

Independent Mental Health Advocacy (IMHA)

Bristol Mind Advocacy Services provide the Independent Mental Health Advocacy service in Bristol

A new independent advocacy scheme was introduced on the 1st April 2009 in England for qualifying patients. These arrangements are introduced by way of amendment to the Mental Health Act 1983 by section 30 of the Mental Health Act 2007. Under these arrangements, Independent Mental Health Advocates (IMHAs) provide qualifying patients with support and help.

The IMHA service does not replace the mental health advocacy service available to all inpatients in Southmead, Callington Road, Fromeside, Wickham and Lansdowne units. It is an additional service for specific patients.

Independent Mental Health Advocates provide an important safeguard for certain patients treated under the compulsory powers of the Act. The following provides guidance about the role and functions of IMHAs.

Patients who qualify for advocacy support are:

- detained or liable to be detained under the 1983 Act
- subject to guardianship under the Act
- community patients subject to community treatment orders
- conditionally discharged
- being considered for section 57 or 58A treatments but are not otherwise subject to the Act (i.e. an 'informal' patient)

Patients' rights to an IMHA

A qualifying patient may ask for the support of an IMHA at any time. Certain professionals have a duty to tell qualifying patients that independent mental health advocacy is available and how they may obtain it. Patients may want to consider accessing an IMHA in the following circumstances:

- as soon as practicable after their arrival in hospital under one of the relevant sections of the Act
- before the initial discussion with their clinician about the proposed treatment plan
- when the use of electroconvulsive therapy (ECT) is being considered
- when an application has been made or is being considered to the MHRT for Wales or to the hospital managers
- when they choose not to be legally represented at a tribunal hearing
- when they want to make, or have made, a complaint
- when they want to discuss any aspect of their care or treatment
- when they want to apply to displace their nearest relative (see chapter 23)
- when they are consulted about the conditions to be attached to a community treatment order (CTO)

- when a CTO is renewed, revoked, or its conditions are varied
- when a meeting is held to discuss after-care.

The role of the independent mental health advocate (IMHA)

The IMHA provides support to qualifying patients to ensure they understand the Act and their own rights and safeguards. This may include support in obtaining information about any of the following:

- the patient's rights under the Act
- the provisions of the Act under which the patient qualifies for an IMHA
- any conditions or restrictions which affect the patient
- the medical treatment the patient is receiving, or which is being proposed or discussed, and the reasons for this
- the legal authority for providing such treatment
- the requirements of the Act which apply to treatment.

What will the IMHA do?

The IMHA will:

- ensure that the patient's voice is heard by supporting the patient to articulate their views and to engage with the multi-disciplinary team
- support patients to access information, and to understand better what is happening and what is planned, and to understand better the options available to them
- support patients in exploring options, making better-informed decisions and in engaging with the development of their care plans
- supporting the patient to ensure they are valued for who they are
- support the patient to counteract any actual or potential discrimination.

Supporting the role and work of the IMHA

Patients should have access to a telephone to speak to an IMHA in private.

The IMHA has the right to:

- visit and interview the patient in private
- visit, interview and get the views of anyone professionally concerned with the patient's medical treatment.

IMHAs should be enabled, as appropriate, to:

- have access to the unit and ward where the patient under detention is staying
- have access to facilities in the community where the patient is a community patient
- attend relevant meetings and ward rounds when asked to do so by the patient.

Access to records

Subject to conditions, the IMHA has a right to access and inspect the patient's relevant

records, including any records:

- about the patient's detention or treatment in any hospital or registered establishment
- about any after-care services provided to the patient under section 117
- of, or held by, a Local Social Services Authority (LSSA) about the patient

Confidentiality

IMHAs are expected to follow an agreed confidentiality policy. Under this, any information a patient share with an IMHA should remain confidential unless the patient want it to be disclosed, or the IMHA has reasons to disclose it.

In most circumstances the IMHA will tell the patient all the information they have received on their behalf.

Who can refer to the IMHA service?

Referrals to IMHA can come from anyone although IMHAs have a duty to respond to requests to visit a patient received from:

- patients
- nearest relatives
- responsible clinicians
- approved mental health professionals

also

A qualifying patient

- may request the support of an IMHA at any time
- may choose to end the support they are receiving at any time
- does not have to accept support from an IMHA

Before requesting an IMHA to visit a patient, professionals should, wherever practicable discuss the idea with the patient and give the patient the opportunity to decide for themselves whether or not to request an IMHAs help.

AMHPs and responsible clinicians should not request an IMHA to visit where they know, or strongly suspect, that the patient does not want the help of an IMHA.

Following receipt of a referral an IMHA will make contact with the patient within 3 working days.

How to contact an IMHA

- For patients currently at **Callington Road** and **Southmead** hospitals please call **Paul Turner** on **9800375**
- For male patients currently at **Fromeside**, **Wickham** or **Lansdowne** unit please call **Tom Hore** on **9800386**
- For female patients currently at **Fromeside** please call **Jo Burgess** on **9800386**

- For any hospital inpatients from a **Black or Minority Ethnic** background please call **Zakira Takolia** on **9800389**
- For people under **Guardianship** or on **Community Treatment Orders** please call **Tom Hore** on **9800386**

Alternatively referrals can be made by post or fax

**Bristol Mind IMHA service
35, Old Market Street
Bristol
BS2 0EZ**

Fax . 0117 9276587

**For any general enquiries about the service
Please email. advocacyinaction@bristolmind.org.uk**