



**Digital
Advocacy Hub**

Independent Mental Health Advocacy

Section 2 rights



**Easy
Read**

Easy Read



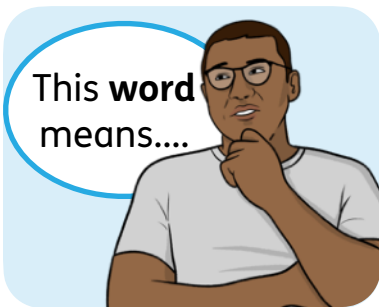
This is an Easy Read version of some information. It may not include all of the information but it will tell you about the important parts.



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.

What is in this booklet

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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.



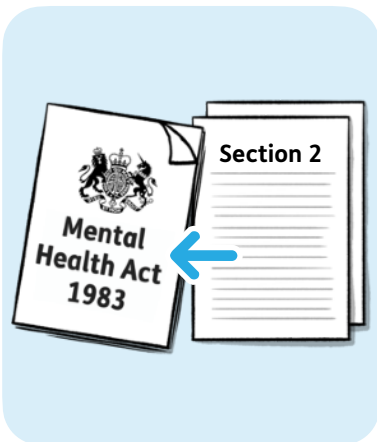
The person who does this is called an **Independent Mental Health Advocate (IMHA)**.



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



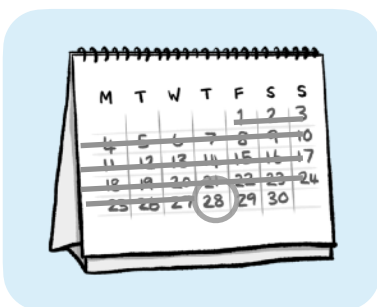
There are rules about how people should be treated in hospital.



This booklet will tell you about your **rights** under Section 2 of the Mental Health Act (the law).

Rights are things that you are allowed to do by law, like getting married or voting.

This part of the law:



- Gives hospitals the power to keep you for treatment for up to 28 days.



- Says what rights you have if the hospital decided to keep you for 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.

What is the Mental Health Act?

The Mental Health Act is a law that tells people with a mental health problem:



- What their rights are.



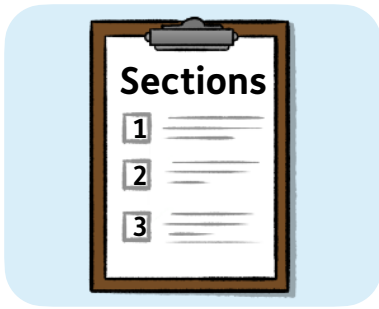
- How they can be treated.



The Mental Health Act gives doctors the power to detain you so you can get treatment.



It is important that you know what happens when you are detained and how you can get support.



The Mental Health Act has different parts called Sections.

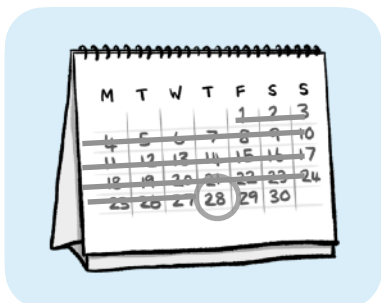


These Sections say the different ways that people can be detained.



Different Sections have different rules about how you can be detained.

What does 'Section 2' mean?



Section 2 is part of the Mental Health Act. It allows hospital staff to detain you in hospital for up to 28 days.

This gives doctors the time to check:



- What sort of mental health problem you have.



- If you need treatment.

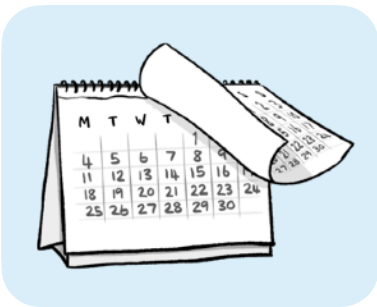


- How the treatment might affect you.

You are likely to be given a Section 2 if:



- Your mental health problem has not been checked before.



- It was checked a long time ago.

Being detained

When can I be detained?

You can be detained if:



- You have a mental health problem.



- You are so unwell that you need to be in hospital to have your mental health checked.



- Doctors think you should be in hospital for your own safety or to keep other people safe.

How can you be detained?



Usually, a Mental Health Professional will ask the hospital to detain you.

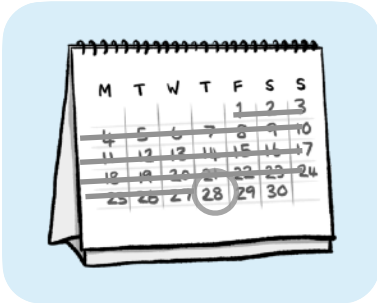


They can ask the hospital up to 14 days after they have seen you.



2 doctors must agree that you need to be detained.

How long can you be detained?



You can be detained for up to 28 days under Section 2.



That does not mean you must stay at the hospital for 28 days.



Your **Responsible Clinician** can let you leave hospital at any point if you do not need to be detained anymore.

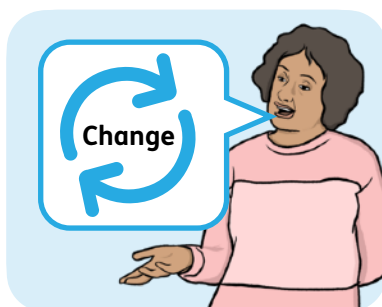


Your **Responsible Clinician** is the doctor who is in charge of your care.

What are my rights?



You have some rights while you are under Section 2.



You can:

- Ask for the decision to detain you to be changed by a Mental Health Tribunal - this is a meeting of professionals.



You should do this in the first 14 days of being detained.



- Ask for the decision to detain you to be changed by a Hospital Managers' Hearing - this is when Hospital Managers decide if you can leave hospital.



- Meet an Independent Mental Health Advocate (IMHA) to help you understand your rights.

Can I be given treatment I do not want?



Staff should ask you if you want the treatment you are getting.

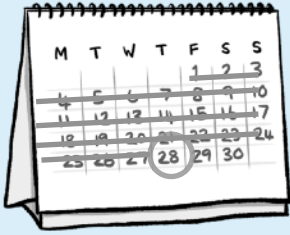


But they can treat you even if you do not want to be treated.



If you are unhappy with your treatment you can speak to your Responsible Clinician.

What happens at the end of a Section 2?



The Section 2 will end after 28 days.

Hospital staff cannot make the Section 2 longer than 28 days.



If you still need treatment in hospital, you may be treated under a different Section of the Mental Health Act.



This will be decided by a doctor.



Sometimes people stay in hospital for a short time after their Section ends if both they and the hospital staff agree.

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.

How can I get support from an IMHA?



Health professionals should tell patients and their families about IMHA services.



Health and care professionals usually tell the IMHA service if they think a patient needs their services.



n-compass will allow patients or their families to ask for support from an IMHA.

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