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Our Reference: FOI201702

10 March 2017

Dear XXXXXXXXXXXX,

Request under Freedom of Information (Scotland) Act 2002

Thank you for your freedom of information request of 20 February 2017, received by us on 20 February 2017. This gave a statutory deadline for responding of 20 March 2017 under the terms of the Freedom of Information (Scotland) Act 2002.

In your request, you asked for;

- *How many deaths at HM Prison in Kilmarnock have been recorded as suicide or apparent suicide in the last 5 years? Can I have a breakdown for each year? (I understand that prison deaths which appear to be suicide could be pending fatal accident enquiries so that is why I have asked for "apparent" suicide as well.)*
- *How many prisoners have received mental health support in the last 5 years? Can I have a breakdown for each year?*
- *How many members of staff have been signed off due to mental health problems in the last 5 years? Can I have a breakdown for each year?*

After a search of our records, I can confirm that Serco Ltd holds records which show some of the information you requested.

In the last five years there have been two deaths within HM Prison Kilmarnock which have been listed as suicide or apparent suicide. One death occurred in 2014 and one death in 2016. The death which occurred in 2016 has not yet been formally examined by means of a fatal accident inquiry however our records have this death listed as 'apparent suicide'.

In 2011 the responsibility for the provision of healthcare services, including mental health support, within Scottish prisons fell under the remit of the National Health Service. Whilst Serco Ltd holds information detailing the number of appointments which a prisoner has with our NHS partners, we do not hold information which shows or tends to show the nature of the support or intervention received at those appointments. Accordingly, we give notice under the provisions of Section 17 of the Freedom of Information (Scotland) Act 2002 that we do not hold the information you requested. We would advise making contact with NHS Ayrshire and Arran on 01563 826112 or foi@aaaht.scot.nhs.uk, or you can write to them at

Freedom of Information Officer
14 Lister Street
University Hospital Crosshouse
Kilmarnock
KA2 0BB

Serco Ltd holds information relating to the absence of staff due to mental health problems. We have assessed that information relating to mental health amongst staff is classed as sensitive personal data as defined in section 2 of the Data Protection Act, and in order to prevent the identification of any individual from this data in conjunction with other data we have exempted the information under the provision of section 38(1)(b) of the Act. You can read more about this exemption on the Scottish Information Commissioner's website at <http://www.itspubliknowledge.info/Law/FOISA-EIRsGuidance/section38/Section38.aspx>.

If you are dissatisfied with this response, you have the right to request an internal review. Your request should be made within 40 working days of the date of receipt of this letter, and we will reply within 20 working days of receiving your request.

Under section 20(3)(c)(ii) of the Act your request should outline your reason for seeking a review. If you remain dissatisfied following an internal review, you then have the right to make a formal complaint to the Scottish Information Commissioner. You can also lodge an appeal online by going to www.itspubliknowledge.info/Appeal.

If you require an internal review to be carried out, please write to

The Director
HM Prison Kilmarnock
Mauchline Road
Kilmarnock
KA1 5AA



The review will be undertaken by staff who were not involved in the original decision making process.

Yours sincerely,

Andrew Hill

Head of Performance and Compliance