



National Health Service in Scotland
Management Executive

St. Andrew's House
Edinburgh EH1 3DG

Dear Colleague

**RESTRICTED PATIENTS (OR SECRETARY OF
STATE PATIENTS): NOTIFICATION OF INCIDENTS**

Summary

1. I attach guidance on the procedures to be adopted for incidents involving restricted patients. Because it is important to have this guidance in place, against the possibility of an incident occurring, it is circulated in advance of a Memorandum, of which it forms part (Chapter 8), which contains comprehensive guidance for those who are involved with the management and care of restricted patients. It is hoped that the complete Memorandum will be issued by the end of July at the latest.

The guidance is of direct interest to all Responsible Medical Officers caring for Secretary of State patients and should be drawn to the attention of all new Responsible Medical Officers on their taking up appointment.

Action

2. Addressees are requested to ensure that the guidance is distributed as soon as possible to all those involved in the management and care of restricted patients.

3. Further copies of the guidance are available from Room 29D, St Andrew's House, Edinburgh.

Yours sincerely

DAVID R STEEL
Director of Administration

24 June 1993

Addressees

For action:
General Managers,
Health Boards

General Manager,
State Hospital

Chief Executives,
NHS Trusts

For information:
General Manager
Common Services Agency

Enquiries to:

Miss J L Todd
HPPHD1-4
Room 54A
St Andrew's House
EDINBURGH
EH1 3DE

Tel: 031-244 2510
Fax: 031-244 2846

COMMON SERVICES AGENCY	
RECEIVED:	
24 JUN 1993	
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CHAPTER 8

NOTIFICATION OF INCIDENTS

Introduction

8.1 In the event of a serious incident involving a restricted patient arrangements for providing the media (including the radio and television companies) with information about the incident must be sensitively handles. This Chapter gives guidance on the procedures to be adopted for incidents involving restricted patients.

8.2 While the RMO has primary responsibility for the patient's care and treatment the Secretary of State has specific responsibilities in relation to restricted patients, as set out in the proceeding Chapters of the Memorandum, and his officials must therefore be advised of all serious incidents involving restricted patients. This guidance therefore assumes that The Scottish Office Information Directorate (InD) will co-ordinate all media liaison about incidents involving restricted patients. However, arrangements can be made for a Unit's PR staff to be authorised to carry out this function in liaison with the Department (see paragraph 8.14).

Notification of an incident

8.3 The hospital authorities must advise the police immediately of an escape, serious assault, absconding or other significant incident involving a restricted patient. Immediately thereafter, the hospital should make a telephone report to the Department as set out in the Notification of Incidents Circular issued periodically by The Scottish Office Home and Health Department (current copy attached as Annex B).

8.4 The Departmental officer will contact InD who will, where appropriate, contact the Crown Office and a decision will then be made on what information, if any, should be given to the media. Only in exceptional cases, where a Departmental officer cannot be contacted, should hospitals contact InD themselves.

Escape

8.5 An ESCAPE will have taken place when a restricted patient breaches a physical barrier, for example breaks out of a locked ward, or makes away from a secure escort in an attempt to gain freedom. Secure escort is defined as escort which requires the use of handcuffs and toileting chain, or the escort having satisfied himself or herself that the area is secure before release from the restraints.

8.6 When advised of an escape, the Departmental officer will establish the crime with which the restricted patient was charged and the RMO's current assessment of the patient's condition. If:

8.6.1 the charge was murder, culpable homicide or rape; or

8.6.2 the assessment is that the patient is "dangerous", or that his/her recent conduct indicates that there may be some danger to the public,

InD (Health desk during office hours, Duty Press Officer out of hours) will be contacted to arrange the issue of a short statement to the media. Unless the restricted patient is addressed as "dangerous", the statement will be low key giving only his or her name and age, home town (but not address), the hospital concerned, and the date and court of any conviction. The media should not be notified of the crime for which the restricted patient has been sentenced other than in cases of murder, culpable homicide, rape or any other case where public safety is involved.

8.7 In the case of an untried prisoner on transfer to hospital who escapes, no details should be volunteered. However if media enquiries are made, no details of any previous conviction should be given, and particular care must be taken to ensure that no information is given out which might be argued to be prejudicial to any future proceedings. It is also unlikely that the escapee would be described as dangerous. This would only be done on the basis of advice from the Crown Office.

