

Mental Health Act 2014

Quick guide

How does the Mental Health Act benefit carers?

The *Mental Health Act 2014* (the Act) recognises and seeks to support the important, valuable and challenging role of families and carers, who play a vital role in supporting people with serious mental illness.

Carers are to be notified and consulted about key decisions



The Act will involve carers in key decisions about assessment, treatment and recovery wherever possible, while encouraging opportunities for partnership between carers, patients and clinicians. For example, when an authorised psychiatrist is planning compulsory treatment for a patient, they must consider the views of a carer if the treatment decision will directly affect the carer and the care relationship.

Carers will also be given copies of all Treatment Orders, and statements of rights provided to the patient. Carers will also be notified of clinical milestones where they directly affect the carer and the care relationship.

Patient information may be shared with carers



Carers need adequate information to allow them to perform their caring role. The Act provides for patient health information to be disclosed to a carer where it is reasonably required to provide care.

Carers may be nominated to receive information and provide support



A patient will be able to nominate a person, who may be a carer or family member, to receive information and support the patient for the duration of a Treatment Order. The nominated person will assist a patient to exercise their rights and to represent their views and preferences. They will be consulted at critical points during the patient's treatment, such as when a person enters and leaves a service.

Carers may seek a second psychiatric opinion



The Act enables a carer or family member to seek a second psychiatric opinion at the patient's request. A parent of a young person under 16 may request a second psychiatric opinion on behalf of the young person who is a patient. The psychiatrist must seek the views of a carer and provide a copy of the second psychiatric opinion report if it will directly affect the carer and the care relationship.

Carers may make complaints on behalf of a patient



The Mental Health Complaints Commissioner (Commissioner) will receive, manage and resolve complaints about mental health service providers. The Commissioner will provide an accessible, supportive and timely complaints mechanism that will be responsive to the needs of people with mental illness. The Commissioner will accept complaints from carers on behalf of patients about public mental health service providers.

Authorised and published by the Victorian Government, 1 Treasury Place, Melbourne. If you would like to receive this publication in an accessible format, such as large print or audio, telephone 1300 656 692 or email mhactreform@health.vic.gov.au.