



# Community Treatment Order

## SELF HELP TOOLKIT

Supporting you to be heard

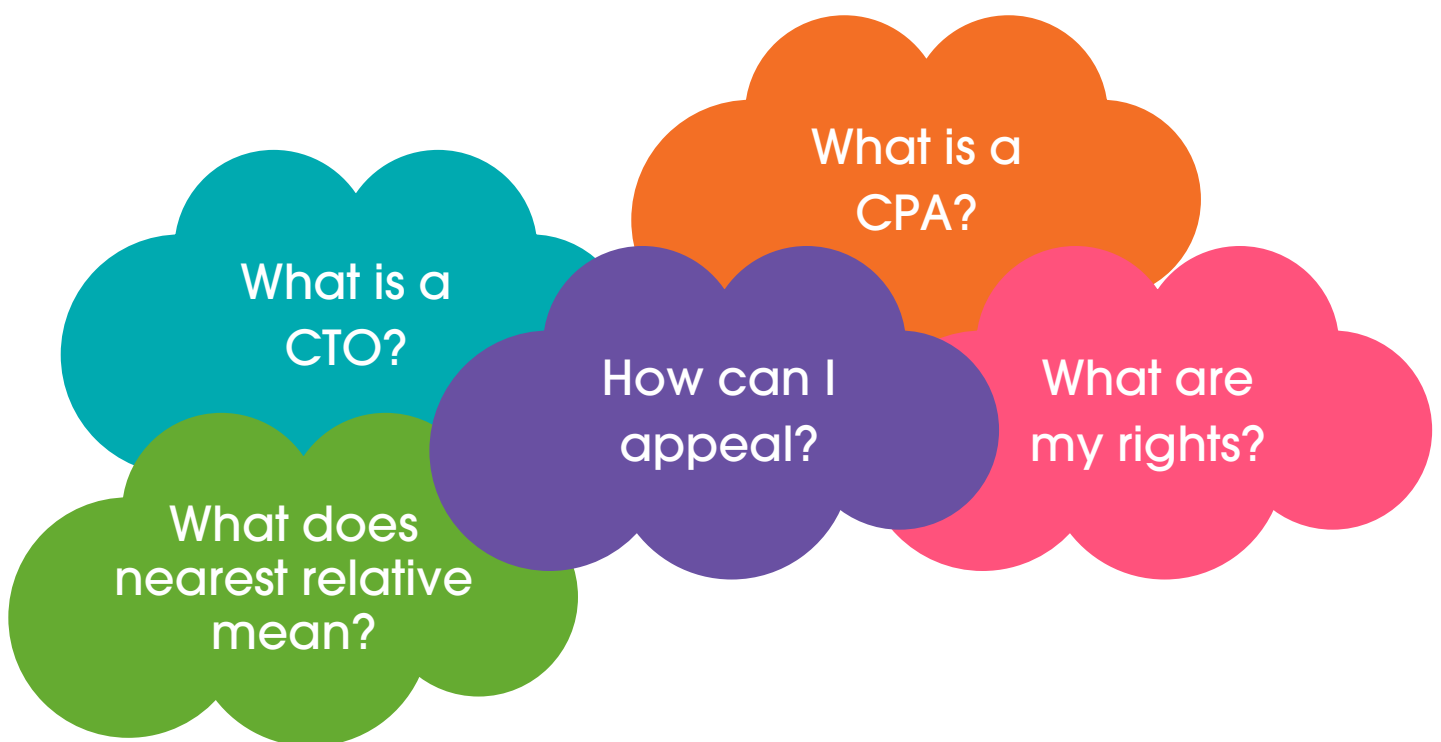


# Introduction

**This information booklet and self-help toolkit will help you to understand your Community Treatment Order.**

Read the full booklet or just the parts you may need.

## **QUESTIONS YOU MAY HAVE:**





# In this booklet you will find:



## PROCESS

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- 4 What are my Rights?
- 5 What is a Community Treatment Order (CTO)?
- 7 Care Programme Approach
- 8 How to Appeal a Community Treatment Order
- 9 Tribunal
- 11 Hospital Managers' Hearing

## PEOPLE

---

- 13 Care Coordinator
- 14 Nearest relative and Their Rights
- 15 Independent Advocate

## SELF HELP TOOLS

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- 17 Useful Information
- 18 Preparing for my Meetings
- 19 Tribunal Form
- 25 Hospital Managers' Review Form
- 26 Nearest Relative Letter
- 27 Solicitors List
- 29 Consent Form
- 31 Notes Page

# Your Rights

## **INFORMATION**

When you are discharged on a community treatment order, all information must be given to you clearly.

