

From the Permanent Secretary
Sir Chris Wormald



Department of Health & Social Care

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Rt Hon Dame Meg Hillier MP
Chair of Public Accounts Committee
House of Commons
London
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Sent via email to: pubaccom@parliament.uk

13 December 2021

Dear Chair,

RE: TM8 – Mental Health in Prisons (Eighth Report of Session 2017-19)

I am writing to provide the Committee with an update from the Department of Health and Social Care (the Department) and NHS England & NHS Improvement (NHSE&I) on the progress against the outstanding recommendation in the above-named report.

Recommendation 5: HM Prison and Probation Service and NHS England should, by the end of January 2018, publish quarterly data on the number of prisoners transferred to hospital or secure units, how many prisoners are waiting at the time of publication, and how long both groups have waited.

The Department and NHSE&I now disagree with the recommendation and consider it closed. The remainder of this letter details the relevant completed work but explains that while the data is available to the Department, NHSE&I and the Ministry of Justice (MoJ), there are significant barriers to its publication. As a consequence, the Department and NHSE&I cannot commit to publication in future.

Through to Q4 2018-2019, the transfer and remission data was captured by NHSE&I via the Health and Justice indicators of performance (HJIPs). These indicators were in the process of being revised, and their collection was paused during the response to the COVID-19 pandemic. The enforced pause to data collections facilitated a joined-up approach to revise the process, ensuring data being collected met the new time frames referenced in the independent review of the Mental Health Act (MHA), chaired by Sir Simon Wessely, Regius Professor of Psychiatry at King's College London and president of the Royal Society of Medicine, and within the MHA reform White Paper Reforming the MHA.

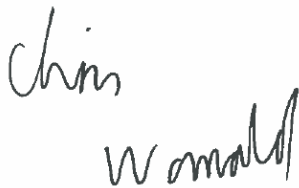
To further support and engage stakeholders in this, the Transfer and Remission Good Practice Guidance for prisons and Immigration removal centres has been reviewed through public and stakeholder engagement and consultation. The guidance mirrors the new time frames. *The Good Practice Guidance* was published in June 2021.¹

¹ https://www.england.nhs.uk/wp-content/uploads/2021/06/B0229_iii_Transfer-and-remission-prison-guidance_080421.pdf

In line with the government's white paper (reforming the MHA) which makes reference to developing a stronger monitoring system to enable better understanding and provide greater transparency on how the transfer process is working, NHSE&I developed a data input portal that has been running from April 2021. This enables providers to submit transfer and remission data which will be analysed against the time frames proposed in both the independent review and white paper and is reflected in the Transfer and Remission Guidance 2021. This information is available to commissioners and key stakeholders but is not published. NHSE&I continue to work with MoJ and the Department on this and how it aligns with other recommendations within the white paper, such as the independent role to provide oversight of transfers.

As the information is available and given the considerable progress (set out above) which has been made since the NAO report and Committee hearing, the lack of uncertainty around the approval to publish the data, and the commitment to continue to review this work, it is considered that this recommendation is now closed.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Chris Wormald'.

Sir Chris Wormald

Permanent Secretary

Department of Health and Social Care

A handwritten signature in black ink, appearing to read 'Kate Davies'.

Kate Davies CBE

Director of Health & Justice, Armed Forces & SARCs

NHS England & NHS Improvement