

# TEMPLATE PROTOCOL FOR THE MANAGEMENT OF DETAINEES WHO REQUIRE HOSPITAL TREATMENT



## **Introduction**

This document has been developed by the National Policing Improvement Agency (NPIA) in close consultation with the Department of Health, the Ambulance Chief Executives Group, the College of Emergency Medicine and the Police Service. It takes account of the key requirements of the ACPO Guidance on the Safer Detention and Handling of Persons in Police Custody and provides a framework that will support improved service delivery and the appropriate use of resources. It may be supplemented by detailed local procedures.

This protocol aligns to and should be implemented alongside the already established protocol between ACPO, the Crown Prosecution Service and the Security Management Service of the NHS, 'Tackling Violence and Antisocial Behaviour in the NHS'. It also aligns to and should be implemented alongside existing NPIA, ACPO and Department of Health Guidance on Responding to People with Mental Ill Health or Learning Disabilities (2010).

## **Auditing and Monitoring of the Document**

All parties to this agreement will ensure that it is implemented in accordance with local procedures that will include provision for auditing the maintenance and the management of compliance with the terms of this document. Senior managers from signatory organisations will meet regularly to review compliance and to monitor any difficulties encountered.

## **Aim**

This protocol seeks to ensure the appropriate and safe management of persons who require treatment in hospital but who are in police custody. It is also established to ensure that such detainees are managed in such a way as to present minimum risk to those who may come into contact with the detainee and also to members of the public in hospital premises. It applies to adults and children and young people and issues of appropriate safeguarding and parental authority may also apply.

## **Protocol Overview**

### **Arrested Persons – Prior to Arrival at Police Custody Suite**

If, at the time of arrest for a criminal offence or whilst they are being taken to a police station but before arrival at the custody centre, a person shows signs of:

- Behaviour causing concern such as acute behavioural disturbance
- Impaired or variation in conscious level
- Perceived serious injury, illness or other condition causing serious concern, or poisoning, including from alcohol, illicit or prescribed drugs or other substances

It is agreed that:

Police are responsible for making a judgement as to whether an ambulance should be requested via 999 or whether police transport is used for transportation of the detainee to hospital. Where an ambulance is requested and subject to the triage risk assessment

processes of Ambulance Control, the attending ambulance staff will undertake a full clinical assessment of the patient and determine if the patient needs to be transported to hospital. Where this is deemed necessary, the Ambulance Service will provide transport from the location where the person is detained to hospital.

If a delay is anticipated in ambulance response, and so immediate transport to hospital by police vehicle is more appropriate on the advice of Ambulance Control; or in exceptional circumstances and following an assessment of risk, conducted jointly by police and ambulance staff, it is determined that in order to safely manage a risk of violence or prevent escape, transporting the individual by police vehicle may be more appropriate.

Where an ambulance is requested, police have a responsibility to provide the Ambulance Control with appropriate information in respect of a detainee. This should include any information that would contribute to the successful management of risk to the detainee, ambulance staff or the public, and should include information relating to any apparent mental health, relevant behavioural issues or learning difficulties. Ambulance staff have responsibility for all decisions regarding the clinical treatment of a detainee following their arrival at the location of the detainee and the detainee will be treated in line with local and national ambulance guidelines.

Any decision by ambulance staff to discharge the detainee from their care at the scene will be recorded by police and ambulance staff and a clinical record issued to police by ambulance staff by confidential means for the attention of the healthcare professional at the custody suite.

If it is agreed between the ambulance crew and police that it is necessary and proportionate by reason of the person's behaviour to convey the person to the designated Emergency Department in a police vehicle, this course of action will be followed, with the following conditions:

In all cases the most senior qualified member of the ambulance crew will accompany the person in the police vehicle in order to maintain constant observation of the person. The ambulance will closely follow the police vehicle to the designated Emergency Department.

Following a joint risk assessment between police and ambulance staff, any conflict of views with regard to whether a detainee be transported by ambulance or police vehicle will be resolved by formal escalation pathway involving negotiation between ..... and .....  
*(insert nominated roles for real-time escalation)*

If the detainee shows signs of mental ill health police have responsibility to recognise the need for placement of the detainee into an appropriate place of safety under Section 136 of the Mental Health Act. In these circumstances Protocols for the Provision, Management and Conveyance to Places of Safety in relation to Section 136 Mental Health Act 1983 between..... *(insert details of parties to the agreement)* applies and actions will be in accordance with those agreements. If, following treatment of physical illness at hospital, placement of the detainee into a designated place of safety under the Mental Health Act is necessary, this will be facilitated by the hospital and the detainee conveyed directly to the place of safety from hospital premises by ambulance; unless following an assessment of risk conducted jointly by police and ambulance staff, it is determined that in order to safely manage a risk of violence or prevent escape, transporting the individual by police vehicle would be more appropriate.

If it is agreed between the ambulance crew and police that it is necessary and proportionate by reason of the person's behaviour to convey the person to the designated Emergency Department in a police vehicle, this course of action will be followed, with the following conditions:

In all cases the most senior qualified member of the ambulance crew will accompany the person in the police vehicle in order to maintain constant observation of the person. The ambulance will closely follow the police vehicle to the designated Emergency Department.