## **SUPPORT FROM AN INDEPENDENT ADVOCATE**

An Independent Advocate who is specially trained in the Mental Health Act can support you, free of charge.

## **YOUR COMMUNITY TREATMENT ORDER DOCUMENTS**

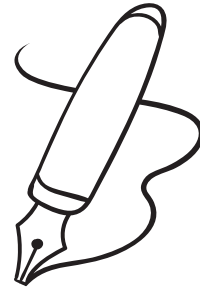
You should be given a copy these when you are discharged.

## **APPEAL**

You have the right to appeal your Community Treatment Order with a Tribunal or a Hospital Managers' Hearing.

## **VOTE**

You have the right to vote.



**Use this space  
for your own  
notes/questions**

# What is a Community Treatment Order (CTO)?

**A Community Treatment Order means that you can live in the community, but there are certain things you may need to do. These are called conditions and are there to keep you well. You should be told what these conditions are before you leave hospital.**

There are 2 mandatory conditions:

1. You must make yourself available for medical examination by your Responsible Clinician.
2. You must make yourself available for medical examination by a Second Opinion Appointed Doctor (SOAD) if necessary.

**This means you have to attend the appointment to renew your Community Treatment Order.**

Community Treatment Orders can have more conditions. They may be around medication, therapy, counselling, and rehabilitation.

These conditions can only be made if they are necessary and appropriate to protect you and others.

A Community Treatment Order cannot be used to force treatment on you; however, the conditions may recommend that you comply with the medication regime.

# How long does a Community Treatment Order last for?

## You can remain on a Community Treatment Order for:

- 6 months then this can be renewed for a further,
- 6 months then this can be renewed for;
- 12 months after that.

## HOW CAN I BE DISCHARGED?

The following people can make this decision:

- Your Doctor
- Mental Health Review Tribunal
- Hospital Managers' Hearing
- Your Nearest Relative  
(by writing to your Doctor).



## WHAT HAPPENS IF I BECOME UNWELL?

The Doctor may think that you need to return to hospital for treatment. This is also known as 'recall'. **If you feel unwell, phone your doctor or Care Coordinator.**

## HOW LONG CAN RECALL LAST?

Your Doctor will have to decide whether you need to remain in hospital within 72 hours of admission. You can be discharged within the 72 hours with support from your community care team.

# Care Programme Approach (CPA)



**To help you to prepare for your meetings, use the handy self-help tool: 'Preparing for my meetings' on page 18.**

A Care Programme Approach (CPA) is a meeting which will take place to discuss your care and treatment whilst on a CTO.

The CPA will:

- Assess your needs
- Put a plan into action
- Review the plan.

## **YOUR MEETING**

People who usually attend your CPA meeting:

- Your Doctor
- Your Care Coordinator
- Your Independent Advocate (if you want them to)
- Your family/friends (if you want them involved).

**Your independent advocate will support you before your meeting to make sure you are fully prepared.**



# How to appeal a CTO?

To appeal your Community Treatment Order, you can have a meeting called a **Tribunal** or a **Hospital Managers' Hearing**.

## REMEMBER YOUR RIGHTS

- You have the right to one Tribunal per detention.
- You have the right to more than one Hospital Managers' Hearing.

**You are entitled to a Solicitor free of charge.**



To help you find a Solicitor, there is a list on page 27.





# Tribunal

A Tribunal is three independent people that can discharge you from your Community Treatment Order. The Tribunal must decide if you meet the criteria of being under the Mental Health Act.

**You only get one per detention period.**

## YOUR MEETING

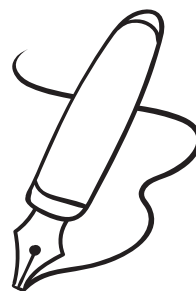
People who usually attend your Tribunal:

- You (if you want to)
- Your Doctor
- Your Solicitor (if you want one)
- Your Care Coordinator
- Your Independent Advocate if you want them to
- Your family/friends/ Nearest Relative (if you want them involved)

## WHAT ARE SOME OF THE THINGS A TRIBUNAL CAN DO?

Tribunals can:

- Discharge you from your Community Treatment Order
- Make recommendations to the Doctor about your treatment and care plan.



