

Date: 28/11/2025
Our ref: 01/FOI/25/015688/I

FREEDOM OF INFORMATION REQUEST REFERENCE NO: 01/FOI/25/015688/I

I write in connection with your request for information dated 20/10/2025, received by Greater Manchester Police (GMP) for the following information:

I am writing to request information under the Freedom of Information Act 2000.

Please provide the following:

- 1. A copy of Greater Manchester Police's "Mental Ill Health and Learning Disabilities Policy", including any appendices, guidance notes, or procedures currently in force or previously issued.*
- 2. If the above policy has been revised, replaced, or superseded, please provide copies of the most recent version(s) and any successor documents dealing with:*
 - the handling of persons with mental ill-health, learning disabilities, neurodevelopmental conditions, or other disabilities, and*
 - operational or frontline officer guidance relating to the treatment, safeguarding, or reasonable adjustments for disabled persons.*
- 3. The date of issue and review for the current or most recent version of this policy, and (if available) the authorising department or officer responsible for its approval.*

If the policy has been withdrawn and is not available in current use, please confirm:

- the date of withdrawal, and*
- whether any replacement policy, training module, or operational guidance covers equivalent subject matter.*

For clarity, I am not requesting personal data or operationally sensitive material—only copies of official policies, procedural documents, or equality-related guidance.

Result of Searches

Following receipt of your request searches were conducted within Greater Manchester Police (GMP) to locate the requested information and I can confirm the information requested is held by GMP.

However, I am not obliged to supply all the information as an exemption applies.

Section 17 of the Freedom of Information Act 2000 requires Greater Manchester Police, when refusing to provide such information (because this information is exempt) to provide you, the applicant, with a notice which: (a) states that fact, (b) specifies the exemption in question and (c) states (if that would not otherwise be apparent) why the exemption applies.

Information relating to the “department or officer responsible for its approval” is exempted from disclosure under **Section 40(2) Personal Information** – this information constitutes personal data of an identifiable living individual/s, and to disclose this information would breach the principles of the General Data Protection Regulation (GDPR) and the Data Protection Act 2018. Personal data is defined by Section 1 of the Data Protection Act 2018 and means data that relates to an individual who can be identified directly or indirectly from that data.

Where redactions occur, this represents information that identifies a living individual, to disclose this information would breach the principles of the GDPR and the Data Protection Act 2018. Personal data is defined by Article 4 of the GDPR and Part 1 of the Data Protection Act 2018 and means any information relating to an identified or identifiable natural person (‘data subject’). An identified natural person is one who can be identified directly or indirectly from that data.

Section 40 is an absolute exemption with no requirement to complete a public interest test.

Additionally, redactions are applied due to a **Section 31(1)(a)(b) – Law Enforcement exemption**.

Section 31 is a qualified and prejudice based exemption and as such, subject to a harm and public interest test.

Harm

To provide the redacted information within the attached policy would reveal policing tactics used by Greater Manchester Police. This would give an advantage to those that are intent on committing offences and avoid detection. It would also increase the risk of danger towards the public GMP who sworn to protect.

Factors Favouring Disclosure

To disclose the redacted information would provide the public with a slightly more in-depth knowledge into how Greater Manchester Police operates. This would enable the populous to take steps to protect themselves against criminal activity and may lead to further information being provided to the force.

Factors Favouring Non-Disclosure

Conversely to the factors in favour of disclosure, to release the redacted information into the public domain would reveal the policing tactics of Greater Manchester Police. This would impact on the force’s ability to detect and prevent crime and apprehend and prosecute offenders.

The risk of danger to the public would be increased by revealing such policing tactics into the public domain. The safety of the public we protect is of paramount importance to Greater Manchester Police and we would not wish to jeopardise that safety by releasing exempt information into the public domain.

Balance Test

The arguments for and against disclosure of information need to weigh against each other. In this case the greatest argument for disclosure is the fact that the populous would be provided with information regarding how the force police operate.

However, given that the disclosure would increase the risk of increased crime to and assist those intent on committing crime to avoid detection the balance of disclosure, at this time, weighs on non-disclosure for those particular redacted parts of the policy requested.

This letter acts as a refusal notice for the redacted parts of the attached documents.

Please see the attached Policy.

