 | 3 (3) | 2 | 1 arrest also | |
| Total | 61 | 37 | 47 | 70 | 70 (50) | 65 (53) | 3 (3) | 7 |
| Figures in red denote custody usage as a PoS for lack of capacity reasons. | | | | | | | | |

Appendix Two Kent Approved Mental Health Practitioner Section 136 assessments in KMPT Hospital Based Place of Safety (Including Medway out of hours)

| S136 | |
|-------------------------------|---------------|
| Same Period Comparison | No. Ax |
| FY2017-18 Total | 1315 |
| FY2017-18 April - November | 915 |
| FY2018-19 April - November | 1004 |
| Change % | +9.72% |

| S136 Under 18 | |
|-------------------------------|---------------|
| Same Period Comparison | No. Ax |
| FY2017-18 Total | 48 |
| FY2017-18 April - November | 31 |
| FY2018-19 April - November | 33 |
| Change % | +6.45% |

| S136 Over 65 | |
|-------------------------------|---------------|
| Same Period Comparison | No. Ax |
| FY2017-18 Total | 29 |
| FY2017-18 April - November | 16 |
| FY2018-19 April - November | 14 |
| Change % | -12.5% |

S136 Assessments by CCG FY2017/18

| Row Labels | Grand Total |
|---|--------------------|
| NHS ASHFORD CCG | 87 |
| NHS CANTERBURY AND COASTAL CCG | 176 |
| NHS DARTFORD, GRAVESHAM AND SWANLEY CCG | 134 |
| NHS MEDWAY CCG | 116 |
| NHS SOUTH KENT COAST CCG | 169 |
| NHS SWALE CCG | 77 |

S136 Assessments by CCG FY2018/19 Apr - Nov

| Row Labels | Grand Total |
|---|--------------------|
| NHS ASHFORD CCG | 68 |
| NHS CANTERBURY AND COASTAL CCG | 106 |
| NHS DARTFORD, GRAVESHAM AND SWANLEY CCG | 134 |
| NHS MEDWAY CCG | 88 |
| NHS SOUTH KENT COAST CCG | 117 |
| NHS SWALE CCG | 62 |

Appendix Two Kent Approved Mental Health Practitioner Section 136 assessments in KMPT Hospital Based Place of Safety (Including Medway out of hours)

| | |
|----------------------------|-------------|
| NHS THANET CCG | 161 |
| NHS WEST KENT CCG | 271 |
| OUTSIDE KENT | 123 |
| OVERSEAS LIABLE FOR CHARGE | 1 |
| Grand Total | 1315 |

| | |
|----------------------------|-----|
| NHS THANET CCG | 125 |
| NHS WEST KENT CCG | 213 |
| OUTSIDE KENT | 91 |
| OVERSEAS LIABLE FOR CHARGE | 0 |