

**Our aim is to support and enable people to remain central to decisions that are made about their life.**

Independent Mental Health Advocates (IMHA) are specialist Mental Health Advocates who work with patients within Mental Health Services.

IMHAs are independent of the service providers and are trained for their jobs and are subject to regulations under the Mental Health Act 2007.



## How to contact the IMHA service?

**Tel:** 020 7358 7007

**Email:** [imca@ch1889.org](mailto:imca@ch1889.org)

**Website:** [ch1889.org](http://ch1889.org)

**Address:**

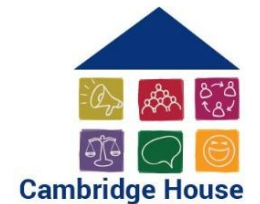
Advocacy  
Cambridge House  
Print Works  
22 Amelia Street  
London SE17 3PY

**The Service is available  
Monday-Friday between 9am  
and 5pm**

**Charity number:** 265103  
**Company number:** 1050006

**Barking & Dagenham**

## Independent Mental Health Advocacy (IMHA)



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## Independent Mental Health Advocacy (IMHA)

### Who qualifies for an IMHA?

People who 'qualify' for an IMHA are:

#### In Hospital:

- ✓ Those detained under the Act (even if on leave of absence from the hospital)
- ✓ Those admitted as 'Informal/voluntary patients' being considered for special treatments such as neurosurgery, surgical implantation of hormones (Section 57)

#### In the Community:

- ✓ Those on community treatment orders (CTO)
- ✓ Those who have been conditionally discharged
- ✓ Those on leave of absence
- ✓ Those subject to Guardianship

**IMHAs help patients to understand their rights and how to exercise those rights. Their aim would be to help people to take an active part in the decision made about their treatment**

### What will IMHAs do?

An IMHA will help patients to obtain and understand information about:

- ✓ The provisions of the Act and their legal position
- ✓ Conditions or restriction that apply
- ✓ Medical treatment prescribed

### Who does not qualify for an IMHA?

People on short-term sections lasting 72 hours or less such as: Section 4,5(2), 5(4), 135, 136

### What rights do IMHAs have that other advocates do not have?

- ✓ Legal right to visit and interview a patient in private
- ✓ Right to interview anyone professionally concerned with the patient's medical treatment
- ✓ Right to access a patient's records with their consent

### Will IMHAs be able to access all patients' records?

- ✓ An IMHA will only gain access to records if a patient with capacity gives consent
- ✓ When acting for a patient without capacity, access to records will depend on whether the people holding the records think it appropriate and necessary that the IMHA sees them.
- ✓ The production and inspection of records cannot conflict with a decision of a donor, a deputy or a decision by the Court of Protection (Mental Capacity Act 2005).

### When and how should patients be told about an IMHA?

Patients should be told:

- ✓ As soon as practicable after they qualify for the service
- ✓ Copies of the information about the IMHA service and how it can be contacted should also be given to nearest relatives, unless the patient does not approve

### IMHAs are not...

- ✓ Part of a multi-disciplinary team
- ✓ Solicitors
- ✓ Medical Experts
- ✓ Family members, carers or friends

### How do patients get referred to an IMHA?

The 'responsible person' has a duty to tell those patients who qualify both verbally and in writing of the IMHA Service.

They are:

- ✓ Managers of the hospital
- ✓ The responsible clinician
- ✓ The local Social Service Authority
- ✓ The registered medical practitioner or approved clinician

Referrals may also come from:

- ✓ The patient
- ✓ The patient's nearest relative
- ✓ An Approved Mental Health Professional (AMHP) acting on behalf of a local Social Services Authority

### Does having an IMHA affect patients' other rights?

- ✓ Having the support of an IMHA does not affect a patient's right to:
  - ✓ Advice from a lawyer
  - ✓ Use other people or other advocates
  - ✓ Self-advocate

**But other advocates will not have the same rights and duties as an IMHA**