Abscond

8.8 An ABSCOND will have taken place when a restricted patient deliberately absents himself of herself without authority from a ward, work placement, open supervision (ie supervision which does not require the use of physical restraints nor continued oversight), or exceeds his or her authorised leave of absence from the hospital.

8.9 When advised of an abscond, the Departmental officer will establish the answers to the questions at paragraph 6 above. If they are all negative, no press statement is necessary. InD will be informed of the absconding to hold against any enquiries, but will not volunteer information to the media in these cases. Where the absconder's offence included murder, culpable homicide or rape or where their recent conduct indicates that they may be some danger to the public the procedure to be followed is set out in paragraphs 8.6 and 8.7 above.

Transfer Prisoners

8.10 Prisoners do not become the responsibility of the Health Services until they are received into hospital, and a receipt handed over after reception. Similarly they cease to be the responsibility of the Health Service while under escort from hospital to court or prison. Enquiries concerning any prisoner who escapes from escort going to or from hospital before or after trial, or from police custody or a police cell, should be referred to the police force in the area in which the incident has taken place.

The Police Role

8.11 Hospital authorities should note that, in addition to the statement put out by InD, it is always open to the police to issue to the media any supplementary material which may assist in the recapture of an escapee, each case being considered as it arises. The hospital authorities should cooperate in the supply of any material requested by police and advise The Scottish Office Home and Health Department of the information provided. The Department will in turn advise InD.

8.12 It will be the responsibility of the police to inform the media in all instances where an escapee or abscondee is recaptured.

Information Directorate's Role

8.13 InD will inform the Department, the local hospital authorities, the Crown Office and the appropriate Police Headquarters of the issue of the statement. At this point, the matter becomes the responsibility of the investigating police force to whom InD will refer all inquiries.

Serious Assault or Death

8.14 A SERIOUS ASSAULT will have taken place when the victim has sustained an injury resulting in detention in hospital as an inpatient or any of the following injuries whether or not detained in hospital: fractures, concussion, internal injuries, crushing, severe cuts or lacerations, severe bruising, scalds or burns, or severe shock requiring medical treatment.

8.15 Where any incident involving a restricted patient results in death, or serious injury, the hospital authorities must immediately inform The Scottish Office Home and Health Department as set out above. Once the circumstances of the incident have been established these should be reported to InD who will issue an appropriate statement to the media and deal with subsequent inquiries.

Other Significant Incidents

8.16 Hospital authorities should advise the Department of any significant incident involving a restricted patient which they consider might give rise to media interest, examples might include:

- 8.16.1 concerted indiscipline by a number of patients involving violence;
- 8.16.2 serious damage to the unit, for example, in excess of £10,000 estimated repair bill (1993-94 prices);
- 8.16.3 the taking of any person hostage; and
- 8.16.4 a protest in a public place, for example, following unauthorised access to a roof top.

If considered necessary, InD should be provided with background briefing and a line to take.

The Role of Hospital Information Officers

8.17 Hospital Information Officers, or private companies handling media enquiries for hospital authorities, should not deal directly with the media in any incident involving a restricted patient: all enquiries should be referred to the Department. The Department is, however, prepared to authorise arrangements whereby hospital staff fulfil the media liaison role ascribed to InD in this guidance. Written approval for such an arrangement must be given by the Department in advance of an incident.

The Scottish Office Home and Health Department
June 1993

SECRETARY OF STATE
NOTIFICATION OF INCIDENTS

In Office Hours

1. In the event of an absconding or other serious incident involving a State Patient a telephoned report should be made immediately to one of the following officers in The Scottish Office Home and Health Department (in order of priority shown).

Dr J V Basson	031-244 2805
Miss J L Todd	" " 2510
Mrs R A Toal	" " 2546
H MacKenzie	" " 2543
Dr P W Brooks	" " 2830
C K McIntosh	" " 2811

Outwith Office Hours

2. Outwith office hours immediate contact should be made with one of the following, or with any of those listed above via the Custody Guards in St Andrew's House 031-556 8400).

C K McIntosh	71-674750
Miss J Todd	031-332 5339
Dr J V Basson	0896-87361

3. The Departmental Officer will contact The Scottish Office Information Directorate on what information, if any, should be given to the press. Only in exceptional cases, where no other officer can be contacted, should hospitals contact The Scottish Office Information Directorate themselves (Mr R Major, 031-244 4976, or outwith office hours the duty press officer via the Custody Guards in New St Andrew's House (031-556 8400).

4. This Notice should **NOT** be placed on Notice Boards.

Scottish Office Home and Health Department
St Andrew's House
July 1993