Mental Ill Health, Mental Incapacity & Learning Disabilities

Policy & Procedure

February 2025

DATE THIS VERSION OF THE POLICY & PROCEDURE IMPLEMENTED: February 2025

DATE NEXT REVIEW IS DUE: February 2027

CHIEF OFFICER SPONSOR:

POLICY & PROCEDURE OWNER:

POLICY & PROCEDURE AUTHOR:

APPROVED BY:

GOVERNMENT SECURITY CLASSIFICATION: Official-Sensitive

IS THE POLICY & PROCEDURE NEW OR REVISED: Revised

VERSION NO	DATE	SUMMARY OF CHANGES	AUTHOR(S)	PUBLISHED ON CCOs
1	Apr 2008	Dealing with Mentally Disordered People policy		
2.1	Apr 2013	Content reviewed and significantly updated/ expanded in line with the Force wide policy review		
3.0	May 2014	Content reviewed and expanded in order to standardise liaison and diversion Panel arrangements (section 5.10)		
3.1	Feb 2016	Addition of Mental Health Monitoring Form (Force Form 1157) link and guidance for completion (Appendices Q)		
3.2	Apr 2016	Revised definition of an 'absent' person (P44)		
3.3	July 2019	Terminology updated in preparation for the new		
4	Sept 2024	Heavily revised/streamlined and transposed onto the new template.		2024/39 30 Sept
4.1	Feb 2025	Minor changes to Appendix I. Inclusion of custody. Approved 26/2/25		

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1. Policy Statement

Mental ill health is likely to affect everyone at some point in their lives whether personally or due to the experience of someone known to them. The impact can be personal, social and economic, creating a major policy issue affecting all areas of policing. Mental health issues affect not just individuals but their families and society as a whole.

Police respond to individuals who have mental ill health/mental incapacity and/or a learning disability (henceforth referred to as Mental ill health) on a regular basis.

The Mental Health Act provides police with particular powers and authorities to act in certain circumstances and the Mental Capacity Act gives a legal basis for providing care and treatment for people aged 16 years and over, who lack mental capacity. In order to ensure that GMP respond appropriately to people with Mental ill health, this policy has been produced to aid staff day to day in dealing with a very complex area of policing

1.1 Aims

The policy aims to ensure that:

- People with Mental ill health that come into contact with GMP, are dealt with appropriately and provided with the support required;
- Immediate risks are managed and safeguarding concerns for individuals and families are promptly addressed through the GMP referral process to partner agencies;
- When People suffering from mental ill health and in need of assistance come into contact with Greater Manchester Police, they are, when appropriate signposted/referred at the earliest opportunity to appropriate health professionals for assessment/ treatment;
- People with Mental ill health are treated with dignity and respect and that their engagement with police does not stigmatise or discriminate against them in any way;
- Multi-agency interaction and information sharing is promoted as a key enabler of partnership service provision;
- GMP resources are used appropriately;
- GMP employees accurately record decisions and actions taken;
- The relationship GMP has with its local communities is positive with an increased confidence in GMP, as it responds to people effected by Mental ill health, The guiding principles of the Mental Health Act (MHA) and the Mental Capacity Act (MCA) are taken into account before decisions are made and actions are taken.

2. Scope

This policy applies to all GMP police officers and police staff.

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3. Roles & Responsibilities

All GMP employees are expected to deliver a professional service to all without prejudice.

When responding to people with Mental ill health, everyone must ensure that their behaviour, attitudes and actions reflect organisational ethics, values and standards, delivering a high quality of service to all, thereby enhancing the force's reputation

4. Terms and Definitions

4.1 Acronyms

ACPO	Association of Chief Police Officers
ADHD	Attention Deficit and Hyperactivity Disorder
A&E	Accident and Emergency
AMHP	Approved Mental Health Professional
ASBO	Anti-Social Behaviour Order
ASD	Autistic Spectrum Disorder
AWOL	Absent without Leave
CAMHS	Child and Adolescent Mental Health Services
CJS	Criminal Justice System
CPA	Care Programme Approach
CPN	Community Psychiatric Nurse
CPS	Crown Prosecution Service
CRB	Criminal Records Bureau
CSP	Community Safety Partnership
DPA	Data Protection Act 1998
DSPD	Dangerous and Severe Personality Disorder
ECHR	European Convention on Human Rights
FCCO	Force Contact, Crime and Operations (Branch)
GMPCRU	GMP Criminal Records Unit
HMIC	Her Majesty's Inspectorate of Constabulary
HOCR	Home Office Counting Rules
HRA	Human Rights Act 1998
IMCA	Independent Mental Capacity Advocates
IMHA	Independent Mental Health Advocates
IPCC	Independent Police Complaints Commission
ISA	Independent Safeguarding Authority
LCJB	Local Criminal Justice Board
MAPPA	Multi-Agency Public Protection Arrangements
MARAC	Multi Agency Risk Assessment Conference
MCA	Mental Capacity Act 2005
MHA	Mental Health Act 1983
NCRS	National Crime Recording Standards
NHS	National Health Service
NPIA	National Policing Improvement Agency
NSIR	National Standard for Incident Recording
OCB	Operational Communications Branch

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PACE	Police and Criminal Evidence Act 1984
PCT	Primary Care Trust
PER	Prisoner Escort Record
PDP	Potentially Dangerous Person
PNC	Police National Computer
PND	Police National Database
POVA	Protection of Vulnerable Adult
SCTO	Supervised Community Treatment Order
SEN	Special Education Needs
SLA	Service Level Agreement
SPOC	Single Point of Contact
ViSOR	Violent Offender and Sex Offender Register
WCU	Witness Care Unit

4.2 Definitions

Mentally disordered is used within certain areas of this policy in order to follow current legislation. Such terminology in any other context could cause offence and it is used here only to replicate the legal information that is required.

