



Your reference: n/a

Our reference: FOI_23_0990

E-mail: FOI

@gloucestershire.police.uk

Direct dial: 01452 754304

Postal Address: As above

Date: 03/11/2023

Dear

Gloucestershire Constabulary Freedom of Information request 2023.0990

On 09/10/2023 you sent an email constituting a request under the Freedom of Information Act asking the following:

1. Have any consultations been carried out/ are any being carried out internally (within Gloucestershire Police) regarding the implementation of the Right Care, Right Person policy (RCRP)? If so, please provide evidence and the outcomes of these consultations.
2. Have any consultations been carried out/ are any being carried out with external parties regarding the implementation of RCRP? If so, please provide evidence and the outcomes of these consultations.
3. Before or during the implementation of RCRP, did Gloucestershire Police consider the potential impact of the programme on
 - a. people with mental illnesses and
 - b. people from ethnic minority backgrounds? If so, please provide evidence and any reports which were produced.
4. Were any equality impact assessments carried out by Gloucestershire Police before or during the implementation of RCRP? If so, please provide a copy of the assessments, their outcomes and details of how they were carried out.
5. Did Gloucestershire Police consider its public sector equality duty (section 149 Equality Act 2010) before or during the implementation of RCRP? If so, please provide evidence and any reports which were produced.
6. Please specify the number of detentions which took place under s.136 Mental Health Act 1983 each calendar year from 2016 to 2023 by Gloucestershire Police.
7. Please specify the number of times the emergency power under s.135 Mental Health Act 1983 was used each calendar year from 2016 to 2023 by Gloucestershire Police.
8. Were any policy, briefing or directions issued by Gloucestershire Police to emergency call handlers with regard to RCRP? If so, please provide these.
9. Were any policy, briefing or directions issued by Gloucestershire Police to police officers with regard to RCRP? If so, please provide these.

Under the Freedom of Information Act 2000 s1, I can confirm that Gloucestershire Constabulary holds some relevant information.

Unfortunately, it's not possible to electronically search for the information requested at question 7 regarding detentions under Section 135 of the Mental Health Act 1983.

There is no central register of when this may have been used. As such, in order to ascertain if any relevant information is held, a manual review of all incidents recorded would be required. This would clearly take far longer than the 18 hours prescribed by Section 12 of the Freedom of Information Act.

Section 17(5) of the Freedom of Information Act 2000 requires Gloucestershire Constabulary, when refusing to provide information (because the information is exempt) to provide you the applicant with a notice which: (a) states the fact, (b) specifies the exemption in question and (c) states (if not otherwise apparent) why the exemption applies.

In relation to your request Section 12 applies.

Section 12(1) – Fee Regulations states:

Section 1(1) of the Act does not oblige a public authority to comply with a request for information if the authority estimates that the cost of complying with the request would exceed the appropriate limit. (As detailed in the Data Protection and Freedom of Information Fees Regulations of 2004)

The appropriate limit at the moment is £450 calculated at an hourly rate of £25 per hour for all staff time incurred in:

- i. Determining whether information is held
- ii. Locating it
- iii. Retrieving it
- iv. Extracting the information to be disclosed from the other information.

In accordance with the Act, this letter represents a Refusal Notice for your request.

Providing Information Outside of the Act

By way of assistance and although excess cost removes the Force's obligations under the Freedom of Information Act, we have supplied the following information relevant to your request which has already been retrieved. We trust this is helpful but it does not affect our legal right to rely on the fees regulations for the remainder of your request.

1. No information held – the Constabulary are just starting to review it's approach to RCPC.
2. As above.
3. No information held – no reports have been produced to date.
4. As part of the review, an equality impact assessment will be considered.
5. N/A
6. I can confirm the following numbers of detentions under Section 136 of the Mental Health act broken down by the number that were taken to Police Custody/Station as a place of safety:

Year	No. of Detentions	Police Custody/Station
2016	170	5
2017	269	8
2018	205	1
2019	297	1
2020	358	1
2021	429	1
2022	387	2
2023	249	0
Total	2364	19

7. .

8. No Information Held. No briefing or policy notes have been provided to call handlers.

9. Whilst the Constabulary considers it's approach to RCPC, Officers have been advised that they will still be expected to attend incidents as directed.

If you are not satisfied with this response or any actions taken in dealing with your request, you have the right to ask that we review your case under our internal procedure. Please note that a request for an internal review must be made within 20 working days of the response to your original request.

If you decide to request that such a review is undertaken and following this process you are still unsatisfied, you then have the right to direct your complaint to the Information Commissioner for consideration.

The Information Commissioner can be contacted via the following means:

Website - <https://ico.org.uk/>

Call their helpline - 0303 123 1113

Email - casework@ico.org.uk

Post –

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Yours sincerely,

Disclosure Officer
Gloucestershire Constabulary