

## Board Administration

NHS Greater Glasgow and Clyde  
Corporate HQ  
J B Russell House  
Garthavel Royal Hospital Campus  
1055 Great Western Road  
GLASGOW  
G12 0XH



### SENT BY EMAIL

Ms Rebecca Quinlan  
[request-343905-3fef72f5@whatdotheyknow.com](#)

<b>Date</b>	31 October 2018
<b>Your Ref</b>	
<b>Our Ref</b>	FOI/ 14292
<b>Direct Line</b>	0141 201 4460
<b>Email</b>	foi@ggc.scot.nhs.uk

Dear Ms Quinlan

### **REQUEST FOR INFORMATION FREEDOM OF INFORMATION (SCOTLAND) ACT 2002**

Thank you for your request received on 5 October 2018 for the provision of the following information:-

#### ***Can you please provide me with:***

- ***The number of eating disorder patients detained in hospital under Section 3 Mental Health Act 1983 in 2016 and 2017 in your area***
- ***Number of eating disorder patients detained under s3 MHA 1983 who were discharged from hospital under a Community Treatment Order in 2016 and 2017 in your area.***
- ***Number of eating disorder patients in your area who were discharged from hospital in 2016 and 2017 who had been detained under s3 MHA 1983 at any time (including immediately prior to discharge) during their stay in hospital***

We are treating your request under our procedures for responding to requests for information under the Freedom of Information (Scotland) Act 2002.

We have been advised by our clinical colleagues that the legislation you have referred to is the UK Mental Health Act and is not applicable in Scotland where we have different legislation. Therefore in strict terms of your questions, the answer is that we have not detained or discharged any patients under the Mental Health Act 1983.

The equivalent legislation in Scotland is the Mental Health (Care and Treatment) (Scotland) Act 2003. If you would advise us of which aspects of the Scottish legislation are of interest to you, we will do our best to help you.

If you are not satisfied with our response to your request, you have a right to request a review of this decision within 40 working days of receiving this response. The attached note describes our review procedure. Your request for review must be in permanent form and should state:

- That you are asking for a review of this decision and
- Why you are unhappy with the response you have received.

If you wish us to carry out a review, please complete the form enclosed and return it to the Head of Corporate Governance and Administration, NHS Greater Glasgow & Clyde, Corporate HQ, JB Russell House, Gartnavel Royal Hospital, 1055 Great Western Road, Glasgow G12 0XH or by email to [foi@ggc.scot.nhs.uk](mailto:foi@ggc.scot.nhs.uk)

If following a review you remain dissatisfied with the outcome, you have the right to ask for advice, assistance or to make a formal appeal in writing to the Scottish Information Commissioner, Kinburn Castle, Doubledykes Road, St Andrews, Fife, KY16 9DS or at [www.itspublicknowledge.info/Appeal](http://www.itspublicknowledge.info/Appeal)

If following appeal to the Scottish Information Commissioner you still remain dissatisfied with the outcome, you have a right of appeal to the Court of Session on a point of law against the decision of the Scottish Information Commissioner.

Should you require any clarification about this letter or the right to request a review please contact me at the details at the top of the first page of this letter.

Yours sincerely

**Kay Dougans**  
**Freedom of Information Officer**

Standard Enclosures:  
FOI Requirement for Review document  
Request for Review form