



Independent



Free



Confidential

Community Treatment Order

SELF HELP TOOLKIT

Supporting you to be heard

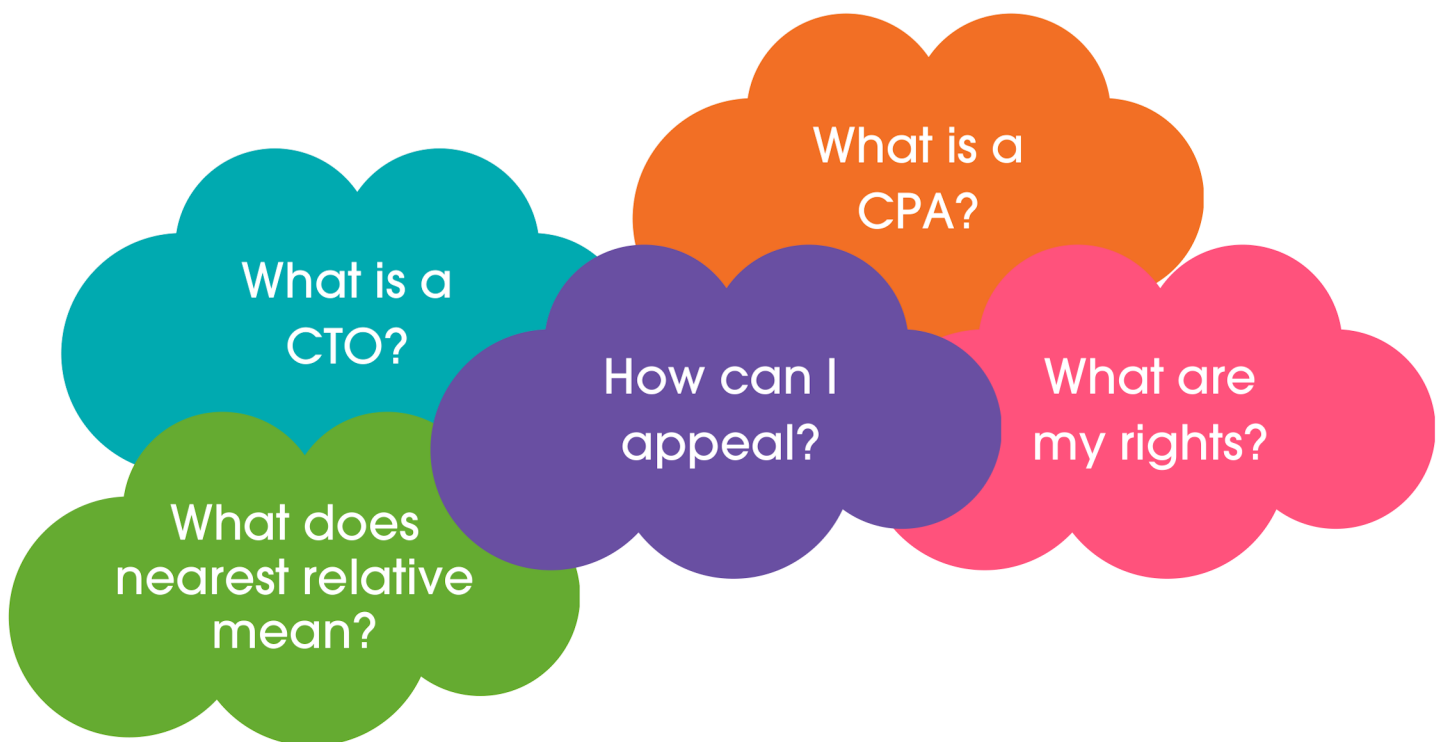


Introduction

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

- 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

- 17 Useful Information
- 18 Preparing for my Meetings
- 19 Tribunal Form
- 25 Hospital Managers' 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

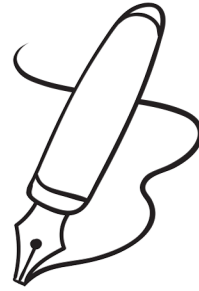
You should be given a copy these when you are discharged.

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.

Tribunal

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 Managers' Hearing 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.



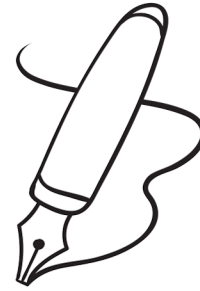
**Use this space
for your own
notes/questions**

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
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



SELF HELP TOOLS



Useful Information

ABOUT YOU

Name: _____

Home Address: _____

Community Treatment Order Start date: _____

Community Treatment Order Review date: _____

Nearest Relative: _____

MY ADVOCATE



My Advocate is: _____



0300 323 0965



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

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

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?

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

4. Under what section is the patient detained?

5. What is the date of the original section?

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

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

Section 2 Application to:

mhtsection2applications@justice.gov.uk

All other applications to:

mhtapplications@justice.gov.uk

By Post

You can post all applications to

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.

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.

I wish to apply for a Hospital Managers' Review.

My full name is _____

The ward I am detained on is (If not on a CTO) _____

I would like you to notify and invite my nearest relative to the review hearing

Yes

No

My nearest relative's name is _____

I would like the Advocacy Service to be informed of my appeal so that they might support me during this process

Yes

No

I would like to be legally represented at the hearing.

Yes

No

My solicitor is _____

Please ask a member of staff for a list of Solicitors in the area

I would like to discuss the appointment of a Solicitor with a nurse or the mental health law administrator

Yes

No

I would like my hearing to be conducted:

Face to face

By video

I have no preference which type of hearing I have

☒

Signed: _____ Dated: _____

Please send your completed form to the Mental Health Law Administrator who will process your appeal

NEAREST RELATIVE'S ORDER FOR DISCHARGE UNDER SECTION 23 OF THE MENTAL HEALTH ACT 1983

My name is:

My address is:

To the best of my knowledge and belief, I am the nearest relative (within the meaning of the Mental Health Act 1983) of

I give you notice of my intention to discharge the person named above from their Section on date

at the time of

Signed

Name

Date



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

MANCHESTER/BURNLEY

John Black Solicitors

Lodge House
Cow Lane
Burnley BB11 1NN
Tel: 01282 502656 (Burnley)
Tel: 01244 561324 (Manchester)

HALIFAX

Ramsdens Solicitors

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

HARROGATE

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



Solicitors list

LIVERPOOL

RMNJ Solicitors

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

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
Tel: 0161 710 2368

MANCHESTER

Irwin Mitchell

1 St Peter's Square
Manchester M2 3AF
T: 0370 1500 100

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

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

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