



Understanding your rights as an informal patient under the MHA

Factsheet 4

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When receiving mental health treatment, you may have the option to be treated as an informal patient. This means you agree to stay in the hospital voluntarily, rather than being detained under the Mental Health Act (MHA).

1. What does it mean to be an informal patient?

- **Voluntary status:** As an informal patient, you choose to receive mental health treatment and stay in the hospital without being legally detained.
- **Freedom to leave:** You have the right to leave the hospital at any time, unless a doctor decides that your safety or the safety of others may be at risk, in which case an assessment for detention may be initiated.

2. Your rights as an informal patient

- **Consent to treatment:** You have the right to be informed about your treatment options and to give or withdraw consent.
- **Access to advocacy:** Although you may not qualify for an Independent Mental Health Advocate (IMHA), you can still seek support from general advocacy services for guidance and help understanding your rights.
- **Visits and communication:** You can receive visitors and communicate freely with family and friends unless specific restrictions are in place for safety reasons.

3. Transitioning from informal to detained status

- **When detention may occur:** If staff believe you need to be detained for your safety or the safety of others, they may initiate an assessment to consider whether you should be held under the MHA.
- **Assessment process:** This involves an evaluation by a mental health professional to determine if formal detention is necessary.

4. Seeking support

- **Advocacy services:** Reach out to local advocacy organisations for support and guidance about your rights and treatment options.
- **Care team communication:** Speak with your care team if you have questions or concerns about your treatment or your status as an informal patient.

Key takeaway: Being an informal patient allows you to engage in mental health treatment voluntarily. Understanding your rights helps you make informed choices about your care and ensures you know when to seek help if your status changes.

For more information on IMHAs and the MHA or to make a referral, please visit our website or contact our Central Support Team directly.



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