Mental disorder is defined in the MHA as ‘any disorder or disability of the mind.’ A mental disorder can be either temporary or permanent and not all mental disorders meet the criteria for the exercise of powers under the MHA.

Learning Disability Section 1 (4) MHA 1983 defines learning disability as ‘a state of arrested or incomplete development of the mind which includes significant impairment of intelligence and social functioning’.

Learning difficulty - specific problems processing certain types of information (individuals with a learning difficulty will present with the indicators for learning disability, but to a lesser degree)

Developmental disabilities/conditions (such as autism, Asperger syndrome, dyslexia and dyspraxia, Attention Deficit Hyperactivity Disorder (ADHD) and Tourette’s syndrome) – Neither phrase fits the definition of mental ill health nor learning disability but would come within the meaning of ‘mental disorder’ in the mental Health Act often described as neuro- diverse.

Deprivation of Liberty Safeguards (DoLS) - DoLS provide for the lawful deprivation of liberty of those who lack capacity to consent to arrangements made for their care or treatment in either hospitals or care homes. Such people may need to be deprived of liberty in their own best interests to protect them from harm. It applies to people aged eighteen years and above. Confirmation of a DoLS being in place can be sought via the local PPIU or through Adult Social Care.

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6. Associated Documents

Legislation pertinent to this guidance includes:

- [Crime and Disorder Act 1998](#);
- [Criminal Justice Act 2003](#);
- [Data Protection Act 1998](#);
- [Disability Discrimination Act 1995 \(Amendment\) Regulations 2003](#);
- [Disability Discrimination Act 1995 as amended by the Disability Discrimination Act 2005](#);
- [Employment Equality \(Age\) Regulations 2006](#);
- [Employment Equality \(Religion or Belief\) Regulations 2003](#);
- [Employment Equality \(Sex Discrimination\) Regulations 2005](#);
- [Employment Equality \(Sexual Orientation\) Regulations 2003](#);
- [Equality Act \(Sexual Orientation Regulations\) 2007](#);
- [Equality Act 2010](#);
- [Freedom of Information Act 2000](#);
- [Human Rights Act 1998](#);
- [Jesip Guidance – Dealing with Persons in Crisis](#)
- [Mental Capacity Act 2005](#);
- [Mental Health Act 1983 and Mental Health Act 2007](#);
- [Mental Health Act 1983 Code of Practice for England](#);
- [Mental Health Act 1983 Code of Practice for Wales](#);
- [PACE Codes of Practice 1984](#);
- [PACE codes of Practice \(Revised \[Code C\]\(#\) and \[Code H\]\(#\)\)](#);
- [Police \(Health and Safety\) Act 1997](#);
- [Police and Criminal Evidence Act 1984 and PACE Codes of Practice](#);
- [Race Relations Act 1976 \(Amendment\) Regulations 2003](#);
- [Race Relations Act 1976 as amended by the Race Relations \(Amendment\) Act 2000](#);
- [Right Care Right Person Policy and Procedure](#)
- [Section 146 Criminal Justice Act 2003](#);
- [Sex Discrimination Act 1975 \(Amendment\) Regulations 2008](#);
- [Sex Discrimination Act 1975 as amended by the Equality Act 2006](#);
- [Youth Justice and Criminal Evidence Act 1999](#).

The following legislation, parts of legislation or offences may also be relevant to the implementation of this guidance:

- [Medicines Act 1968 Sections 58 and 63 – supplying, administering or altering the substance of medicinal products](#);
- [Fraud Act 2006 Section 4 – abuse of position](#);
- [Domestic Violence, Crime and Victims Act 2004 Section 5 – causing or allowing the death of a vulnerable adult](#);

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- [Health and Safety at Work etc Act 1974](#);

7. Statutory Compliance & Consultation

7.1 Statutory Compliance

7.1.1 Equality Act (2010)

The Equality Act places a duty on the police to carry out their functions with regard to the need to eliminate unlawful discrimination and promote equality of opportunity for disabled people, including those with mental ill health and/or learning disabilities. This includes the need to make reasonable adjustments to meet people's needs and provide equality of service.

