



**Digital
Advocacy Hub**

Independent Mental Health Advocacy

Your nearest family member asking
for you to leave hospital



**Easy
Read**

Easy Read



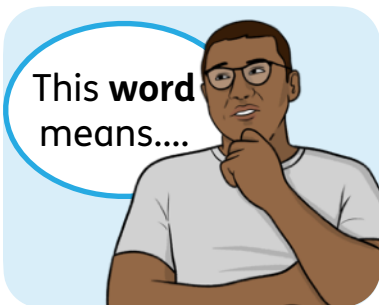
This is an Easy Read version of some information. It may not include all of the information but it will tell you about the important parts.



This Easy Read booklet uses easier words and pictures. You may still want help to read it.



Some words are in **bold** - this means the writing is thicker and darker.



These are words that some people will find hard. When you see a bold word, we will explain it in the next sentence.



Blue and underlined words show links to websites and email addresses. You can click on these links on a computer.

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About this booklet



This is information from n-compass about **Independent Mental Health Advocacy**.

Independent Mental Health Advocacy is when someone helps people:



- Understand their rights - rights say how people should be treated and what they should be able to do by law.



- Speak up about their mental health care.



The person who does this is called an **Independent Mental Health Advocate (IMHA)**.



Sometimes, people getting care for their mental health are kept in hospital.



There are rules about how people should be treated in hospital.



This booklet will tell you about **discharge by your nearest family member.**



Discharge by your nearest family member is when a close family member asks for you to leave hospital or other treatment.

What is Mental Health Advocacy?



You can get support from an Independent Mental Health Advocate (IMHA) if you are **detained** or being treated under a part of the **Mental Health Act**.



Detained means you are kept in a hospital or other building and you cannot decide to leave by yourself.

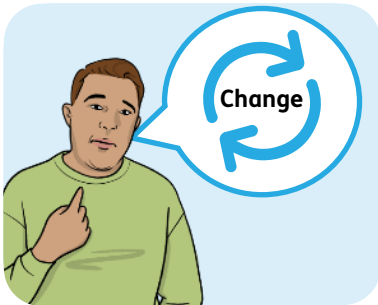


The **Mental Health Act** is a law. We will explain more about this in the next part.

An IMHA can support you if:



- You do not understand what is happening to you.



- You want to try and change a decision about your care or support.

IMHAs can help:



- Patients who are being kept in hospital.



- People who are on a Community Treatment Order - this means you can be treated in the local area where you live.



- People who are under Guardianship - this means that someone called a Guardian is making sure you get the care you need.



Your Guardian can be someone from your local council or another person chosen by your council.

People can also get support from an IMHA if:



- They might get some treatment that needs 2 doctors to agree to it - called Section 57 treatment.



- They are a child under the age of 18 who might need Electroconvulsive Therapy - this is when electricity is used to treat someone.

Discharge by nearest family member



Discharge means you can leave hospital or other treatment.

Your nearest family member can ask for you to be discharged if you are:



- Detained under Section 2, 3 or 4 of the Mental Health Act.



- Under a Community Treatment Order - this is when you leave hospital and are treated in your local area.



- Under Guardianship - this is when your local council or someone else makes some decisions about your care for you.

Who is my nearest family member?



The Mental Health Act gives a member of your family some rights if you are detained. This person is also called your Nearest Relative.

There is a list of people in a set order in the Mental Health Act:



1. Your husband, wife, civil partner or your partner, who you have lived with for more than 6 months.



2. Your son or daughter.



3. Your father or mother.



4. Your brother or sister.



5. A grandparent.



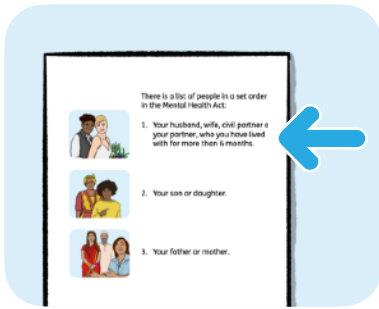
6. A grandchild.



7. An uncle or aunt.



8. A nephew or niece.



The person you have closest to the top of the list is your Nearest Relative.



Your Nearest Relative has some powers to do with your care and treatment.



Your Nearest Relative can:

- Ask that you are detained or put under Guardianship.

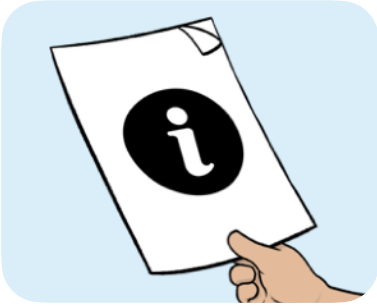


- Say that they do not agree with you being detained or put under Guardianship.

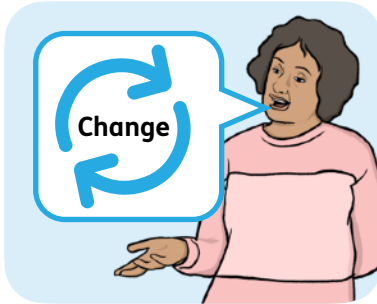


- Ask for an Independent Mental Health Advocate to support you.

Your Nearest Relative can also:



- Get information about you if you are detained.

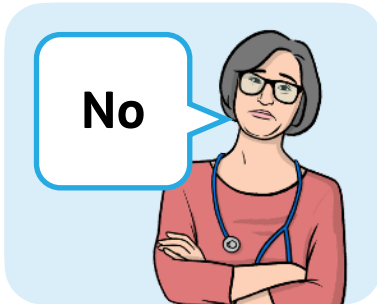


- Ask a different person to be your nearest relative.

Powers that your Responsible Clinician has



Your Responsible Clinician is the doctor who is in charge of you while you are detained.



If your nearest family member asks to discharge you, your Responsible Clinician can say no.



They might do this if they think you will be a danger to yourself or others if you are discharged.



You can also ask your Responsible Clinician if you can leave the hospital for a short time. Nurses can ask for you as well.



Your Responsible Clinician might write a 'barring report'.

This means your nearest family member cannot ask for you to be discharged for another 6 months.



If you are detained under a Section 3 or Community Treatment Order, your nearest family member can ask for a **Mental Health Tribunal**.



A **Mental Health Tribunal** is a group of people who can decide whether to discharge you or not.

How else can I be discharged?

You can be discharged by:



- Your Responsible Clinician.



- The Hospital Managers.



- A Mental Health Tribunal.

What do Independent Mental Health Advocates (IMHAs) do?

An IMHA can support you to:



- Take part in planning your care.



- Get ready for and understand:
 - Mental Health Reviews - these are when health professionals look at your mental health.



- Tribunals - these are when professionals decide if you can leave hospital.



- Get other support or help to use other services, like getting a house or finding a job.

An IMHA can support you to:



- Talk about any care you might need after being detained.



- Understand how you can tell someone if you are not happy about your care.



- Understand your rights and how to use them.

An IMHA will:



- Listen to what you tell them about your ideas and feelings.



- Support you to speak up.



- Speak up for you if you need them to.



- Make sure you take part in any decisions that are made about you.

Find out more



The n-compass Digital **Advocacy** Hub gives free and fair information about lots of different parts of life.

Remember, **advocacy** is helping people to speak or speaking up for them.



n-compass runs advocacy services across the north of England.



You can find out if we run services near you on our website:
www.n-compass.org.uk/our-services/advocacy



Or you can speak to us using the Sign video website:
www.ncompass.signvideo.net

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