Arolygiaeth Gofal Iechyd Cymru
Healthcare Inspectorate Wales

Easy Read: Review Service for Mental Health and its work

Information for patients



Healthcare Inspectorate Wales (**HIW**) checks the safety and quality of healthcare across Wales.

Hard Words

Hard words will be highlighted in **blue**, and a description will be in a box under the sentence. All hard words are also explained on page 27.

What is the Review Service for Mental Health?



The Review Service for Mental Health (RSMH) checks that people in Wales being treated under the **Mental Health Act 1983** are treated fairly, safely, and with respect.

The **Mental Health Act 1983** is a law that helps make sure people with mental health difficulties are treated safely and fairly. It also explains what rights people have.



The Review Service for Mental Health is **independent** from hospital staff and mental health teams.

Independent means able to make decisions for itself and not being told what to do by other people.



The Review Service may look into complaints about how the Mental Health Act has been used.



Every year the Review Service publishes a report of its work and what it has found.

What do **Mental Health Act Reviewers** do?



Mental Health Act Reviewers include doctors, nurses, social workers, lawyers, psychologists, people who have used mental health services, and other people who know about the Mental Health Act.



Reviewers visit hospitals and other places where people are receiving care under the Mental Health Act. This includes people who are **detained** in hospital, under **guardianship**, or on a **Community Treatment Order (CTO)**.



Detained means being kept in hospital under the Mental Health Act and not being able to leave when you choose.



Guardianship is when someone does not live in hospital but is supported under the Mental Health Act.



A **Community Treatment Order (CTO)** allows some people to leave hospital and continue their treatment outside of hospital while following certain conditions.



Reviewers check that:

- people are receiving the right care.



- people know about their rights under the Mental Health Act.



- people are treated with respect.



- people's needs are understood and thought about.

- the **Mental Health Act Code of Practice for Wales** is being followed.



The **Mental Health Act Code of Practice for Wales** gives guidance about following the Mental Health Act. You can ask ward staff to show you a copy.



- plans are in place before people leave hospital.



During visits, Reviewers meet and talk to people in private.

Reviewers talk to managers and staff to talk about things that affect people's care and treatment and to raise concerns on their behalf.



What the Review Service for Mental Health cannot do

The law is clear about what the Review Service can and cannot do. It is not because we do not want to help.



The Review Service cannot:

- end your **section** under the Mental Health Act.

Section means the part of the Mental Health Act that allows someone to be kept in hospital for assessment or treatment.



- **discharge** you from hospital.

Discharge means being allowed to leave hospital.



- arrange for you to have time away from hospital.



- transfer you to another hospital.



- offer individual medical or legal advice.



- help people receiving care who are not being kept in hospital under the Mental Health Act.



If the Review Service cannot help, Reviewers may be able to tell you who can.



Information about giving **consent** to treatment

Consent means giving permission or agreeing to something.

Rules about giving consent to medication



There are rules about treatment and **medication** for people receiving care under the Mental Health Act.

Medication means tablets, liquid, injections, or other ways to treat a health condition.



These rules only apply to medication used to treat your mental health condition. They do not apply to treatment for physical illnesses.

Some treatments need your consent or the agreement of an independent doctor.



These rules only apply after the first three months of medication.

The first three months of medication

The first three months start when you are first given medication for your mental health condition.



Your **clinician** should:

A **Clinician** is the healthcare professional responsible for your care and treatment.



- explain what the medication is for.



- explain any **side effects**

Side effects are unwanted effects that a medicine may cause like feeling sick or having a headache.



- ask for your consent before prescribing the medication.

If you do not agree or are too unwell to agree to take the medication, your clinician can decide that you need the medication and you must take it for up to three months.



After the first three months

After three months, your clinician must get your consent for you to continue taking the medication.



If you agree:

- your clinician will complete a **Form CO2**

A **Form CO2** is proof that you have agreed to take your medication.



- your clinician should check the form regularly.



- Reviewers will also check Form CO2 when they visit your hospital.



Can I change my mind?

Yes. You can change your mind and stop your consent at any time. It is always best to talk to your clinician first.



If you want to stop taking medication but your clinician disagrees, the Review Service will arrange for a **Second Opinion Appointed Doctor (SOAD)** to visit you.

A Second Opinion Appointed Doctor (SOAD) is an independent doctor who reviews your treatment and decides whether it should continue.



What happens if I do not give consent?

If you do not give consent, or are too unwell to give consent, after the first three months your clinician must tell the Review Service.



The Review Service will arrange for a SOAD to visit you.



Until the SOAD has made a decision, your clinician may continue to give you the medication.

What does a Second Opinion Appointed Doctor (SOAD) do?



A SOAD:

- checks that you are being kept in hospital legally.

- talks to you about your medication, usually in private. The hospital can give you an **interpreter** or **signer** if you need one.



An **Interpreter** is someone who helps people who speak different languages understand each other.