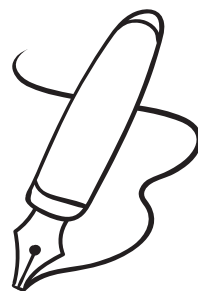
**Use this space  
for your own  
notes/questions**

**If you do not apply for a Tribunal during the first 6 months of being on a Community Treatment Order, you will have an automatic Tribunal arranged. You do not need to attend unless you want to..**

## WHAT TO EXPECT AT YOUR TRIBUNAL:

Your care team need to explain why you should stay on a Community Treatment Order.

- You do not have to prove your case at a Tribunal meeting.
- Your Doctor and Care Coordinator will complete a report that you can read before the meeting.
- During the tribunal, a panel of independent people will ask questions to your care team. Your solicitor can also ask questions on your behalf.
- You will also have the chance to explain your views and wishes to the panel. This can be done through your solicitor or on your own (you can ask the other people to leave the room if you want).
- The panel will then come to a decision regarding your Community Treatment Order.



**Use this space  
for your own  
notes/questions**



**To help you to prepare  
for your meetings, use  
the handy self-help  
tool on page 18.  
Find a Tribunal Form  
on page 19**

# Hospital Managers' Hearing

A Hospital ManagersHearing is a panel of three people that can discharge you from your CTO. Hospital Managers' Hearings are similar to a Tribunal but are more informal.

## YOUR MEETING

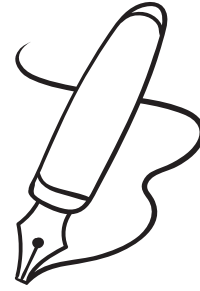
People who usually attend your Hospital Managers' Hearing:

- You (if you want to)
- Your Doctor
- Your Care Coordinator
- Your Independent Advocate if you want them to
- Your family/friends/ Nearest Relative (if you want them involved).

## WHAT CAN THE HOSPITAL MANAGERS' HEARING DO?

Hospital Managers' Hearings can:

- Review your Community Treatment Order but they cannot renew it.
- Discharge you from your CTO.



**Use this space  
for your own  
notes/questions**

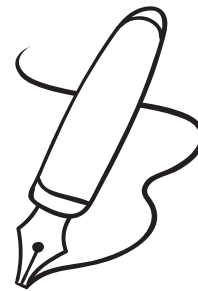
**If you do not apply for a Hospital Managers' Hearing during the first 6 months of being on a Community Treatment Order, you will have an automatic Renewal Hearing. You do not need to attend unless you want to.**



# Hospital Managers' Hearing

## WHAT TO EXPECT AT A HOSPITAL MANAGERS' HEARING:

- Your care team need to explain why you should stay on a Community Treatment Order.
- You do not have to prove your case at a Hospital Managers' Hearing.
- Your Doctor and Care Coordinator will complete a report that you can read before the meeting.
- You will also have chance to put forward your views and wishes to the panel.
- At the end of the hearing, the Hospital Managers will decide if you should stay on your Community Treatment Order.



**Use this space  
for your own  
notes/questions**



**To help you to prepare for  
your meetings, use the  
handy self-help tool on  
page 18.**

**Find a Hospital Managers'  
Review Form on page 25.**

# Care Coordinator

You will have a Care Coordinator to support you when you leave hospital.

## **YOUR CARE COORDINATOR SHOULD:**

- Get to know your needs and what support you may need
- Write a care plan with you
- Look at your care plan with you often.



## **CAN I CHOOSE MY CARE COORDINATOR?**

You cannot choose your Care Coordinator.

However, if you feel that your relationship with your Care Coordinator could be better, you might want to try to sort these problems by talking to them or with their team manager.

An Independent Advocate can help you with this.

