

Reference:	FOI.7952.22
Subject:	Detentions of children under Section 136 of the Mental Health Act
Date of Request:	12 January 2022

Requested:

1. For each month between and including March 2019 and December 2021, please provide the number of detentions of children (under 18) under Section 136 of the Mental Health Act 1983.
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
 - b. 01/03/2020 to 01/03/2021
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):
 - i. 0-5
 - ii. 5-11
 - iii. 12-15
 - iv. 16-17
 - c. The gender of the child
 - d. The reason for detention
 - e. Was it a detention of a child looked after by a local authority (if known)?
 - f. Where did the detention take place:
 - i. Accident and emergency department
 - ii. Paediatric ward
 - iii. A "place of safety" as defined by Section 135 of the Mental Health Act 1983
 - iv. Other
 - g. How long was the person detained?
4. What is the trust's "place of safety" as required by Section 136 (and defined by Section 135) of the Mental Health Act 1983?

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

Response:

Hywel Dda University Health Board (UHB) provides the information requested, within the attached spreadsheet, as requested, at Attachment 1.

The UHB is unable to provide you with all of the information broken down as requested, as there is a potential risk of identifying individuals if these details were disclosed, due to the low number of patients involved (less than 5). The UHB is therefore withholding this detail under Section 40(2) of the Freedom of Information Act 2000.

This information is protected by the Data Protection Act 2018/General Data Protection Regulations 2016 (GDPR), as its disclosure would constitute unfair and unlawful processing and would be

contrary to the principles and articles 6 and 9 of the GDPR. This exemption is absolute and therefore there is no requirement to apply the public interest test.

In reaching this decision, the Data Protection Act 2018/General Data Protection Regulations 2016 define personal data as data which relates to a living individual who can be identified solely from that data or from that data and other information which is in the possession of the data controller.

Whilst operating in accordance with the Section 45 Freedom of Information Code of Practice, the UHB has a duty to provide advice and assistance. Therefore, the UHB provides the information it holds which does not risk identification with the potential to cause harm to those concerned.