

MENTAL HEALTH ACT MANAGERS, ROLE DESCRIPTION

Status: Voluntary
An attendance allowance per session, any travel and out of pocket expenses may be claimed, where appropriate.

Indicative Time commitment

Hearings:	6-20 sessions per year.
Business meetings:	At least 2 sessions per year.
Training:	At least 2-6 sessions per year.
Appraisal:	1 session per year.

* A session is 4 hours and includes any preparation time. A full day is 2 sessions.

Reporting to: Reporting to the Trust Board, Oxleas NHS Foundation Trust via Lead MHA Manager

Responsibilities: The hearing of patient appeals against detention under the Mental Health Act (1983).

Overall background

Detention of mentally ill people against their wishes is a measure of last resort when they have become too disordered to recognise their own condition and could deteriorate without treatment, becoming a risk to themselves or to others. However, depriving a citizen of their liberty is a serious step that must be taken with care and is subject to stringent review.

The Mental Health

The Mental Health Act 1983 sets out procedures under which a detained patient may make an appeal against their detention heard by a panel (three or more) of 'managers' (a term enshrined in the Act). Written evidence is taken from appropriate doctors, nurses and social workers; oral evidence is taken from these professionals, from the patient and from others as appropriate. The Trust presents its case for continuing detention under the Section of the Act. The patient may have support of a legal representative and an advocate. The panel, having heard all the evidence, decides whether to support the detention or require it to be lifted.

Duties

1. To hear patients' appeals against detention when requested by the patient.
2. To review the detention of patients within the timeframe appropriate to the particular section.
3. To consider Renewal of Authority notices.
4. To attend meetings of the MHA managers and other meetings as required.
5. To attend training sessions.

Responsibilities.

1. To understand the Mental Health Act 1983 and the Mental Health Act Code of Practice, with particular reference to the role of managers (MHA 1983) Section 2, 3, 37, 20 and 23 and MHA 1983 Code of Practice Chapters 37 and 38. A copy of the relevant chapters of the Code of Practice and information pertaining to the Act will be issued on appointment.
2. To sit on a panel with two other managers and conduct a hearing.
3. To read reports on a patient's mental state, medical, nursing and social circumstances, including existing care plans and arrangements for after care.
4. Interview and question the Patient, Doctor, Social Worker, Nursing staff and sometimes nearest relative of the patient.
5. To allow all attendees the opportunity to fully present their case and answer questions from the MHA Managers as appropriate.
6. To balance all the information presented (written and oral) and decide whether the patient continues to be detained or is discharged from detention.
7. Discharge from detention can be effected by the unanimous decision of 3 Managers that the criteria for detention are no longer met.
8. To attend meetings and training sessions as required during the year.

Additional information

1. The MHA Managers will have administrative support provided by the Mental Health Act office staff at hearings.
2. The precise ways in which a patient's case is examined depend on the individual circumstances. Managers are required to adopt a fair and sympathetic approach and an ability to listen carefully and tolerantly is essential.
3. Oxleas NHS Foundation Trust employees cannot serve as Mental Health Act Managers.

Additional responsibilities for Chairs

1. Chairing the hearing of patient appeals against detention under the MHA 1983.
2. To chair a panel with two other MHA Managers and conduct a hearing in accordance with Trust policy and the MHA 1983
3. To inform the patient and others present of the panels decision.
4. The chair of the panel has the responsibility to liaise with the administrator before and after panels to agree notes and minutes.

In recognition of these responsibilities, Chairs will receive an enhanced attendance allowance rate.

