

Mental Health Act Code of Practice

The code explains the 5 guiding principles, that everyone must think about when they use the Mental Health Act.

1. Give treatment in the least restrictive way and help people to be as independent as possible
 2. Involve patients
 3. Respect patients, families, carers and friends
 4. Help people get well
 5. Making fair and efficient decisions
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Information

Patients should be given clear information about how the Mental Health Act applies to them and their rights. The patient may need to be given this information at different times in their hospital stay.

Information should be given verbally, in writing and communicated in a way that makes sense to them.

Privacy, safety and dignity

The health care professionals must make sure that they respect your privacy and dignity when they try to keep you safe.

They should think about your privacy when you:

- Undress or wash
- Read or send letters or emails
- Use the telephone
- Meet your advocate, family or friends

Ward staff should treat patients as individuals and decide what is safe for them, and not have the same rules for everyone.

Sometimes patients need to be somewhere that is more secure. The responsible clinician (psychiatrist) will make this decision. This should only be done if it keeps you or other people safe.

Visiting Patients in Hospital

All patients have the right to see their family and friends whilst they are in hospital.

Patients also have the right to meet with their advocate in private.

Can I complain?

Yes, you can complain.

If the complaint is around your care and treatment whilst on the ward, you can speak with a member of staff who may be able to sort it out.

The ward staff can give you the hospital's complaints procedure.

The Patient Advice and Liason Service (PALS) may also be able to help you. They are based in Hollins Park and can be contacted on 01925 664 450 or email complaints@nwbh.nhs.uk.

The independent mental health advocate (IMHA) can also support you to complain.

Can I appeal?

You have the right to appeal under certain sections of the Mental Health Act.

You can request a Hospital Managers Hearing.

Your nearest relative can write a letter to the Hospital Managers and ask for you to be discharged.

You can make an application to The Mental Health Tribunal.

What can an advocate do?

You are entitled to an independent mental health advocate (IMHA).

An advocate is independent and on your side.

You can talk through your options with your advocate.

An advocate can help you to understand your rights.

They can support you to prepare for and speak up in meetings. This might be a ward round or care review.

The advocate can support you to contact a solicitor if you wish to appeal your section.

You can contact an advocate on 01925 246 888

Ward staff can also contact an advocate on your behalf.