

### You have the right to:

- receive information about your rights and the rights of the person you are supporting
- have your views considered by staff
- be notified of notifiable events
- be involved in, and receive information about, the treatment and care of the person you are supporting
- be consulted before leave is granted to the person you are supporting
- request a further opinion on behalf of the person you are supporting
- receive information about any restriction to the person's freedom of communication
- confidentiality in discussions with staff
- request a review of a patient's involuntary status from the Mental Health Tribunal (t: 08 6145 3900)
- be notified about applications to, and hearings of, the Mental Health Tribunal
- have your views heard in matters before the Mental Health Tribunal
- represent a person, or be represented before the Mental Health Tribunal
- make a complaint to the mental health service or the Health and Disability Services Complaints Office (HaDSCO) (t: 1800 813 583) if you are unhappy.

### Further information

The information in this brochure relates to the laws set out in the *Mental Health Act 2014*. Information about the Act is summarised in the following set of brochures:

- Being referred to a psychiatrist for an examination
- Inpatient treatment orders
- Community treatment orders
- Information for voluntary patients
- Receiving treatment for a mental illness
- Information for personal support persons
- Nominated persons: how to make a nomination and what it means.

### Other brochures are available from:

- The Mental Health Tribunal
- The Mental Health Advocacy Service
- The Mental Health Law Centre.

For more information about the *Mental Health Act 2014* and other resources, visit the Mental Health Commission website: [www.mhc.wa.gov.au](http://www.mhc.wa.gov.au) or phone (08) 6272 1200.

This document can be made available in other languages and alternative formats on request.

## Information for personal support persons



If you are a carer, close family member, parent, guardian or nominated person of someone receiving treatment for a mental illness, you may be a 'personal support person'.

This brochure provides you with information about your role as well as your rights.

### Who is a personal support person?

You are considered to be a patient's personal support person if you are their:

- carer (someone who is unpaid and provides ongoing care to the patient)
- close family member (a relative who provides ongoing care to the patient)
- parent or guardian of a child
- guardian or enduring guardian of an adult
- nominated person (someone who the patient formally nominates using a Form 12A).

### What role do you have?

You are entitled to be involved in the treatment and care of the person you are supporting, including:

- considering options for treatment and care,
- providing the person with support, and
- preparing and reviewing their treatment, support and discharge plan.

You can let staff know the extent to which you would like to be involved.

It is important that when supporting the person, you also respect the experience and expertise of the mental health staff. Support persons should stay well informed both by the patient and by staff so balanced conclusions can be reached.

### What information will you get?

As a personal support person you are entitled

to the following information about the person you are supporting:

- the mental illness for which they are being treated, options for treatment, and their response to any treatment provided,
- the grounds on which any inpatient treatment order or community treatment order was made,
- any situation in which seclusion or bodily restraint was used, and
- the services available to meet their needs.

Staff will make reasonable efforts to contact you, and/or another personal support person to give you this information. If the person you care for has multiple carers and other personal support persons, one of those people may have been given the information.

### When might you not be informed or involved?

Generally, a voluntary patient can decide whether or not they agree to their personal support persons being informed or involved. However, if the voluntary patient is not well enough to be able to make this decision, you will be informed/involved unless this is not in the patient's best interests.

In most cases staff will inform and involve the personal support persons of an involuntary patient. The exceptions are:

- if this is not in the involuntary patient's best interests; or

- if the involuntary patient does not agree to you being informed or involved, and a psychiatrist decides that they are able to make this decision and it is reasonable.

### Notifiable events

In addition to your other rights to be informed/involved, at least one personal support person must be informed each time any of the following 'notifiable events' happen to the person you are supporting:

- a detention order, inpatient treatment order or community treatment order, is made, revoked (cancelled), or expires
- any other order following an examination by a psychiatrist, is made
- they are released from being detained
- a transport order is made
- they are transferred from one hospital to another
- they are absent without leave, granted leave from hospital or the leave is extended, varied or cancelled
- they were given urgent non-psychiatric treatment while on an inpatient treatment order.

You (or another support person) will be informed of these events, even if the person you are supporting does not agree. The only exceptions are when this is not in the person's best interest, or despite staff making efforts, no one was able to be contacted.