

## Code of Practice for Wales

The Code of Practice for Wales gives advice to staff about the Mental Health Act 1983. They have to think about what the Code says when they take decisions about your care. You can ask to look at a copy of the Code or you can ask for a copy of the 'Peace of Mind' booklet on the Code of Practice for Wales.

### Further information and help



If there is anything you do not understand about your care and treatment, a member of staff will try to help you. Please ask a member of staff to explain if there is anything in this leaflet you do not understand or if you have other questions that this has not answered.

The independent mental health advocacy service is also there to provide help and support to you.

Please ask if you would like another copy of this leaflet for someone else.

**This leaflet has been prepared by  
the Welsh Assembly Government (March 2009)**

## MENTAL HEALTH ACT 1983

### SECTION 2: ADMISSION FOR ASSESSMENT

You have been admitted to:
Your Responsible Clinician is:
Date your detention under section 2 began:

## Why am I in hospital?

You have been admitted to this hospital so that your responsible clinician can find out what is wrong and how to help you. You can be kept in this way because of section 2 of the Mental Health Act 1983. This means that 2 doctors believe you have a mental disorder for which you must be in hospital.

## How long will I be here?

You can be kept here for 28 days (four weeks) during which time you may be given treatment. You must not leave during this time unless your responsible clinician tells you that you may. If you try to go, the staff can stop you, and if you leave you can be brought back.

## What happens next?

Your responsible clinician will tell you when she or he thinks you are well enough to leave hospital. You will only be kept in hospital longer than 28 days if your responsible clinician thinks you must stay here; she or he may decide this *before* 28 days are up. If your responsible clinician thinks you must stay in hospital for a while longer you may be kept under section 3 and you will be given another leaflet which explains what will happen.

## Care Plans

You will have an individual care plan. As part of this plan you will have an assessment, and your care and treatment will draw upon your own strengths. If you wish you will be involved not only in the planning, but also the delivery of your own care plan.

## Letting your nearest relative know

A copy of this leaflet will be given to your nearest relative who we understand to be:

If you do not want the person mentioned above to receive a copy of this leaflet please tell the person in charge of the ward, or your responsible clinician, or the Hospital Managers.

Your nearest relative will have certain set rights under the Mental Health Act 1983. They include:

- the right to ask for you to be admitted to hospital for assessment or treatment;
- the right to receive information about your detention under the Act;
- the right to ask for you to be discharged.

For more information about the role of the nearest relative and what rights they have please ask for a copy of the nearest relative leaflet.

## Changing your nearest relative

If you do not think this person is suitable to be your nearest relative, you can apply to the County Court for someone else to be treated as your nearest relative instead. The hospital staff can give you a leaflet that explains this.

The Review Service was set up to make sure that the mental health law is used properly and that patients are cared for properly while they are in hospital.

You can write to them at:

#### Review Service for Mental Health

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

**Email**  
[hiw@gov.wales](mailto:hiw@gov.wales)

**Telephone**  
0300 062 8163

or you can speak to a Reviewer when they visit. The ward manager can tell you the date of the next visit.

You can also write to the Review Service after you have left the hospital.

#### **Your letters**

Normally you will be able to write to and get letters and parcels from anybody. The Mental Health Act gives the Hospital Managers power to withhold any of your letters or parcels from going to someone who has asked that they should not be sent to them. If this happens you will be notified in writing.

To develop your care plan you will have a co-ordinator who will involve other people who have a relevant interest in your care, including your responsible clinician, your social worker, a carer if you have one, and with your agreement, your nearest relative.

Once developed, your care plan will include agreed timescales for implementing the various aspects of your care plan, including your medical treatment, physical healthcare, and preparing for and covering the time after your discharge.

Your care plan will be recorded in writing, and you may sign it if you wish. You will also be given a copy.

For more information on what your care plan will include, please ask for a copy of the 'Peace of Mind' booklet on the Code of Practice for Wales.

#### **Independent Mental Health Advocacy Service**

You will have access to the confidential, independent mental health advocacy (IMHA) service. The IMHA service will provide support to you and help you to understand the Act.

They will help you obtain information about your legal rights, any medical treatment that you may be receiving and how you can appeal against detention.

If you are having any difficulties understanding this leaflet or have any further questions the IMHA service is there to help you.

## Will I be given treatment?

The approved clinician in charge of your treatment will talk to you about any treatment he or she thinks you need. In most cases you will have to accept his or her advice.

## Can I appeal?

You can ask the Hospital Managers to let you leave hospital. If you want to do this, write to them at:

Cardiff and Vale University Local Health Board, Hafan Y Coed,  
University Hospital Llandough, Penlan Road, Penarth,  
CF64 2XX

Your nearest relative can also write to the Hospital Managers to ask them to let you leave. The Hospital Managers can take 72 hours (three days) to look at the request, so that they can get a report from your responsible clinician. Your responsible clinician may say in his or her report that you should not be discharged and if she or he does you will have to stay in hospital.

You can also apply to the Mental Health Review Tribunal for Wales for your discharge. If you want to apply to the Tribunal, you must write to them within the first 14 days (two weeks) after your admission to hospital under section 2 and a hearing will be arranged within the following 7 days.

## What happens at a hearing before the Mental Health Review Tribunal for Wales?

The Tribunal is independent of the hospital. The Tribunal members will come and meet with you and listen to your views and to those of your representative (if you have one).

The Tribunal doctor will come and see you before the Tribunal hearing. They will speak to your responsible clinician and other professionals involved in your care and read reports about your detention and care before deciding if you are well enough to be discharged. The Tribunal will give you a written decision within 7 days of the date of the hearing.

You might want to ask for a solicitor to help you with the Tribunal. The hospital has a copy of the Law Society list of specialised solicitors, or you might want to use your own solicitor. This is usually free of charge under the legal aid scheme.

The address of the Tribunal office is:

Mental Health Review Tribunal for Wales  
Crown Buildings  
Cathays Park  
Cardiff. CF10 3NQ

## How do I complain?

If you want to complain about the way you are being treated in hospital, you should speak to the person in charge of the ward or a nurse or social worker. If you are not happy with the answer you may write to the Hospital Managers. You can write to the Managers at the following address:

Cardiff and Vale University Local Health Board, Hafan Y Coed,  
University Hospital Llandough, Penlan Road, Penarth,  
CF64 2XX

If you are not happy with the Managers' reply, you can ask the Review Service for Mental Health to help.