

Freedom of Information Request

Reference Number: EPUT.FOI.23.3137
Date Received: 14th September 2023

Information Requested:

I wish to make a freedom of information request regarding the secure unit at Brockfield House, Runwell, Wickford, Essex, SS11 7FE.

I would like to request information relating to:

1. Total number of patients at the present time. Sept 2023

83 patients as of 25th September 2023.

2. The possible reasons for their detainment/category of crime committed. Yes, the reason but also the type of criminals detained in this unit. What criminals are held in there? I.e convictions they hold such as fraud, burglary, paedophiles and murderers etc.

Services are provided to people between the age of 18-65 who are detained under the Mental Health Act 1983 and may have a history of offending. The types of convictions include; crimes against a person, violent offences, sexual offences, threatening or other conduct offences, criminal damage, arson, and acquisitive crime and drug offences.

3. Security arrangements (i.e. procedures to ensure patients are detained).
The building has extensive physical, procedural and relational security measures in place including:

The Trust is unable to provide information requested as per Section 38 (1) (b) of the Act which stipulates disclosure of this information would endanger the safety of any individual.

4. Who is released under no supervision (i.e. which category criminal)

There is no specific category of criminality which attracts a mandated level of supervision though all patients discharged to the community will have a care package with support and supervision appropriate to their needs devised by a multidisciplinary team.

5. Who is released under supervision (i.e. which category criminal)

As above.

6. Number of patients absconded in the last 10 years and the method of successful escape.

Please note that the trust's policy is not to provide patient or staff numbers, where the response is less than or equal to five (≤ 5) as it would potentially allow identification of the individual patient/staff and would therefore be personal data.

The trust considers that release of that information would breach GDPR/DPA18 principles on the grounds that it would not be fair in all the circumstances. This information is therefore exempt under section 40 of the FOI Act 2000.

The Trust is unable to provide the information you have requested. This is because the Trust considers the staff names to be personal information which is exempt under Section 40 (Personal Information) of the Act.

7. Staffing levels and ratios on the wards (current figures Sept 2023 and also for the last 10 years)

The Trust does not hold data for the last 10 years and are only able to disclose the current data.

Current ratios for minimum staffing levels are dependent on levels of security of the ward and acuity of the patients. As a minimum we have 2 registered nurses across each ward plus designated number of healthcare assistants depending on the level of need. Numbers are increased according to activity/acuity within the wards at the discretion of the clinical team. In addition to nursing team there is a full MDT including Psychiatrists, Psychologists, Occupational Therapists and other specialists as required.

Applied Exemptions

Section 38 (Health and Safety)

(1) The Trust believes that this information is exempt information if its disclosure under this Act would, or would be likely to:

- (a) Endanger the physical or mental health of any individual, or
- (b) Endanger the safety of any individual.

(2) The duty to confirm or deny does not arise if, or to the extent that, compliance with section 1(1) (a) would, or would be likely to, have either of the effects mentioned in subsection (1).

Section 40 (Personal information)

(1) Any information to which a request for information relates is exempt information if it constitutes personal data of which the applicant is the data subject.

(2) Any information to which a request for information relates is also exempt information if—

- (a) It constitutes personal data which do not fall within subsection (1), and
- (b) Either the first or the second condition below is satisfied.

(3) The first condition is—

(a) In a case where the information falls within any of paragraphs (a) to (d) of the definition of “data” in section 1(1) of the Data Protection Act 2018, that the disclosure of the information to a member of the public otherwise than under this Act would contravene—

- (i) Any of the data protection principles, or
- (ii) Section 10 of that Act (right to prevent processing likely to cause damage or distress), and

(b) In any other case, that the disclosure of the information to a member of the public otherwise than under this Act would contravene any of the data protection principles if the

exemptions in section 33A (1) of the Data Protection Act 2018 (which relate to manual data held by public authorities) were disregarded.

(4) The second condition is that by virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1)(c) of that Act (data subject's right of access to personal data).

(5) The duty to confirm or deny—

(a) Does not arise in relation to information which is (or if it were held by the public authority would be) exempt information by virtue of subsection (1), and

(b) Does not arise in relation to other information if or to the extent that either—

(i) the giving to a member of the public of the confirmation or denial that would have to be given to comply with section 1(1) (a) would (apart from this Act) contravene any of the data protection principles or section 10 of the Data Protection Act 2018 or would do so if the exemptions in section 33A (1) of that Act were disregarded, or

(ii) By virtue of any provision of Part IV of the Data Protection Act 2018 the information is exempt from section 7(1) (a) of that Act (data subject's right to be informed whether personal data being processed).

(6) In determining for the purposes of this section whether anything done before 24th October 2007 would contravene any of the data protection principles, the exemptions in Part III of Schedule 8 to the Data Protection Act 2018 shall be disregarded.

(7) In this section— “the data protection principles” means the principles set out in Part I of Schedule 1 to the Data Protection Act 2018, as read subject to Part II of that Schedule and section 27(1) of that Act;

“Data subject” has the same meaning as in section 1(1) of that Act;

“Personal data” has the same meaning as in section 1(1) of that Act.

Publication Scheme:

As part of the Freedom of Information Act all public organisations are required to proactively publish certain classes of information on a Publication Scheme. A publication scheme is a guide to the information that is held by the organisation. EPUT's Publication Scheme is located on its Website at the following link <https://eput.nhs.uk>