## **THINGS YOU CAN ASK YOUR CARE COORDINATOR ABOUT:**

- Employment, training, and education support
- Personal circumstances including family
- Physical health needs
- Benefits
- Housing issues
- Treatment concerns
- Medication
- Your Community Treatment Order

# Nearest Relative and Their Rights

## **YOUR NEAREST RELATIVE CAN:**

- Ask for a Doctor to come and see you if they think you are unwell.
- Ask that you are taken off your Community Treatment Order. They can do this by writing to your Doctor to request your discharge. (It needs to be 72 hours' notice before discharge). This can be blocked by your Doctor.
- If your Doctor blocks this, then your nearest relative can apply to the Tribunal within 28 days of barring report being completed.

## **YOUR NEAREST RELATIVE CAN'T:**

- Be under the age of 18.
- Be told everything about you. This will depend on whether you are happy for information to be shared with them.

## **YOUR NEAREST RELATIVE WILL BE IN THIS ORDER:**

- Husband, Wife or Civil Partner
- Son or Daughter
- Father or Mother
- Brother or Sister
- Grandparent or Grandchild
- Uncle or Aunt
- Nephew or Niece.



**To help your  
Nearest Relative  
write a letter to  
request your  
discharge see  
page 26.**



# Independent Advocate

## REMEMBER YOUR RIGHTS

**You are entitled to a free Independent Advocate.**

- Our Independent Advocates are there to support you.
- They are specially trained in the Mental Health Act and are sometimes called an Independent Mental Health Advocate.
- They are independent. They do not work for the hospital, the NHS, or Social Services.
- Their support is free of charge.
- You can meet with them in private, your discussion is confidential.

### **AN INDEPENDENT ADVOCATE CAN HELP YOU WITH:**

- Understanding your Community Treatment Order
- Appealing your Community Treatment Order
- Raising concerns about your Community Treatment Order
- Preparing for meetings
- Attending important meetings
- Making a complaint.

**THE ORGANISATION THAT PROVIDES YOUR INDEPENDENT ADVOCACY SUPPORT IS:**

advocacy  
focus



**0300 323 0965**



**[www.advocacyfocus.org.uk](http://www.advocacyfocus.org.uk)**



# SELF HELP TOOLS



# Useful Information

## ABOUT YOU

Name: \_\_\_\_\_

Home Address: \_\_\_\_\_

Community Treatment Order Start date: \_\_\_\_\_

Community Treatment Order Review date: \_\_\_\_\_

Nearest Relative: \_\_\_\_\_

## MY ADVOCATE

advocacy  
focus

My Advocate is: \_\_\_\_\_



**0300 323 0965**



**[www.advocacyfocus.org.uk](http://www.advocacyfocus.org.uk)**

## STAFF INVOLVED IN MY CARE AND TREATMENT

Responsible Clinician (Doctor): \_\_\_\_\_

Care Co-ordinator: \_\_\_\_\_

Solicitor: \_\_\_\_\_





# Preparing for my meetings

## WHAT IS THE MEETING

Date \_\_\_\_\_

Time \_\_\_\_\_

Place \_\_\_\_\_

Who I want there \_\_\_\_\_

## WHAT I WANT TO ASK OR SAY

## NOTES



# Application to First-tier Tribunal (Mental Health)

Mental Health Act 1983 (as amended)

The Tribunal Procedure (First-tier Tribunal) (HESC) Rules 2008

An application must be completed according to the Procedure Rules.

The Tribunal may return an application form that is not complete.

A copy of the Procedure Rules can be found here:

[www.gov.uk/government/publications/health-education-and-social-care-chamber-tribunal-rules](http://www.gov.uk/government/publications/health-education-and-social-care-chamber-tribunal-rules)

**Do not complete this form if the patient is subject to guardianship, you must complete form T116 - Guardianship - Application to First-tier Tribunal.**

[www.gov.uk/government/publications/form-t110-guardianship-guardianship-application-to-first-tier-tribunal-mental-health-mental-health-act-1983-as-amended](http://www.gov.uk/government/publications/form-t110-guardianship-guardianship-application-to-first-tier-tribunal-mental-health-mental-health-act-1983-as-amended)

1. What type of application are you applying for?

- ☐ Application for a Section 2 patient
- ☐ Application for a community patient  
(community treatment order or conditional discharge)
- ☐ Application for a non-restricted inpatient
- ☐ Application for a restricted inpatient
- ☐ Application by the patient's nearest Relative
- ☐ Other application by a non-restricted patient

2. What is the patient's full name?

3. What is the patient's date of birth?

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4. Under what section is the patient detained?

