

Classification: Official

Publication approval reference: PAR721_v

Transfer guidance under Mental Health Act 1983 for
children detained on youth justice grounds

Procedure for the referral for assessment, and transfer to and from hospital (under Part III of the Mental Health Act 1983) of a child held in custody in England

Appendices

Version 1, 08 November 2021

Appendix 1: Guidance note about medical reports in support of an application under section 47 or 48 of the Mental Health Act 1982

The quality of the referral information is crucial to ensure that children and their families receive timely and appropriate response from CYPMHS Inpatient services.

Where there is overwhelming evidence, within the referral and associated documents, that the child requires admission there may be no need for a face to face assessment. The access assessment may be completed as a “table top” exercise using the available clinical information. Best practice indicates that access assessments are completed by a CYPMHS Inpatient clinician wherever possible. In some areas of the country identified CYPMHS Community Clinicians will provide this resource. Practitioners who undertake access assessments need to be skilled, trained professionals who know how to engage and work with children and their families to gather vital information.

The CYPMHS Inpatient team should liaise closely with the referring team and any other agencies involved in conducting the assessment and formulating an agreed care plan. The clinician carrying out the access assessment could be a senior member of the team and this will depend on available resources and the clinical picture of the referral. The assessing clinician should be empowered to make a decision regarding need for admission to CYPMHS Inpatient Services. In conjunction assessing clinicians may find the use of structured assessment tools useful in completing the access assessment. Whatever assessment framework is used it should be structured and systematic and services should be able to describe how they are able to achieve threshold consistency, reliability and validity in the assessments they undertake.

Appendix 2: Guidance for healthcare professionals visiting children in custody

This note offers guidance to healthcare professionals about the procedure to follow when visiting children in custody who might need transfer to hospital under the Mental Health Act 1983.

The guidance is intended to improve the preparation by visiting professionals and the secure setting, with a view to reducing inconvenience and delay for all concerned, including the child to be assessed.

The procedure to follow

1. Contact the Head of Healthcare or equivalent at the secure setting to explain the purpose of your visit and which child you wish to see. Give their Youth Custody Service or NHS number or both, if you have it/them, as well as their name.
2. Explain how much time you will need to spend with the child, whether you will need to consult with any staff who are supporting him or her, and what clinical information you will need to see or have explained. Tell the Head If you need to bring a laptop or other electronic equipment with you, as clearance for that will be needed before your visit.
3. Agree the date and time for your visit. It might not be possible to meet the child or staff during the busy lunchtime period, but an urgent evening visit might be allowed.
4. Ask the Head about ID documentation to bring. This will normally be a photo driving licence, a valid passport, or a photo identity card issued by your employer and bearing their name.
5. Arrange to be met at reception at the agreed date and time.
6. Security procedures at reception can take a while, especially at busy periods, so allow about half an hour for those. You will be searched (like an airport security search). You will have to leave cash, keys, mobile phones and other equipment in a secure locker, including laptops unless you have prior agreement to use that during your visit (as 2 above). As a rule, the less you carry with you, the quicker the security procedures will be.
7. You should be given the same facilities as legal representatives: your meeting with the child will take place within sight but out of hearing of a member of staff.
8. The governor/director/manager of the secure setting is responsible for the safety of children, staff and visitors and is entitled, in exceptional

circumstances, to refuse or terminate a meeting if deemed necessary on safety grounds.

Appendix 3: Publications and links

Department of Health (2015) Mental Health Act 1983: Code of Practice:

<https://www.gov.uk/government/publications/code-of-practice-mental-health-act-1983>

NHS England (2013) Who pays? Determining responsibility for payments to providers – For clarification about the responsible CCG:

<http://www.england.nhs.uk/wp-content/uploads/2014/05/who-pays.pdf>

Mental Health Code of Practice for Wales:

<https://gweddill.gov.wales/docs/dhss/publications/160920mentalacten.pdf>

Welsh Government (2013) Responsible Body Guidance for the NHS in Wales:

<http://wales.gov.uk/docs/dhss/publications/130405body-guidanceen.pdf>

Welsh Government and the NHS Commissioning Board (2013) Protocol for Cross-Border Healthcare Services: <http://www.england.nhs.uk/wp-content/uploads/2013/03/england-wales-protocol.pdf>

Health in Wales website – Has replaced the Health of Wales Information Service (HOWIS) internet site: <http://www.wales.nhs.uk>

Mental Health Casework Section web pages includes most up to date staff lists, application forms, and general information about restricted patients:

<http://www.justice.gov.uk/offenders/types-of-offender/mentally-disordered-offenders>

Appendix 4: Contact list

Ministry of Justice: Mental Health Casework Section

<http://www.justice.gov.uk/offenders/types-of-offender/mentally-disordered-offenders>

This link provides all relevant phone numbers and email addresses for MHCS staff. Note that there are three contacts at the MHCS for children under 19:

Email: Prison.Transfers@justice.gov.uk

Office hours numbers: 07812 760 274 / 07812 760 582 / 07812 760 523 / 07812 760 356 / 07812 760 230 (open between 9am and 5pm Mon-Fri)

Out of hours number: 0300 303 2079 (open between 5pm and 9am Mon-Fri, 24 hours at weekends and Bank Holidays).

Adolescent National Medium Secure Unit Network

Unit	Provider and contact details	Number of beds	Gender
Alwood, Newcastle	Northumberland, Tyne and Wear NHS Foundation Trust Tel: 0191 2456856 Email: NTAWNT.Alwood@nhs.net	7 mental health	Mixed
Lennox, Newcastle	Northumberland, Tyne and Wear NHS Foundation Trust Tel: 0191 2456857 FaxEmail: NTAWNT.Alwood@nhs.net	7 learning disability	Mixed
Ardenleigh, Birmingham	Birmingham and Solihull Mental Health NHS Foundation Trust Bsm-tr.FCAMHS@nhs.net T - 0121 301 4600/4622 F – 0121 301 4609	12 mental health	Mixed
Bluebird House, Southampton	Southern Health NHS Foundation Tel: 023 8087 4582 Fax: 023 8087 4580 (safe haven)	13 mental health	Mixed

Gardener Unit, Manchester	Greater Manchester West Mental Health NHS Foundation Trust Tel: 0161 358 1658 Email: Claire.randall@gmmh.nhs.uk Secure email: Claire.randall1@nhs.net Suzanne Burke 0161 271 0897 suzanneburke@nhs.net CAMHS.Referrals@gmmh.nhs.uk	10 mental health	Male only
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Contacts in Wales

Local health boards for all Welsh Regions: www.wales.nhs.uk/directory.cfm

Welsh Health Specialised Services Committee – general contact number: 029 2080 7575