

25 February 2020

Information Rights & Compliance Team
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Our Ref: FOI/03572

Thank you for your request concerning unlawful Mental Health Act detentions for 2016/17, 2017/18.

Your request has been considered and processed in accordance with the requirements of the Freedom of Information (FOI) Act 2000.

1. The number of unlawful detentions under the Mental Health Act at Hertfordshire Partnership University NHS Foundation Trust.

We have no record of detaining anyone under the Mental Health Act (MHA) unlawfully.

Please note: If paperwork was found to be invalid they would not be unlawfully detained under the MHA but rather a deprivation of liberty.

2. The number of Mental Health Act Forms returned to the author after scrutiny for rectification under Section 15 of the Mental Health Act.

It is not possible to provide you with the number of returned MHA forms within the legal time limit¹.

In order to provide you with this information would involve manually reviewing over 2,400 records. It is estimated that it would take 5 minutes to scrutinise each record i.e. 200 hours @ £25 = £5,000.00.

Under section 12 of the FOIA a public authority does not have to comply with a request for information if the cost of compliance exceeds the appropriate limit.

3. Annual cost of 3rd party storage for Mental Health Act paperwork archive, including associated access costs (eg. From suppliers such as Box-IT)

We are unable to provide you with the spend for Mental Health Act paperwork. This is because our spend on archiving is not specific to MHA paperwork.

Should you require further clarification or like to discuss payment, please do not hesitate to contact me.

¹ Section 12 - Cost of compliance exceeds the appropriate limit has been applied

Please find enclosed an information sheet regarding copyright protection and the Trust's complaints procedure in the event that you are not satisfied with the response.

Yours sincerely

Sue Smith

Sue Smith
Information Rights Officer

Enc: Copyright Protection and Complaints Procedure Information Leaflet.

If you would like to complete a short survey in relation to your Freedom of Information request please scan the QR code below or click [here](#).