5. What is the date of the original section?

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6. Where does the patient currently live?

- ☐ in hospital
- ☐ in the community

- 7.** What is the name and address of the hospital responsible for care of the patient?

Name of hospital

Address

Postcode

- 8.** What is the patient's full address?

Address

Postcode

- 9.** What is the full name and address of the community supervisor or care co-ordinator?

Name

Address

Postcode

## Nearest relative details – Non-restricted cases only

10. Full name of nearest relative?

11. Full address of nearest relative?

Address

Postcode

12. What is the relationship to the patient?

13. Does the patient object to the nearest relative being informed about the case?

☐ Yes

☐ No

## Legal representative's details

14. Do you have a legal representative acting for you?

☐ Yes – **complete questions 15 – 17**

☐ No

☐ I intend to appoint a legal representative

☐ I would like a legal representative to be appointed on my behalf

☐ I do not wish to appoint a legal representative

Legal advice and representation is available free of charge for any person applying to the Tribunal. Hospital staff should be able to help you find someone if you would like to appoint your own legal representative.

If you have ticked that you would like a legal representative appointed on your behalf, a legal representative will be chosen and appointed for you by the Tribunal. The legal representative will contact you to help you with your case after they have been appointed.



15. What is the legal representative's name?

16. What is the name and address of the legal representative's firm?

Name of legal representative's firm

Address

Postcode

17. What is the legal representative's secure email address?

### Special requirements

18. Do you require an interpreter?

☐ Yes – I need an interpreter for

language

dialect

☐ No

19. How would you like your hearing to be conducted?

☐ I would like my hearing by video

☐ I would like my hearing face to face

☐ I have no preference which type of hearing I have

## Declaration

20. This application is

submitted by the

☐ Patient

☐ Nearest relative

**Or**

submitted on behalf of the

☐ Patient

☐ Nearest relative

who has personally authorised me to submit this application on their behalf.

Signature

--

Date

--	--	--	--	--	--	--	--

Print name

--

## What to do when you have completed your application

- Check the form is complete and the information given is correct
- If you are unsure, you can contact our Customer Support team on 0300 123 2201
- Only information given on this form will be registered

## Where to send your completed application

### By Email

<b>Section 2 Application to:</b>
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mhtsection2applications@justice.gov.uk

<b>All other applications to:</b>
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mhtapplications@justice.gov.uk

### By Post

<b>You can post all applications to</b>
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#### send by DX to:

HM Courts & Tribunals Service,  
First-tier Tribunal (Mental Health)  
DX: 743090 Leicester 35

#### Or send by first class post to:

HM Courts & Tribunals Service  
First-tier Tribunal (Mental Health)  
PO Box 8793  
5th Floor  
Leicester  
LE1 8BN

**Please do not submit the form more than once.**

## APPENDIX 1

Send to  
Hospital Managers  
C/O Mental Health Act Administrator  
Bury New Road  
Prestwich  
Manchester  
M25 3BL

DATE \_\_\_\_\_

# APPLICATION FOR A HOSPITAL MANAGERS' REVIEW

Please complete this form as far as you are able. If you are unsure how to complete it, you can ask anyone at the hospital, a relative or friend, to help.

## RE: Application for Hospital Managers' Review.

I wish to apply for a \_\_\_\_\_

My full name is \_\_\_\_\_

Section \_\_\_\_\_

Ward \_\_\_\_\_

RC \_\_\_\_\_

Social Worker \_\_\_\_\_

Key Nurse \_\_\_\_\_

Other \_\_\_\_\_

## I want the Mental Health Act Administrator to

Nominate a Solicitor for me

**Yes No**

Inform an Advocate/ IMHA for me

**Yes No**

I wish to represent myself at the hearing

**Yes No**

I want the following legal representative to represent me: -

Solicitor details \_\_\_\_\_

My nearest relative's name is (name and address) \_\_\_\_\_

I want my nearest relative to be informed of this application

**Yes No**

Name \_\_\_\_\_

Signed: \_\_\_\_\_ Dated: \_\_\_\_\_



**Nearest Relative details if known  
(non restricted cases only)**

Name	
Address	
Relationship to patient	
Does the patient object to the Nearest Relative being informed about the case?	

