

Reference:	FOI.17295.25
Subject:	Mental Health care plans
Date of Request:	12 May 2025

Requested:

Please provide the following information for the time period between 1st January 2019 (or the date of inception for your trust) and 5th May 2025, inclusive.

1. Please send me a copy of any documents outlining guidelines or codes of conduct regarding mental health care plans which have been used or disseminated within the Trust. This should include any materials relating to NICE, CPA Policy, and 'Triangle of Care'.
2. Please send me a copy of any documents outlining guidelines or codes of conduct regarding care coordinators which have been used or disseminated within the Trust. This should include any materials relating to NICE and 'Triangle of Care'.
3. Please send me copies of all Serious and Untoward Incident Review documents which relate to the treatment of mental health patients within your trust.

Response:

Hywel Dda University Health Board (UHB) is unable to provide you with all the information requested for questions 1 and 2, as it is estimated that the cost of answering your request would exceed the "appropriate limit" as stated in the Freedom of Information Act 2000 and the Data Protection (Appropriate Limit and Fees) Regulations 2004. The "appropriate limit" represents the estimated cost of one person spending 18 hours (or 2½ working days) in determining whether the UHB holds the information, and locating, retrieving and extracting the information.

Due to the broad request, the UHB would be required to contact several Mental Health (MH) teams across the UHB and request a manual search to be undertaken to identify any information that may fulfil your request, as all registrants have codes of conduct, as this information is not recorded centrally.

The UHB is therefore applying an exemption under Section 12 of the Freedom of Information Act 2000 (FoIA), which provides an exemption from a public authority's obligation to comply with a request for information where the cost of compliance is estimated to exceed the appropriate limit.

However, under section 16 of the FoIA, the UHB has a duty to provide advice and assistance. Therefore, the UHB provides, the accessible information it holds below.

1. & 2. The Care Programme Approach (CPA) is a framework used in MH services in NHS England and therefore does not apply to the UHB as it is a part of NHS Wales.

Codes of Conduct for MH care plans are primarily governed by the Mental Health Act 1983 (MHA) and the Mental Capacity Act 2004 (MCA) along with the relevant Codes of Practice, of which there are several, including but not limited to:

- Nursing and Midwifery Council (NMC) - The Code
- Health and Care Professions Council - The standards of proficiency for Occupational Therapists, Social services and wellbeing Codes of Practice – Social Care Wales

- Welsh Assembly Government Code of Conduct for Healthcare Support Workers in Wales.

The links for each of the above Codes of Practice have been provided below:

[Code of practice: Mental Health Act 1983 - GOV.UK](#)

[The Code](#)

[Occupational therapists | The HCPC](#)

[Codes of Practice for the Social Services and... | Social Care Wales](#)

[e2871 NLIAH NHS HSW Booklet ENG](#)

The UHB also adheres to National Institute for Health and Care Excellence (NICE) MH guidelines, which are available on their website; a link has been provided below:

[Mental health guidelines | Hub | NICE](#)

Additionally, the UHB can confirm that no 'Triangle of Care' has been used or disseminated across the UHB's MH teams.

3. The term 'Serious and Untoward Incident' is no longer used within NHS Wales or NHS England. As the UHB is a part of NHS Wales, the UHB operates in accordance with the Guidance on the Reporting and Handling of Serious Incidents and Other Patient Related Concerns/No Surprises, however reporting was reduced during the Covid-19 pandemic. In May 2023, the NHS Wales National Policy on Patient Safety Incident Reporting & Management was implemented to record and report patient safety incidents; a link to the policy has been provided below.

[NHS Wales National Policy on Patient Safety Incident Reporting and Management](#)

The UHB is withholding the requested information, as it is not within the reasonable expectations of these individuals that their personal data would be released into the public domain. This information is classed as personal data of a third party. Therefore, it is being withheld in accordance with the exemption set out in section 40(2) of the FoIA, by virtue of section 40(3)(a) of the FoIA, which permits a public authority to withhold personal data other than the requestor's where the disclosure would breach Data Protection principles.

This information is protected by the Data Protection Act 2018 (DPA)/UK General Data Protection Regulations, as its disclosure would constitute unfair and unlawful processing and would be contrary to the principles and articles of the UK GDPR. This exemption is absolute and therefore, there is no requirement to apply the public interest test.

In reaching this decision, the DPA and UK GDPR define personal data as data that 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.

However, the UHB can confirm that two hundred and thirteen (213) Nationally Reportable Incidents were reported to Welsh Government/NHS Executive, during the period 1 January 2019 to 5 May 2025.