

Reference:	FOI.1387.19
Subject:	People with learning disabilities in mental health hospitals
Date of Request:	19 August 2019

Requested

1. How many people with learning disabilities were placed by your Health Board in the following types of psychiatric hospitals in 2017-18:
 - a. NHS Hospitals in Wales
 - b. Independent Hospitals in Wales
 - c. NHS Hospitals in England
 - d. Independent Hospitals in England

2. If you hold it, data on how many of each of the above were subject to the following legal regimes:
 - a. Detention under the Mental Health Act 1983
 - b. Detention under the Mental Capacity Act 2005 deprivation of liberty safeguards
 - c. Informal admissions.

Response:

1. The UHB is unable to provide you with the exact number of patients broken down into the individual categories of placement due to the low numbers of cases (5 and under), 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 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 defines 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.

2. The UHB confirms seven (7) people with learning difficulties placed in psychiatric hospitals in 2017/18 were detained under the Mental Health Act 1983.