

<b>Reference:</b>	FOI.12341.23
<b>Subject:</b>	Patients detained under the Mental Health Act 1983
<b>Date of Request:</b>	1 August 2023

**Requested:**

Please find attached a freedom of information request in relation to the deaths of patients detained under the Mental Health Act 1983.

For the time periods 2018 to 2022 please provide statistical information relating to individuals who died whilst receiving in-patient psychiatric care at any facility in your jurisdiction. Please provide the total for the 5 year period.

If you are unable to provide all the information requested please provide as much information as possible.

1. How many individuals died whilst receiving in-patient psychiatric care?
2. How many of the individuals who died whilst receiving in-patient psychiatric care were detained under the Mental Health Act 1983?
3. How many detained patients:
  - a. Died from self inflicted causes
  - b. Died from natural causes
  - c. Died during or after being restrained by medical staff or police called to assist medical staff
4. Of the detained patients who died from self inflicted causes how many were:
  - a. White
  - b. BAME
  - c. Not known/ not stated
5. Of the detained patients who died from self inflicted causes and were BAME how many were:
  - a. Black
  - b. Asian
  - c. Mixed ethnicity. Where possible please break this down into:
  - d. Mixed White/Black
  - e. Mixed White/Asian
  - f. Other ethnic group
6. Of the detained patients who died from natural causes how many were:
  - a. White
  - b. BAME
  - c. Not known/ not stated
7. Of the detained patients who died from natural causes and were BAME how many were:
  - a. Black
  - b. Asian
  - c. Mixed ethnicity. Where possible please break this down into:
  - d. Mixed White/Black
  - e. Mixed White/Asian
  - f. Other ethnic group

8. Of the detained patients who died during or after being restrained by medical staff or police how many were:
  - a. White
  - b. BAME
  - c. Not known/ not stated
9. Of the detained patients who died during or after being restrained by medical staff or police and were BAME how many were:
  - a. Black
  - b. Asian
  - c. Mixed ethnicity. Where possible please break this down into:
  - d. Mixed White/Black
  - e. Mixed White/Asian
  - f. Other ethnic group

**Response:**

Hywel Dda University Health Board (UHB) is unable to provide you with the information requested for questions 3 to 9, 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.

The UHB does not keep a central record of causes of death or the nature of injuries obtained. As a result of this, in order to access any information that may fit your request, the UHB would be required to identify the patients returned as part of our original search, trace their medical record and transfer these to a central location for a clinically trained professional to review the record for the information being requested. It is estimated that the cost of conducting the required search would be:

54 patients @ 30 minutes per patient record = 27 hours  
27 hours @ £25 per hours = £675.00

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 for question 1 of your request, within the attached spreadsheet, as requested, at Attachment 1.

Furthermore, for question 2, the UHB is unable to provide you with the exact number of patients due to the low numbers of cases (less than 5), as there is a potential risk of identifying individuals if this was disclosed. The UHB is therefore withholding this detail under Section 40(2) of the FoIA. 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.