



# RIGHT CARE RIGHT PERSON

Implications for  
social care teams in  
NYCC

# What is Right Care Right Person?

- A new national strategy being adopted by North Yorkshire Police
- This strategy's core aim is to prevent harm to vulnerable people by limiting or stopping police involvement in areas of work not deemed to be part of the core policing role.
- The goal is to ensure this work is undertaken by those agencies best placed to support the person in need.
- The police also highlight the potential harm caused by vulnerable people feeling criminalised when they are in distress due to attendance of police officers.

# What do the Police view as their core role?

The core role of the police being stated as:

- Save life
- Protect Property
- Prevent and Detect Crime
- Keep the Peace

The police will look to respond to work that relates to the above and where the police are seen as the primary agency required to intervene

Where there is a legislative requirement or duty for police involvement they will respond.

# A Note on Common Law and Duty of Care

- Police legal advice is that they do not owe a general common law duty of care and omitting to act where there is not a core policing role/duty would not be a breach
- Advice goes on to suggest that when Police do become involved in situations they do then assume a duty of care towards it
- Therefore they have adopted a stance of ‘if it isn’t policing...don’t’ do it’ to avoid being left with a duty they cannot discharge.

# Roll Out

- Phase 1 – Already live since October 2022 – aimed at responses to acute mental health units
- Phase 2 – **going live 31<sup>st</sup> March** – aimed at wider health and social care requests for response.
- Phase 3 – 1<sup>st</sup> June 2023 – aimed at transportation, ambulance and secure ambulance

# What Will Change?

- Where the situation is a concern for welfare linked to mental health, social care or medical needs, the police will look to ensure the response from the most appropriate agency to support those needs and not the police.
- In practice this may mean police will longer respond to calls regarding
  - Welfare checks for people of concern re: safety, wellbeing, self neglect
  - Welfare checks for people who have self-discharged from hospital/care settings
  - Requests to attend appointments/assessments for people with mental health, social care or health needs where there is no indication of crime or disorder and no police powers to assist

# Response Thresholds: Concern for Welfare

The threshold for police intervention will be:

- **There is an immediate risk to life or serious harm to an identified person**
- **Immediate harm – it is obvious to the police that there is a risk to life presently, at this moment or in the immediate future or has already occurred**
- **Serious harm – there is a risk of significant harm to the person concerned, this can be physical harm, serious neglect issues, significant mental health symptoms, all of which would amount to the suffering of potential significant injuries or psychological harm**

North Yorkshire Police will make a **distinction between:**

- **Calls for service – expressing Concerns for Welfare from a private individual**
  - and
- **Calls for service – expressing Concerns for Welfare from a partner agencies/statutory body**

**Vulnerable children:** North Yorkshire Police will also make a distinction between calls relating to adults and those relating to juveniles to take into account additional safeguarding responsibilities for juveniles.

# Possible Alternative Actions

- In situations where an agency/team is concerned for someone's welfare actions to consider could include:
  - Agency risk assessment and consideration of potential harm, risks and where from
  - Based on above actions could include
    - Follow up contact to the person by them, phone calls, duty visits etc
    - Contact with friends/family members to further assess risk and ascertain support or contacts made
    - Liaison with other teams, support agencies, voluntary sector agencies etc for information gathering/sharing/risk assessment and safety planning
    - Discussing support/attendance of another relevant agency – which may depend on risk assessment and nature of concern.
- Police will continue to respond in situations where there are concerns in relation to the core duties of policing as above or where they have a legal power or duty to respond.

# Areas for Further Clarity

- Discussion is to continue in relation to areas of mental health practice. We aim to develop a clear Police-AMHP working agreement. We will aim for this to cover:
  - Support in relation to MHA Assessments
  - S135
  - Conveyance and powers in s6 and s137
  - AWOL, taking and retaking as in s18 and s138
  - Relevant areas of the Code of Practice
- Consideration of escalation processes and if the NYP-NYCC(mh service)-TEWV agreement may be extended if required.
- What other areas of practice need further exploration and contingency planning?