A **signer** is someone who uses sign language to help people communicate.



- talks to staff involved in your care.



- reviews information about your treatment.



- decides whether you should still take the medication.

If the SOAD agrees that your medication should continue, they complete a **Form CO3**.



A **Form CO3** records the SOAD's decision about your treatment.



Your clinician will explain the SOAD's decision and the reasons for it.



The SOAD sends a copy of Form CO3 to the Review Service, which checks it carefully.



You cannot appeal to the Review Service if you disagree with the SOAD's decision.

Urgent treatment



Urgent means something needs to happen quickly and cannot wait.



When treatment is needed urgently, the normal rules on consent to treatment do not apply.

The Mental Health Act allows urgent treatment if it is necessary to:



- Save the patient's life.

- Reduce serious suffering.



- Prevent the patient's condition from getting much worse.



- Prevent the patient from being a danger to themselves or others.

Things to remember



- If you have questions about your treatment, you should always speak to your clinician or a member of the nursing staff.



- After the first three months of medication, your clinician must have your consent, or the agreement of a SOAD, before the medication can continue.



- When treatment is needed urgently, the normal rules on consent to treatment do not apply.



- If you have questions about the SOAD service, you can speak to a Reviewer or contact the Review Service for Mental Health.



- The Mental Health Act Code of Practice for Wales provides more information about consent to treatment. You can ask ward staff for a copy.



- If you need help understanding your rights or treatment options, speak to:



- your clinician or another member of your care team.



- an **independent mental health advocate**.

An **independent mental health advocate** is someone who can help you understand your rights and speak up about what you want.



- a support group.



- a **solicitor**.

A **solicitor** is a legal professional who can give advice about the law and your legal rights.

Information about **Electro-Convulsive Therapy (ECT)**?



Electro-Convulsive Therapy (ECT) is a type of treatment used for some mental health conditions. Hospital staff will explain what ECT is, why it is being considered, and what the effects may be.



Rules about giving consent to ECT

- Like medication, ECT usually needs your consent. If you are too unwell to give consent, a Second Opinion Appointed Doctor (SOAD) must agree that the treatment should be given.



- If you are able to give consent but choose not to, you cannot be given ECT.



- If you are under 18 years old, a SOAD must agree before ECT can be given.



- In urgent situations, ECT may be given under the urgent treatment rules.



- If you are under 18 years old your clinician must tell the Review Service they think you should receive ECT. The Review Service will then arrange for a SOAD to visit you.



Can I change my mind?

Yes. You can change your mind and stop your consent at any time. It is always best to talk to your clinician first.

What does the SOAD do?



The SOAD follows the same process as for medication. They will talk to you, talk to staff involved in your care, review information about your treatment, and decide whether the treatment should continue.

Information about Community Treatment Orders (CTO)



If you are living outside hospital on a Community Treatment Order (CTO), a Second Opinion Appointed Doctor (SOAD) may be asked to review your treatment. This includes medication and Electro-Convulsive Therapy (ECT).



The SOAD follows a similar process to the one used for medication.

After the visit, the SOAD will complete a **Form CO7**.

A **Form CO7** is a record of your treatment while you are on a Community Treatment Order.

You cannot appeal to the Review Service if you disagree with the SOAD's decision.

What to do if you want to make a complaint



- If you have a complaint about your treatment, you should first talk to the organisation responsible for your care.



- You can speak to the organisation's complaints team or write to them. You can also ask someone to do this for you.



- If you find it difficult to make a complaint, an **advocacy service** may be able to help.

An **advocacy service** can help you understand your rights and speak up about what is important to you.

LLAIS
Eich llais mewn iechyd a gofal cymdeithasol | Your voice in health and social care

- If your complaint relates to NHS services or social services, Llais can provide free and independent complaints advocacy and support: https://www.llaiswales.org/



- If your complaint is about something very serious, you should tell staff as soon as possible.



- The organisation should investigate your complaint and tell you what they found and what action they will take.

What if I am still unhappy?

If your complaint is about an NHS service and you are not happy with the response, you can contact the **Public Services Ombudsman for Wales**.

The **Public Services Ombudsman** for Wales looks at complaints about public services and decides whether they have been handled properly.

Public Services Ombudsman for Wales

1 Ffordd yr Hen Gae
Pencoed
CF35 5LJ

Telephone: 0300 790 0203

Website: www.ombudsman.wales

- If your complaint is about an independent healthcare provider paid for by the NHS, you should talk to the provider first. If the complaint is still not solved, you should contact the NHS organisation paying for your care.

- If your complaint is about social services and is not solved through the local authority's complaints procedure, you may also contact the Public Services Ombudsman for Wales.

When can the Review Service help?



- The Review Service may be able to help if your complaint is about how the Mental Health Act has been used.



- Before making a complaint to the Review Service, you should talk to the organisation responsible for your care first.



- The Review Service may use information from complaints to help check how services are using the Mental Health Act.

When can the Review Service not help?



