



GOVERNMENT OF BERMUDA

Ministry of Health



Rules For Mental Health Care

Mental Health Act 1968, Code of Practice

Fact Sheet 1



The Mental Health Act 1968

Code of Practice

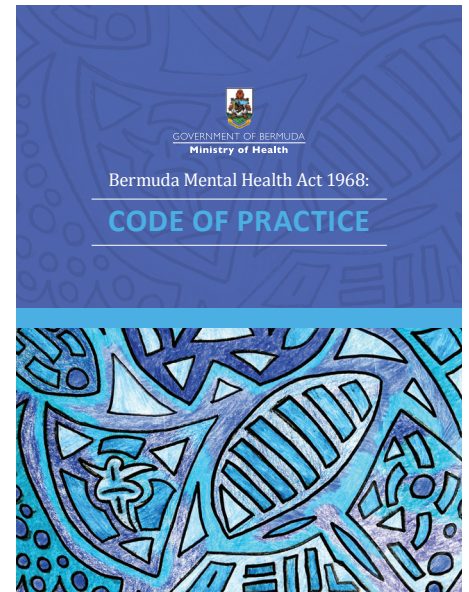
The Code of Practice explains how patients who are detained in hospital should be supported by the mental health services.

This Fact Sheet tells you about the principles (rules) in the Code. These are important as they set out how the Act should be used by everyone.

It is made easy to read for as many people as possible.

This is one in a series of different Fact Sheets that describe how different parts of the Code of Practice should be followed.

Cover art is Mo' Betta Blues by Lynwood Richardson, 2019



What are the rules for?

If you are detained in hospital under the Mental Health Act, mental health professionals should follow these rules

This includes doctors, nurses, managers and other professionals

The word “detained” means having to stay in hospital for assessment or treatment





Rules:

1. Getting you the right treatment

- Your care team should help you get the treatment that is best for you
- Your doctor should make sure you receive the health care you need
- Staff should have the right skills to care for you



2. Your safety and wellbeing

- Your care should be supportive and therapeutic
- The space where you receive care needs to be safe for you, staff and visitors



3. Respecting our differences

- The care team will carefully consider your specific needs
- They will plan the best way to provide your care
- You and your family are to be treated with respect and dignity



4. No discrimination

- Your care team cannot treat you differently because of your:
 - o Age
 - o Race or ethnicity
 - o Disability
 - o Religious, cultural or political beliefs
 - o Relationship status (if you are single, married etc)
 - o Gender
 - o Sexual orientation (if you identify as male, female, gay, lesbian, bisexual, transgender etc)
- Treating your mental health is as important as treating your physical health



5. Involving you in your care plan

- You should help to develop your care plan
- It will be written down and discussed with you
- You should be supported to make decisions about your care
- Your care team will check if you consent to treatment
- Sometimes you can be given treatment without your consent, but when this happens, these steps must be taken:
 - o An assessment will be made of your ability to consent
 - o If you cannot consent, your past wishes will be taken into account
 - o You will be involved in decision-making as much as possible
 - o All decisions made for you will be in your best interests



6. Respecting your past and present wishes and feelings

- Your care team will take account of your past and present wishes and feelings
- You have the right to develop advance statements of your wishes
- These will help the team to know how you want to be supported
- Your views will be written down if a decision is made in your best interests but is against what you want





7. Talking to your carers and other interested persons

- You should be encouraged to involve carers
- When it is appropriate, the views of family members and carers should be considered
- When professionals make decisions that others do not agree with, they should clearly explain their reasons



8. Public safety

- Your care team should protect your rights and dignity, whilst also ensuring the safety of others
- Admission to hospital may be needed to protect you from hurting other people
- The possible risk and harm to you and/or other people must be considered carefully when a decision is made to detain you



9. Limiting how much you are restricted

- Members of your care team should all work together to prevent mental health crises and focus on recovery
- If detention is needed, it is for the shortest time possible, and in the least restrictive setting available
- You should not be detained if you can be treated safely in other ways
- If you are restricted of your liberty, the Mental Health Act sets out how this should be done
- Restrictions that apply to all patients will be avoided as far as possible, and if they are needed, they will be closely monitored



This fact sheet comes from the Bermuda Mental Health Act 1968: Code of Practice, Chapter 4, "Guiding Principles" pages 9 - 12

Do you need more information?

The Mental Health Act and Code of Practice are found at:
<https://www.gov.bm/mental-health>

More Fact Sheets on the Act and Code are found at:
<https://www.gov.bm/mental-health>

If you have questions about the Act or the Code, contact the BHB
Mental Health Act Administrator at Mid-Atlantic Wellness Institute:

Telephone: **236 3770**
Email: **MHA@bhb.bm**



If you have a complaint about something to do with the Mental Health Act this should be directed to the unit/ department manager of the relevant service provider.

BHB Complaints:
Patient Relations Manager
at 239 1425, or
feedback@bhb.bm or



Patient Relations Manager
Quality and Risk Department
Bermuda Hospitals Board
PO Box 1023
Hamilton, Bermuda HMDX

Thank you to the clients and patients at Mid-Atlantic Wellness Institute who have helped in the development of this Fact Sheet.

