

**Meeting: York Health and Wellbeing Board  
2<sup>nd</sup> October 2013**

**Report From:** Dr Cath Snape, GP MH Lead for Vale of York Clinical Commissioning Group (VOYCCG)  
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**Report Subject:** Section 136 Health Based Place of Safety

**1. Introduction**

1.1 The purpose of this paper is to update the York Health and Wellbeing Board on developments regarding s136 Health Based Place of Safety (HBPOS).

1.2 The intention is to commission a HBPOS from Leeds and York Partnership Foundation Trust (LYPFT) as part of the overall crisis service provision. The facility will be located on the main site in Bootham Park Hospital in York, adjacent to acute care facilities. However, the site requires capital works to achieve the specification required for the S136 service. NHS Property Services (NHSPS) have been working with Commissioners and LYPFT to progress this work since 30th July 2013.

**2. Background and local context**

2.1 If a Police Officer finds, in a place to which the public have access, a person who appears to be suffering from a mental disorder, and to be in immediate need of care or control, the Police Officer can, if he/she thinks it necessary to do so in the interests of that person, or for the protection of other persons, remove that person to a place of safety where the person may be detained for up to 72 hours. (MHA 1983 Section 136). The purpose of Section 136 is to allow a joint assessment by a doctor and by an AMHP (Approved Mental Health Professional) and to make any other arrangements that may be needed for the person's treatment and care.

2.2 There is no HBPOS in North Yorkshire and York. Those detained under section 136 are usually cared for in the police custody suite. For those detained in and around the York area they are taken to Fulford Police Station, York. If someone has an overriding physical health problem they will be taken to the Accident and Emergency Department at York Hospital.

2.3 The lack of a HBPOS has been a concern in North Yorkshire and York for a considerable length of time. A high profile death in custody in the force area highlighted the risks associated with the current situation. One of the first actions of the newly appointed Police and Crime Commissioner was to raise the concerns that North Yorkshire was the only force in the country not to have a HBPOS

2.4 The provision of a s136 HBPOS was agreed to be a priority by NHS Vale of York Clinical Commissioning Group, North Yorkshire Police, City of York Council, North Yorkshire County Council and local health service providers, York District Foundation Trust and LYPFT

2.5 In July 2013 the VOYCCG Governing Body agreed to commission a HBPOS as part of an overall crisis service from Leeds York Partnership Foundation Trust.

### **3. Actions Taken**

3.1 Service specification has been written and with LYPFT for agreement.

3.2 LYPFT have started the recruitment process

3.3 Assessment of building requirements has been completed. Louise Ramsay, Local Area Team Manager (North Yorkshire & Humber NHS Property Services Limited) has been working with principal contractor Mansell (Balfour Beatty construction) and their supply chain to scope and cost the capital work required for this service development.

- 3.4 Dr Cath Snape has liaised with Darren Richardson (Director of City and Environmental Services) and Cllr Tracey Simpson-Laing-Deputy Leader of the Council, Cabinet Member for Health Housing & Adult Social Service Chair Health & Wellbeing Board to progress discussions regarding planning permission.
- 3.5 The budget cost for the refurbishment work has been confirmed at £90K and this is now in the process of being refined as the detailed scope is being worked up.
- 3.6 NHS Property Services Limited has secured approval, with the support of NHS England, to Department of Health capital being available to cover the budget cost identified.
- 3.7 In working up the scheme, however, it has become apparent that in order to achieve Building Regulations compliance, mechanical ventilation will need to be installed to the bedrooms. This will in turn require external condensers to be affixed to the external walls of this Grade II listed building. Indications are that planning consent may not be required but listed building consent may still be required from English Heritage, which may cause a delay. Partners continue to work together to explore solutions, which would mitigate any delay to the scheme.
- 3.8 The s 136 Working Group has been established including the Partnerships Commissioning Unit (on behalf of VOY, SR, HRW and HaRD CCGs), North Yorkshire Police, LYPFT, Tees Esk and Wear Valleys Foundation Trust, Yorkshire Ambulance Service, City of York Council, North Yorkshire County Council, Public Health, York and Scarborough Foundation Trust and Medacs. The purpose of the group is to establish an 'Agreement of Operation' to ensure the effective implementation of the services for those within North Yorkshire and York and a mechanism for on-going monitoring of effectiveness.

## **4. Next Steps**

- 4.1 The PCU and VOYCCG are keen that this service is put in place as quickly as possible aiming for a start date in November. The main risk to this is if listed building consent is needed which may delay the start until mid to end of December.
- 4.2 NHS Property services are working closely with colleagues in English Heritage to mitigate the risk of delay to completion.
- 4.2 LYPFT will provide support to training for police officers on s136 implementation in October.
- 4.3 Completion and sign off of the Agreement of Operation between partners and agreement and circulation of dataset and recording systems is to be completed by November.

## **5. Recommendations**

For the Health and Wellbeing Board to note the content of this paper.