The Review Service cannot help if:

- your complaint is not about the Mental Health Act.



- your complaint is being dealt with by the courts.



- you only disagree with your doctor's decision about your treatment.



- you only disagree with being detained or treated under the Mental Health Act.



The Review Service cannot discharge you from hospital. If you want someone to consider whether you should leave hospital, you can apply to the **Mental Health Review Tribunal for Wales**.

The Mental Health Review Tribunal for Wales is an independent group that decides whether someone should continue to be kept in hospital under the Mental Health Act.



You can also ask hospital managers to consider whether you should be discharged. A nurse, advocate, or advice service can help you do this.

You cannot appeal to the Review Service if you disagree with a SOAD's decision.

Other organisations that may help

Care Inspectorate Wales (CIW)

For complaints about social services and registered care homes.

Telephone: 0300 790 0126

Email: CIW@gov.wales

Website: www.careinspectorate.wales

Children's Commissioner for Wales

For services provided to children and young people under 18 years old.

Llewellyn House
Harbourside Business Park
Harbourside Road
Port Talbot
SA13 1SB

Telephone: 01792 765600

Freephone: 0808 801 1000

Email: post@childcomwales.org.uk

Older People's Commissioner for Wales

For services provided to older people.

Cambrian Buildings
Mount Stuart Square
Butetown
Cardiff
CF10 5FL

Telephone: 03442 640 670

Email: ask@olderpeople.wales

How can I contact a Reviewer?



You can:

- ask hospital staff to arrange a meeting with a Reviewer.



- ask to speak to a Reviewer when they visit the ward.

If a Reviewer is not visiting soon, you can contact the Review Service:



- You can either write a letter to or email the Review Service for Mental Health at HIW.RSMH@gov.wales



- You can contact the office on **0300 062 8163**. HIW's telephone opening hours are 10:00am to 3:00pm, Monday to Friday (excluding public holidays).



- When the office is closed, an answering service is available. If you use the answering service, please leave your name and ward/home address or a telephone number so that someone can contact you.

Keeping your information safe



The Review Service keeps your personal information safe.



We are required by law to protect information we collect about you. We use secure systems to help keep your information safe.



We do not share your information with other organisations or government departments unless we are allowed or required to do so by law.

What is GDPR?



General Data Protection Regulation (GDPR) is a law that helps protect your personal information.



Your rights

Under GDPR, you have rights about the information we hold about you. These include the right to:



- ask for a copy of your information.



- ask us to correct information that is wrong.



- ask us to stop using your information in some situations.



- make a complaint if you think your information has not been handled properly.



You can find more information about HIW's Privacy Policy on our website: https://www.hiw.org.uk/privacy-policy

Hard words

Hard Words

Some words in this document might be hard to understand. This page explains what those words mean in a simple way.



The Mental Health Act 1983

The Mental Health Act 1983 is a law that helps make sure people with mental health difficulties are treated safely and fairly. It also explains what rights people have.



Independent

Independent means able to make decisions for itself and not being told what to do by other people.

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Mental Health Act Reviewers include doctors, nurses, social workers, lawyers, psychologists, people who have used mental health services, and other people who know about the Mental Health Act.

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Guardianship



Guardianship is when someone does not live in hospital but is supported under the Mental Health Act.

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The Mental Health Act Code of Practice for Wales



The Mental Health Act Code of Practice for Wales gives guidance about following the Mental Health Act. You can ask ward staff to show you a copy.

Section



Section means the part of the Mental Health Act that allows someone to be kept in hospital for assessment or treatment.

Discharge



Discharge means being allowed to leave hospital.

Consent



Consent means giving permission or agreeing to something.



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Medication means tablets, liquid, injections, or other ways to treat a health condition.



Clinician

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Independent mental health advocate

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Solicitor

A **solicitor** is a legal professional who can give advice about the law and your legal rights.



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Advocacy service

An **advocacy service** can help you understand your rights and speak up about what is important to you.

Public Services Ombudsman for Wales

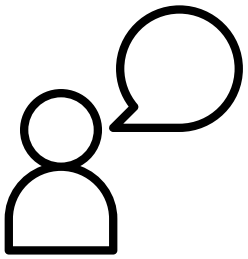
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Mental Health Review Tribunal for Wales



The **Mental Health Review Tribunal for Wales** is an independent group that decides whether someone should continue to be kept in hospital under the Mental Health Act.

How to contact HIW

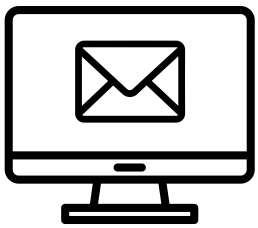


If you would like more information, or would like to complete this survey in another way, please contact us.



By post

Healthcare Inspectorate Wales
Welsh Government
Rhydycar Business Park
Merthyr Tydfil
CF48 1UZ



By email

HIW.RSMH@gov.wales



By phone

0300 062 8163