

The role of the IMHA is defined in Law and has certain statutory rights and functions attached to it.

An IMHA has the legal right to:

- Visit & interview the patient in private
- Visit, interview & get the views of anyone professionally concerned with patients medical treatment
- Inspect relevant patient records (certain conditions apply)

Patients should have access to a telephone to contact their IMHA



Referrals to the service can come from anyone but IMHAs have a **duty** to respond to requests from certain people, these include:

- Patients
- Hospital Managers & authorised staff
- Registered social workers
- Nearest Relative
- Carer

Please note that Patients can turn down IMHA support

To refer, or if you have any queries, in the first instance contact:

Advocacy Support Cymru

 **029 2054 0444**

 **029 2073 5620**

 **www.ascymru.org.uk**

 **info@ascymru.org.uk**

We provide the IMHA service for Cardiff & the Vale, Cwm Taf, ABMU and Powys Health Boards.

More information on IMHA in Wales is available to NHS or Local Authority staff as an E Learning lesson on; Learning@NHSWales



Registered Charity No: 1141999 Company No: 07524059

Independent Mental Health Advocacy in Wales

**Information for professionals
in general hospital and
non-psychiatric settings**

**All in-patients in any hospital or
registered establishment in
Wales could be eligible to have
the support of an Independent
Mental Health Advocate
(IMHA)**



**This leaflet will give
you some information
about what to expect
from an IMHA, and
which patients qualify
for IMHA support.**

Advocacy aims to ensure that people have a voice by representing their needs and wishes.

Independent Advocates only represent their clients and do not act on behalf of any other person, including Health Staff, Local Authority staff and carers.

Advocates do not make judgements or decisions about the Best Interests of their clients.

Advocates do not withhold personal information from their client or share information with professionals without their clients permission.

Independent Mental Health Advocates (IMHAs) provide specialist, statutory advocacy for eligible patients.

IMHAs might help people to :

- Access information, explore options, engage in development of care plans
- Understand and exercise their rights
- Understand and follow up decisions made by professionals
- Make complaints
- Access their records
- Get information about other services

People who are eligible to receive support from an IMHA are known as Qualifying Patients.

In Non – Psychiatric settings (i.e. General Hospitals and Registered Independent Hospitals) these are patients who are being assessed or treated for a Mental Disorder, even if that is not the primary reason for their admission.

E.g.

- A patient with dementia who is admitted for a hip operation and also receives treatment for the dementia whilst in hospital
- A patient who first becomes depressed whilst in hospital and receives an assessment for their depression

It also includes patients who are subject to the Mental Health Act;

E.g.

- Detained in hospital on a section
- Community Treatment Order
- Guardianship

It is important for professionals to know who qualifies for IMHA support, as it is the LEGAL DUTY of staff to give this information to their patients.

IMHAs can also provide advocacy to people who lack the mental capacity to instruct them. The IMHA can represent the rights and past wishes of the patient, but will not make recommendations or give an opinion about what might be in their Best Interests.

There is no legal requirement to refer a qualifying patient. However, for patients who lack capacity it is good practice to consider if a referral is in their Best Interests, as they cannot refer themselves.

Triggers for this **might** include;

- Patient unsettled, persistently trying to leave, refusing to engage with treatment
- No change for patient over prolonged period
- Mental Disorder worsening
- Change in treatment
- Discharge planning
- Permanent vegetative state
- Conflicting views in care team
- Family conflicts or disagreements
- No family involvement
- Difficulty in accessing services
- Fluctuating capacity
- No independent representation

This list is not exhaustive.