Mental ill health, mental incapacity and learning disabilities cut across age, gender, sexual orientation, race, faith and belief.

Perceptions of mental ill health and learning disabilities vary widely across cultures and within cultures themselves. A stigma often exists within communities which police officers and staff need to be aware of and attempt to overcome, challenging it when appropriate.

GMP employees will take care not to make assumptions but ask the person directly and sensitively about their needs and how these should be met, respectfully acknowledging diversity. They must consider their views, wishes and feelings so far as they are reasonably ascertainable, and follow those wishes wherever practicable.

People with mental ill health and/or learning disabilities often suffer discrimination and stigma because of their condition – from harassment, name calling and bullying, through to serious violence and murder. They can also be particularly vulnerable to patronising and negative attitudes, being taken advantage of and receiving unequal treatment from public services. This may prevent them from seeking help when they need it and make them feel unsafe in their own communities.

In addition, they may also have to face discrimination and stigmatisation from sections of society as a whole for being part of a specific group due to their age, disability, gender, race, religion, belief or sexual orientation. GMP recognises that negative experiences can often lead to people with mental ill health or learning disabilities having a strong distrust of agencies.

To avoid adding to existing discrimination and stigma it is vital that the police respond effectively to people who are experiencing mental ill health and/or have learning disabilities, attempt to understand the issues the individual may be facing and facilitate referral to other more appropriate services when appropriate.

GMP recognises that:

- People with a learning disability have higher associated health care needs including a significantly raised risk of developing mental health

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issues than the general population.

- A higher proportion of people within LGBT communities also have experience of mental ill health and that,
- Nationally, people within BME communities are more likely to be detained under the MHA and are overrepresented within mental health services.

GMP employees will, therefore:

- Seek additional support for any specific communication needs identified acknowledging that this is a legal requirement and not an optional one;
- Refer people on to relevant partner agencies when appropriate, at the earliest opportunity, to enable early support/treatment to be given in order that a crisis may be averted which requires detention under the Mental Health Act or removal under the Mental Capacity Act;
- Seek to obtain relevant information from partner agencies, family and friends who may be present with individuals causing concern, where mental ill health, mental incapacity and/ or learning disability is suspected, prior to arrest or detention under the MHA or removal under the MCA, when time allows;
- Deliver a service that will support an individual's recovery;
- Respond to requests for assistance, when appropriate, from, or for, all people experiencing mental ill health/ mental incapacity and/ or a learning disability, without prejudice or bias, fostering good relations and advancing equality of opportunity between persons who share a relevant protected characteristic and persons who do not, across Greater Manchester.

These are all key elements to increasing the level of support offered to particular individuals, increasing public confidence in the criminal justice system and in GMP's ability to safeguard its residents.

The initial police response to an individual with mental ill health, mental incapacity and learning disabilities can provide the gateway to positive engagement with health and social care. It can also protect the evidence gathering process and the individual's rights to justice

Click [here](#) to view the EIA.

Date of SCT meeting where Chief Officers reviewed the EIA	28/8/24
Summary of Chief Officer discussions/considerations at SCT	Approved

State below whether Chief Officers agreed with the EIA, or selected a different outcome:

Outcome	EIA recommended	Chief Officer Decision
Approve – no changes. The policy is robust, and the evidence shows no potential for discrimination. All appropriate opportunities to advance equality and foster good relations between groups have been taken.	✓	✓

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Approve – subject to amends. Changes are required to remove barriers, better advance equality or mitigate potential effects. This should be done before the policy is implemented.		
Approve – continue with policy. Despite any adverse effect or missed opportunities to advance equality, provided that it does not unlawfully discriminate. The objective justification must be recorded.		
Reject – stop the policy. If there are adverse effects that are not justified and cannot be mitigated, or any unlawful discrimination.		

7.1.2 The UK General Data Protection Regulation (UK GDPR) and Data Protection Act (2018)

Greater Manchester Police has a duty to ensure, so far as is possible, that all staff comply with the provisions of the UK GDPR and the Data Protection Act 2018, particularly relating to their access to, and dissemination of, a wide variety of personal information and intelligence.

This procedure has been assessed for compliance issues by the Information Compliance and Records Management Unit (ICRMU) and the procedure does not concern itself with the processing of personal data.

7.1.3 Freedom of Information Act (2000)

This document is classified as OFFICIAL-SENSITIVE under the Government Security Classifications and should not, therefore, be published in the public domain. Parts may be disclosed upon request and with prior approval from the author.

However, any requests for its disclosure should be directed through the Information Compliance and Records Management Unit via the [Freedom of Information mailbox](#). For advice and assistance on FOI, please contact FreedomOfInformation@gmp.police.uk