

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

Version 2, 07 November 2022

<p>WHO</p> <p>CYPMHS Psychiatrist or General Practitioner working in the secure setting</p>	<p>PROCEDURE 01</p> <ul style="list-style-type: none"> • Carry out an initial medical and risk assessment supported by information from the secure setting's residential and / or healthcare staff regarding whether transfer to hospital is necessary. • Complete the referral for access assessment into inpatient services for children and young people (Form 1)
<p>WHO</p> <p>Head of healthcare (or equivalent responsible senior manager) responsible for the secure setting's healthcare services</p>	<p>PROCEDURE 02</p> <ul style="list-style-type: none"> • Inform the responsible commissioner and the relevant NHS England children and young people mental health case manager (CYPMHCM) in the specialised commissioning team, who informs the Integrated Care Board (ICB). Send Form H1003/4 and a copy of the AssetPlus records to the Ministry of Justice Mental Health Casework Section (MHCS), to alert them of the possible need for transfer. Alert the Youth Custody Service Placement (YCSPT), the Youth Offending Team (YOT) supervising officer, and the parent / guardian and responsible local authority (if the child is looked after) of the possible need for transfer. Ensure the child is kept as informed as possible, with the information explained in a way they can understand and in a format that is appropriate for their age (see 19.5 Code of Practice).
<p>WHO</p> <p>Head of healthcare (or equivalent responsible senior manager) responsible for the secure setting's healthcare services</p>	<p>PROCEDURE 03</p> <ul style="list-style-type: none"> • Clearance is secured from the ICB to pay for assessment by the Adolescent National Medium Secure Network (ANMSN). • Notify the relevant NHS England specialised commissioning team. • Refer the child to the ANMSN weekly referral meeting.

**WHO****Adolescent National Medium Secure Network (ANMSN)****PROCEDURE****04**

- Consider the referral at the weekly meeting to establish appropriateness for assessment.
- If the child is appropriate for assessment, the referral will be allocated to a specific unit for assessment.

**WHO****Head of healthcare (HCC) or equivalent senior manager responsible for the secure setting's healthcare services****PROCEDURE****05**

- If ANMSN consider that admission is appropriate but there is not an ANMSN bed available, inform the responsible NHS England mental health commissioner, who must complete a risk assessment of the situation, based on the impact of any delay in transferring the child.
- If the responsible commissioner is the Welsh Health Specialised Services Committee, the process to follow is the same as for a child from England.

**WHO****Adolescent National Medium Secure Network (ANMSN)****PROCEDURE****06**

- If the child is considered to be inappropriate for admission, provide appropriate advice to the referring unit.
- If the child is considered appropriate for admission upon assessment, a bed is offered.

**WHO****Head of healthcare (HCC) or equivalent senior manager responsible for the secure setting's healthcare services****PROCEDURE****07**

- If a bed is offered at an ANMSN unit, two medical recommendations are needed for the Part III transfer.
- These need to be completed on the statutory forms by two registered medical practitioners, one of whom must be approved under Section 12(2) of the Mental Health Act 1983.
- In practice, the assessing doctor from the ANMSN unit will be Section 12(2) approved and will usually provide one of these recommendations. The second medical recommendation could be from the psychiatrist working in the secure setting, or another doctor such as a general practitioner.
- The statutory forms required for Mental Health Act Section 47 or 48 are used at this stage.
- Send the recommendation to MoJ MHCS for a warrant.



**WHO****PROCEDURE****08****Inpatient provider**

- Arrange the section 117 meeting to consider aftercare, if the child no longer requires treatment and is ready to transfer back to the secure setting. Provide summary of the mental state, risk assessment and aftercare needs (to inform the placement decision). Invite the YOT Supervising Officer, YCSPT, parent guardian / responsible LA, and representation from the secure setting receiving the child.
- Provide a summary of meeting decisions.
- Make an application to MHCS for a remission warrant.

**WHO****PROCEDURE****09****Youth Custody Service Placement Team**

- Ensure secure setting placement is available on remission if the child is still serving a custodial sentence.

**WHO****PROCEDURE****10****Ministry of Justice Mental Health Casework Section**

- Issue remand warrant to authorise transfer back to secure setting.

**WHO****PROCEDURE****11****Inpatient provider**

- Liaise with the receiving Head of Healthcare and YCSPT to agree movement of the child after the S117 meeting, including the escort and transport arrangements.
- Ensure a discharge summary, updated AssetPlus and medicines for a minimum of seven days are prepared for the child, for the attention of the Head of Healthcare. Provide copies of relevant documents to the YCSPT.
- On the same day, inform the YOT Supervising Officer and parent / guardian / responsible LA.
- Ensure up to date information pertaining to risk is appropriately handed over to the receiving team.