**Solicitor's details if known**

Name of solicitor	
Name and Address of solicitor's firm	
Telephone number	
Secure email address	
Unrepresented: *delete as appropriate	I intend to appoint a solicitor myself* I would like a solicitor to be appointed on my behalf* I do not wish to appoint a solicitor as I intend to represent myself at the hearing*

Is an interpreter required? If so, please enter the language and dialect required	
Please tell us of any other special requirements	

**DECLARATION (\*Delete as appropriate)**

This application is submitted by the patient or nearest relative

OR

This application is submitted by the patient or nearest relative, who has personally authorised me to submit this application on their behalf.

Signature	Print Name
Date	

Completed forms should be sent by secure email to: [tsmhapplications@hmcts.gsi.gov.uk](mailto:tsmhapplications@hmcts.gsi.gov.uk)  
 If you have a CJSJ account then you should send to [tsmhapplications@hmcts.gsi.gov.uk.cjsm.net](mailto:tsmhapplications@hmcts.gsi.gov.uk.cjsm.net)  
 Or send by DX to: HM Courts & Tribunals Service, First-tier Tribunal (Mental Health) DX: 743090 Leicester 35  
 Or send by first class post to: HM Courts & Tribunals Service, First-tier Tribunal (Mental Health) PO Box 8793, 5th Floor, Leicester LE1 8BN. (Please do not submit the form more than once)  
 FTTIA - Mental Health June 2011



# Solicitors list

## BLACKBURN

### **Lisa Marie McNulty Solicitors**

756 Whalley New Road,  
Blackburn BB1 9BA  
Tel: 01254 248209

## BRADFORD

### **Switalski's Solicitors**

2a Darley, Street,  
Bradford BD1 3HH  
Tel: 01274 720314

## BRADFORD

### **Alastair Bateman Solicitors**

46 Westgate,  
Bradford BD1 2QR  
Tel: 01274 739973

## BURNLEY / BLACKPOOL

### **Southerns Solicitors**

6 A Hargreaves Street,  
Burnley BB11 1ES  
Tel: 01282 422711  
01282 438446

## HALIFAX

### **Ramsdens Solicitors**

8 Harrison Road,  
Halifax HX1 2AQ  
T: 01422 261646

## HALIFAX

### **Francina Whelan & Co**

Regent House,  
13-15 Albert Street,  
Harrogate HG1 1JX  
Tel: 01423 787278

## HARROGATE

### **Grahame Stowe Bateson**

Raglan Chambers,  
4 Raglan Street  
Harrogate HG1 1LT  
Tel: 01423 562121

## HOYLAKE

### **Peter Edwards Law**

Ventura House,  
8 Market Street  
Hoylake CH47 2AE  
Tel: 0151 632 6699

## LEEDS

### **GT Stewart Solicitors**

25a Park Square West,  
Leeds LS1 2PW  
Tel: 0113 222 4888

## LIVERPOOL

### **Broudie, Jackson & Canter**

Dale House,  
27 Dale Street,  
Liverpool L2 2HD  
Tel: 0151 227 1429

## LIVERPOOL

### **RMNJ Solicitors**

63 Hamilton Square,  
Birkenhead,  
Wirral CH41 5JF  
Tel: 0151 647 0000



# Solicitors list

## LIVERPOOL

### **Hogans Solicitors**

10 Station Street, Prescot,  
Merseyside  
L35 0LP  
Tel: 0151 430 7529

## LIVERPOOL

### **Youngs Law**

2nd Floor, Bulloch House, 10  
Rumford Place  
Liverpool L3 9DG  
Tel: 0151 255 2286

## MANCHESTER

### **AGI Solicitors**

70 Alexandra Road, Manchester  
M16 7WD  
Tel: 0161 226 2070

## MANCHESTER

### **Clifford Johnston & Co**

434 Burnage Lane, Burnage,  
Manchester  
M19 1LH  
Tel: 0161 975 1900

## MANCHESTER

### **Robert Lizar Solicitor**

101 Princess Road, Manchester  
M14 4RB  
Tel: 0161 227 7777

## MANCHESTER

### **Rowlands Otten Penna**

339 Palatine Road, Northenden,  
Manchester M22 4HH  
Tel: 0161 945 1431

## MANCHESTER

### **Donovan Newton Solicitors**

Manchester Business Park  
3000 Aviator Way  
Wythenshaw  
Manchester M22 5TG  
Tel: 0161 266 1082