### **At the Police Custody Suite**

Where a person who has been arrested for any offence and is at a police custody unit shows signs of:

- Behaviour causing concern such as acute behavioural disturbance
- Impaired or variation in conscious level
- Perceived serious injury, illness or other condition causing serious concern, or poisoning, including from alcohol, illicit or prescribed drugs or other substances

It is agreed that:

Police are responsible for facilitating the provision of medical care to a detainee through the local Healthcare Professional, and also for making a judgement as to whether an ambulance should be requested via 999 prior to the detainee being assessed by the Healthcare Professional. Where an ambulance is requested, police have a responsibility to provide the Ambulance Control with appropriate information in respect of a detainee. This should include any information that would contribute to the successful management of risk to the detainee, ambulance staff or the public, and should include information relating to any apparent mental health, relevant behavioural issues or learning difficulties. Ambulance staff have responsibility for all decisions regarding the clinical treatment of a detainee following their arrival at the location of the detainee and the detainee will be treated in line with local and national ambulance guidelines.

If it is agreed between the ambulance crew and police that it is necessary and proportionate by reason of the person's behaviour to convey the person to the designated Emergency Department in a police vehicle, this course of action will be followed, with the following conditions:

In all cases the most senior qualified member of the ambulance crew will accompany the person in the police vehicle in order to maintain constant observation of the person. The ambulance will closely follow the police vehicle to the designated Emergency Department.

Following a joint risk assessment between police and ambulance staff, any conflict of views with regard to whether a detainee be transported by ambulance or police vehicle will be resolved by formal escalation pathway involving negotiation between ..... and .....  
(*insert nominated roles for real-time escalation*)

If following consultation/assessment by a local Healthcare Professional, police are advised that the symptoms are not life threatening, serious or in need of urgent hospital treatment, but nonetheless are in need of hospital treatment, then police will liaise with the local Healthcare Professional and the hospital Emergency Department to make

appropriate arrangements for that treatment to take place. In determining appropriate arrangements, risk to the detainee, police, ambulance staff and members of the public at the hospital premises will all be considered. In these circumstances police will transport the detainee to hospital unless advised by the local Healthcare Professional or Emergency Department staff that an alternative method of transport is more appropriate.

A copy of the Person Escort Record (PER) form will be completed and a provided to the doctor/medical staff at the hospital as soon as practicably possible, along with any referral letter and healthcare and medical risk assessment record.

### **At the Hospital**

Police will accompany and remain with a detained person as appropriate during the period that they are removed from the custody unit and remain under arrest and in police custody. The number of police staff present will be determined by police following consultation with hospital healthcare and security staff, as appropriate, and will be sufficient to manage any identified risk to the detainee, police, hospital staff and members of the public.

Police have a responsibility to provide the doctor/medical staff at the hospital with appropriate information in respect of a detainee. This should include any information that would contribute to the successful management of risk to the detainee, hospital staff or the public, and should include information relating to any mental health, relevant behavioural issues or learning difficulties. The police escorting the detainee to hospital will ensure that the contents of the PER form are brought to the attention of the doctor/medical staff who will be responsible for their assessment and care, along with any referral letter and full healthcare and medical risk assessment.

If a person is released from police custody whilst they are still receiving hospital treatment, both police and hospital medical and security staff have a responsibility to consider whether any risks remain and to agree on an appropriate course of action to mitigate those risks. The assessment and any decisions taken will be recorded by both police and hospital staff. On police leaving hospital premises, responsibility for the security of the detainee will be retained by hospital security staff.

If the detainee is discharged from hospital and remains under arrest and in police custody, they will be transferred to an appropriate police custody facility. A detailed care plan will be completed and provided to police by the doctor/medical staff at the hospital, which will include details of any medication given and any other relevant medical information or findings. A photocopy of the medical notes will be included where possible. This will be provided in written form by confidential means for the attention of the healthcare professional at the custody suite. The detainee should be seen by a healthcare professional as soon as practicable at the custody facility so as to assess the suitability of the detainee for detention at the custody facility. Any delay in assessment by the healthcare professional should be recorded by the Custody Officer and used to inform the risk assessment and care management of the detainee. The PER form will also be updated by the doctor/medical staff and returned to the custody suite with police escorting the detainee.

## **Violent Detainees**

### **Prior to arrival at hospital**

Where police identify a risk that a detainee requiring hospital treatment is or is potentially violent, they have a responsibility to inform Ambulance Control (where an ambulance is requested) and hospital Emergency Department staff of that risk. Ambulance, hospital Emergency Department and hospital security staff have responsibility for the implementation of appropriate risk management measures in order to mitigate the risks to the detainee, police, hospital staff and the public.

### **At the Hospital**

At the hospital premises, the doctor/medical staff are responsible for the assessment of the detainee and their physical and mental welfare. Where practicable, arrangements will be made for the detainee to access the hospital otherwise than via the main public entrance and for them to be accommodated away from public areas.

Police will accompany and remain with a detained person during the period that they are removed from the custody unit and remain under arrest and in police custody. The number of police staff present will be determined by police following consultation with hospital healthcare and security staff, as appropriate, and will be sufficient to manage any identified risk to the detainee, police, hospital staff and members of the public.

On police leaving hospital premises, responsibility for the security of the detainee will be retained by hospital security staff. Should a risk of violence by the individual subsequently escalate to a level requiring police intervention, police will be called via 999.