

INDEPENDENT MENTAL HEALTH ADVOCACY - MENTAL HEALTH ACT HOSPITAL MANAGERS' HEARING



WHAT IS INDEPENDENT MENTAL HEALTH ADVOCACY?

If you are an adult and restricted or being detained under the Mental Health Act, you are legally entitled to help and support from an Independent Mental Health Advocate (IMHA).

An advocate is someone who will speak up for you, or support you to speak up for yourself, if you don't understand what's happening to you, want to challenge a decision about your care or support, express your preferences or assert your rights.

This applies to hospital patients and those who are on a Supervised Community Treatment Order (CTO) or under Guardianship.

Also eligible for an IMHA includes:

-  Those being considered for Section 57 treatment
-  Those under 18 and being considered for Electroconvulsive Therapy (ECT)

What is a Mental Health Act Hospital Managers' Hearing?




When you are detained under the Mental Health Act, you can ask the hospital managers to review your detention in some circumstances. A Hospital Managers' Hearing, or "Managers' Hearing", is different to a First Tier Tribunal.

Who are the Hospital Managers?

The hospital manager is the person or organisation in charge of the hospital. They can arrange for a panel of people to carry out their powers in a Managers' Hearing.

Who can ask for a hearing?

You can apply for a review at any time if you are under:






-  Section 2,
-  Section 3, or
-  Section 37.

Reports sent to the Managers' Hearing

To help the Managers' Hearing decide if they should discharge you, they will be given written reports before seeing you. The reports are written by medical, nursing and social care staff. You have a right to see these reports, but sometimes you may not see all the information if it might be harmful to your mental health to see it. If this happens, the hearing should explain the reasons they have withheld information.

What happens at a Mental Health Act Manager's review?

The Managers' Hearing is normally held at the hospital. The following people would usually be there:






-  You
-  The panel: three panel members, independent of your clinicians.
-  Your Responsible Clinician
-  A nurse
-  Your Social Worker and/or Care Co-ordinator

Your Nearest Relative may be invited, if you want them to be there. If you do not want your Nearest

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Relative to attend, they can share their views in the reports given by the clinicians. The panel will have read the reports before the hearing. In the hearing they will allow you to speak.

The managers need to think about the following questions, if you are detained for treatment:

-  Do you still have a mental disorder?
-  If so, is it a type or is it serious enough to make treatment in hospital the right option?
-  Is your detention necessary to protect your health or safety or to protect others?
-  Is the right medical treatment available for you?
-  Can the Mental Capacity Act be used instead, such as by utilising safeguards for your liberty under a Deprivation of Liberty Safeguard (DoLS)?

The managers should tell you about their decision(s) and the reason for them.







At the end of the hearing, the panel will decide if you should stay under your section. The panel should tell you their decision(s) and the reason for them. All of the panel have to agree for you to be discharged.

What if the Hospital Managers discharge me from the section?




If the panel discharge you, you can leave the hospital. However, you can stay in hospital as a voluntary patient, if the medical team agree to this.

What do Independent Mental Health Advocates (IMHAs) do?

An IMHA can support you to:

-  Be fully involved in your care planning
-  Access Mental Health Reviews and Tribunals, prepare for them and understand decisions made
-  Access other support or services
-  Discuss appropriate aftercare
-  Understand how to raise concerns about your experience/care
-  Exercise your rights

An IMHA will:

-  Listen carefully to what you tell them about your views and feelings
-  Support you to speak up or speak up on your behalf if needed
-  Make sure you are fully involved in decisions being made about you



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What is the Mental Health Act?

The Mental Health Act is a law which tells people with a mental health disorder what their rights are and how they can be treated.

'Mental health disorder' means any disorder or disability of the mind.

It is important that you know what happens to you when you are detained, what your rights are and where you can seek help. The Mental Health Act Code of Practice tells everyone how to use this law and what they must do.

How can I make a referral?

Mental Health professionals have a duty to inform patients in their care and their nearest relative about the IMHA services available to them. These measures ensure that each patient who is entitled to receive IMHA support is aware of their right to approach the service.

Referrals to the IMHA service are usually made by Health or Social Care professionals, however, n-compass will accept IMHA referrals from the person themselves or their family.



**TO LEARN HOW ADVOCACY
CAN HELP PLEASE GET IN TOUCH**

**The n-compass Digital Advocacy Hub provides free and impartial information on a range of common advocacy issues.
n-compass delivers several advocacy services across the north of England.**

To find out if we deliver in your locality:-

Website: <https://www.n-compass.org.uk/our-services/advocacy>

Sign video: <https://ncompass.signvideo.net>