



26 May 2022

Legal Department
B1 – Unit 1
50 Summer Hill Road
Birmingham
B1 3RB

James Bennett
Area Coroner for Birmingham and Solihull
The Birmingham and Solihull Coroner's Court
Steelhouse Lane
Birmingham
B4 6BJ

BY EMAIL ONLY

Our Ref: Rahman

Your Ref: 10375320 - Saifur RAHMAN ([REDACTED])

Date: 20 June 2022

Dear Mr Bennett,

Re: Prevention of Future Deaths in the inquest of Saifur Rahman (deceased)

Thank you for sharing the Prevention of Future Death's report with us on 26 May 2022.

Whilst we recognise the value of such reports and are committed to making improvements to our service, we were disappointed to have received a report in respect of this inquest. As a Trust we had gone to great lengths to provide evidence during the hearing that we had taken lesson learning in respect of this inquest very seriously. We also evidenced that we had acted on all the aspects that had been found in the Serious Incident Investigation and issues which arose during the inquest itself, through both written and oral evidence.

NHS Annual Risk Assessment

The Trust had already identified the sampling of cells under the Ligature Risk Assessment as an area for improvement and prior to the inquest had provided evidence that the assessment model had already been updated to enable greater coverage of cells from year to year and to generate an audit trail for those cells which had been viewed in previous years,

During the inquest on 15 May 2022 you had raised a query as to whether every cell could be viewed each year. Previously this had not been considered to be proportionate partly due to the number of settings the Trust is responsible for assessing (which are not limited to outpatient settings and include a variety of mental health settings of varying levels of security) but also because the Trust is reliant on the prison to grant access to each cell which might not always be possible if, for example, the occupant is dysregulated or the cell has been contaminated or soiled. However, on 15 May 2022 evidence was given on behalf of the prison that they would in future ensure that Trust assessors would be granted access to every cell over a 1-2 day period and that they would commit to overcoming any limitation

[REDACTED]
Customer Relations | Mon – Fri, 8am – 6pm
Tel: [REDACTED] | Text: [REDACTED]
Email: [REDACTED]
Website: www.bsmhft.nhs.uk



on accessing any particular cell. Having received this assurance the Trust were able to reconsider the proportionality of the assessment and confirm to you that in future years the Ligature Risk Assessment would view all cells provided that the prison provided access.

Your report states that the Trust had given this as a verbal undertaking at the inquest. In fact the commitment to view every cell each year was provided in writing on 16 May 2022 by way of a signed and sworn witness statement from the Trust's Head of Health and Safety and Regulatory Compliance who is directly responsible for the assessor team. The Trust had considered the request in light of the evidence heard at the inquest and provided a written assurance by the following day.

In order for this reassurance to be given, the Trust did consider future planning and resourcing to ensure that this would be completed. This takes place each year and the risk assessments for the prison are part of the Audit schedule for the Trust. In respect of formalising the process with the prison, the Trust's Head of Healthcare at HMP Birmingham has emailed the Local delivery Board to ask that this matter is placed on the agenda for the meeting on 16th June 2022. This will ensure that the process is formalised. Commissioners will also be present at this meeting.

Prison Risk Assessment

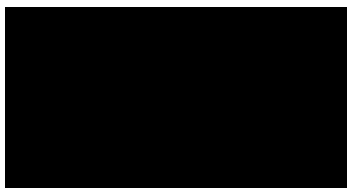
I would like to draw your attention to the wording of the recommendation for the Prison on their Risk Assessments. You have stated *'My ongoing concern is that there is no formalised process and consideration needs to be given to how results of the prison risk assessment is communicated to, and acted upon, by the mental health trust.'*

This gives us some concern as the wording suggests that the Trust has some element of control or can take action on any Risk Assessment carried out by the Prison. It was agreed in evidence at the inquest that any actions developed within Risk Assessments carried out by either BSMHFT or the Prison, would need to be taken by the Prison and not BSMHFT, as the Trust has no control to make any repairs or fabric upgrades within the prison. The prison are ultimately responsible for any actions, although we also monitor these through regular meetings with the prison. I would be grateful if you can make any necessary amendments to this point as we consider it is misleading.

I would like to assure you that we have taken the findings of the Serious Incident report and the Coroner's inquest very seriously and indeed had taken action to act on these, prior to the completion of the Inquest itself, as attested to in evidence.

If you require any further information at this time, please do not hesitate to contact us.

Yours sincerely,

A large black rectangular redaction box covering the signature area.A black rectangular redaction box covering the name of the Chief Executive.
Chief Executive