

WHAT ACTIONS ARE REQUIRED IF A PATIENT IN YOUR CLINICAL AREA IS UNDER A MHA SECTION?

Contact the Psychiatric Liaison Service (PLS).

Provide patient with information about their rights (MHA information leaflet).

Inform the Clinical Operational Site Managers. They will

- Ensure MHA documentation is correctly completed and stored
- Contact the NELFT Mental Health Act Office
- Make transfer arrangement if required

Assess immediate risks associated with the patient's mental state and how the risk will be managed.

Support the patient to contact the NELFT MHA Office if they wish to appeal against a MHA Section.

CAN WE PROVIDE PHYSICAL HEALTHCARE UNDER THE MHA?

No - the patient retains the right to consent to or decline physical health treatment if they have capacity to make a decision. If not, decisions must be taken in their best interests. The only exception is when the physical problem is a symptom or underlying cause of a mental disorder.

WHAT IF A PATIENT UNDER A MHA SECTION ABSCONDS?

Follow the Missing Patient Policy. Inform the Police that the patient is under a MHA Section. If the patient was at BHRUT under Section 17 leave, inform the detaining hospital. Inform PLS.

WHO SUPPORTS WITH IMPLEMENTING THE MHA?

The Psychiatric Liaison Service can be contacted on x8078 (KGH) and x2135 (QH).

Clinical Operational Site Managers are delegated to undertake certain responsibilities of the MHA on behalf of the Trust. They have received specific training to enable them to support implementation of the MHA in BHRUT.

The NELFT MHA Office can advise staff on all aspects of implementing the MHA - 0300 555 1200.

Legal Services.

The BHRUT Administration of the Mental Health Act 1983 (amended 2007) Policy gives more detail in implementing the MHA, including a flow chart summarizing administration of Section papers.



Mental Health Act 1983

WHAT IS THE MENTAL HEALTH ACT (MHA)?

The MHA is the legal framework which allows patients to be treated who are unable or unwilling to consent, and protects relatives and members of the public as well as the patient.

WHEN WOULD A BHRUT PATIENT BE UNDER THE MHA?

There are a variety of circumstances which may result in a BHRUT patient being under a MHA Section:

- A MHA assessment has taken place and they have been detained at Queen's/King George Hospitals
- A MHA assessment has taken place and they are awaiting transfer to be detained at another hospital
- Patient was detained at another hospital and has been admitted to BHRUT for physical care
- Patient has been brought to ED by the Police following concern about their mental state
- Patient needs to be detained on the ward to enable further assessment of their mental state

MENTAL HEALTH ACT SECTIONS

SECTION	PURPOSE	DURATION	COMPLETED BY	MENTAL HEALTH TREATMENT
2	ASSESSMENT AND TREATMENT	UP TO 28 DAYS	AMHP 2 DOCTORS	CAN BE GIVEN WITHOUT CONSENT
3	TREATMENT	UP TO 6 MONTHS	AMHP 2 DOCTORS	CAN BE GIVEN WITHOUT CONSENT FOR 1 ST 3 MONTHS
4	EMERGENCY DETENTION	72HRS	AMHP 1 DOCTOR	CAN REFUSE BUT MAY BE GIVEN IN EMERGENCY UNDER COMMON LAW
5(2)	DR'S HOLDING POWER	72 HRS	DR IN CHARGE OF CARE/PLT CONSULTANT OR APPOINTED DEPUTY	CAN REFUSE BUT MAY BE GIVEN IN EMERGENCY UNDER COMMON LAW
136	POLICE POWER TO CONVEY TO PLACE OF SAFETY	24 HRS (PLUS 12 HRS IF DR REQUESTS)	POLICE	CAN REFUSE BUT CAN BE GIVEN IN EMERGENCY UNDER COMMON LAW
17	LEAVE OF ABSENCE FROM DETAINING HOSPITAL	AT DISCRETION OF RESPONSIBLE CLINICIAN	RESPONSIBLE CLINICIAN AT DETAINING HOSPITAL	AS PER THE DETAINING SECTION
19	TRANSFER OF CARE	ALLOWS FOR TRANSFER FROM ONE DETAINING HOSPITAL TO ANOTHER	ARRANGED BETWEEN RESPONSIBLE CLINICIANS. CLINICAL OPERATIONAL SITE MANAGER COMPLETES FORM H4	AS PER THE DETAINING SECTION

(AMHP = Approved Mental Health Professional)