## MANCHESTER

### **Bison Solicitors Manchester**

Earl Mill Business Centre, Dowry  
Street, Oldham OL8 2PF  
T: 0161 710 2368

## MANCHESTER

### **John Black Solicitors**

Arlington House,  
Bloom Street,  
Salford, M3 6AJ,  
Tel: 0161 834 3039

## OLDHAM

### **Quality Solicitors Gruber Garratt**

King Street Buildings,  
Manchester Street,  
Oldham OL8 1DH  
Tel: 0161 665 3502

## PRESTON

### **O'Donnells Solicitors**

68 Glovers Court, Preston PR1 3LS  
Tel: 01772 881000



# Consent Form

We are a free, independent and confidential service. There may be times when we need to speak to other people about you. We need you to say that is ok.

Secret recording of any meeting isn't allowed. If you would like to talk about this please speak to your advocate.

## **Is it ok for us to:**

- Talk to other people about your situation with a good reason. We will do this by email or on the phone. We will always ask you first.
- Store your personal information safely on our computer system, in relation to a Law call General Data Protection Regulations 2018. You can see any information that is on your file, you just need to ask.
- Find and use your telephone number or address if your Advocate is off sick, to cancel any appointments.
- Use information about you to show people how we work, but we would never use anything personal, like your name or date of birth. The local authority, funders and our supporters need to know the number of people we are supporting and how we help.

**We might need to tell someone if you were going to hurt yourself, someone else or break the law.**

## **SUBJECT ACCESS REQUEST**

If you wanted to look at the information we hold about you, let us know. This is called the right of access. You use this right by asking for a copy of the information, which is known as making a 'subject access request'.

## **HOW TO ACCESS YOUR DATA**

You can make a request to find out what data is held and how it is used. You can make a request before using your other information rights.

You can make a subject access request verbally or in writing. If you make your request verbally, we would suggest you follow it up in writing to make sure you have a record of it. It will also provide clear evidence of your actions.

continued on next page





# Consent Form

## USING INFORMATION WE HAVE ABOUT YOU

Advocacy Focus creates a range of resources to share with the public. We like to share the experiences of the people we work with in our communications, as it helps to demonstrate the difference we are making. We would never use anything personal, like your name, where you live or date of birth.



## WHAT WILL MY STORY BE USED FOR?

(Please tick the options you are happy with)

☐

**Presentations:** training and awareness sessions that we deliver

☐

**Website:** Advocacy Focus' website

☐

**Social media:** Advocacy Focus' social media pages [i.e. Facebook, Instagram, LinkedIn, Twitter]

☐

**Publications:** leaflets, posters, newsletters and other marketing materials

☐

**Print and online media:** National, regional and local media

☐

Please tick this box if you consent to being photographed and featured in imagery or video footage

**I have read, understand and consent to the information on pages 29 and 30 of this booklet.**

Signature:

---

Date:

---

Print name:

---

**Nothing about you, without you**



# Notes

**SPACE FOR NOTES, DRAWING OR IGNORING**

# THIS INFORMATION BOOKLET AND SELF HELP TOOLKIT HAS BEEN CREATED BY:



advocacy  
focus

If you have any comments, compliments or complaints about Advocacy Focus or our Advocates, please get in touch.



**Tel: 0300 323 0965**



**Live chat: [www.advocacyfocus.org.uk](http://www.advocacyfocus.org.uk)**

We hope that this information booklet has been useful. If you have any ideas how to make this booklet any better, please email us at:



**[admin@advocacyfocus.org.uk](mailto:admin@advocacyfocus.org.uk)**

Registered Advocacy Focus. Charity Number: 1086151. Company Limited by Guarantee Number: 4135225  
Registered Office: First Floor, The Old Tannery, Eastgate, Accrington, Lancashire. BB5 6PW. Intellectual Property Rights Reserved  
Version 1 – May 2021