



Patient Rights and Responsibilities Procedure

Effective: 10 November 2016

1. Guiding Principles

- 1.1 Broome Mental Health Unit (BMHU) / Mabu Liyan is committed to upholding the rights of patients and ensuring that they are treated with respect and dignity in accordance with the Charter of Mental Health Care Principles
- 1.2 The rights and responsibilities
 - 1.2.1 is to be displayed prominently on the ward
 - 1.2.2 written material on patient rights is to be distributed to patients and carers
 - 1.2.3 patients are to be verbally informed of their rights
- 1.3 Patient understanding of rights and responsibilities may take time. As well as on initial introduction, further discussion by staff including the use of examples is encouraged.
- 1.4 For all patients/carers including those who are of Aboriginal¹ origin or of Culturally Diverse backgrounds, understanding is to be facilitated where appropriate by:
 - of utilising leaflets/signs
 - using approved interpreter service
 - involvement of an Aboriginal Mental Health Liaison Officer
 - involvement of carer, close family member or other personal support person.

2. Procedure

- 2.1 All patients are to be informed of their rights and responsibilities
- 2.2 All patients receive the Patient Admission information booklet and the Kimberley Mental Health and Drug Service (KMHDS) Rights and Responsibilities brochure.
- 2.3 General patient rights and responsibilities include:
 - being involved in treatment planning
 - having a right to be treated with respect and dignity
 - knowing how to compliment and or complain about services
 - showing respect for other patients and staff (zero tolerance of verbal / physical abuse)
 - showing respect for other patients personal space and property
 - showing respect for Mabu Liyan's environment, fixtures and fittings and
 - the appropriate use of mobile telephones
 - involvement of carer, close family member or other personal support person in treatment planning.

¹ Within Western Australia, the term Aboriginal is used in preference to Aboriginal and Torres Strait Islander, in recognition that Aboriginal people are the original inhabitants of Western Australia. No disrespect is intended to our Torres Strait Islander colleagues and community.

2.4 Involuntary patients

- Involuntary patients have specific rights related to detention and treatment under the *WA Mental Health Act 2014* (MHA).
- Involuntary patients are provided with information leaflets on the following:
 - His / her rights and responsibilities under the MHA.
 - Information related to the Mental Health Advocacy Service
 - Mental Health Law Centre
 - Mental Health Tribunal.

2.5 Voluntary patients

- Voluntary patients sign a Request for Voluntary Admission form (MRK7021)
- Voluntary patients are provided with a leaflet on [Information for Voluntary Patients in Hospital](#) brochure.

2.6 Documentation

- Nursing staff must document that Rights and Responsibilities information has been provided to the patient in the patient health record.
- If the patient has refused written material on rights and responsibilities, nursing staff must record this in the patient health record. Further attempts made by staff to provide the patient with this information under the MHA must also be documented in the patient health record.

3. Definitions

Involuntary Patient	A patient who is detained in an authorised hospital
Charter of Mental Health Care Principles	Is a rights-based set of principles that mental health services must make every effort to comply with in providing treatment, care and support to people experiencing mental illness.

4. Roles and Responsibilities

- 4.1 The **Clinical Director** has overall responsibility for ensuring that services are delivered in accordance with this procedure.
- 4.2 The **Consultant Psychiatrist** is responsible for the medical management of patients in accordance with this procedure.
- 4.3 The **Clinical Nurse Manager** is responsible for the implementation of this procedure.
- 4.4 **All Staff** are required to work within this procedure to make sure that BMHU is a safe, equitable and positive place to be.

5. Compliance

It is a requirement of the WA Health [Code of Conduct](#) that employees “comply with all applicable WA Health policy frameworks.”

A breach of the Code may result in Improvement Action or Disciplinary Action in accordance with the WA Health [Misconduct Policy](#) or Breach of Discipline under Part 5 of the *Public Sector Management Act*.

WACHS staff are reminded that compliance with all policies is mandatory.

6. Evaluation

This procedure is to be reviewed every five years.

7. Standards

[National Safety and Quality Health Care Standards](#): 1.17.2; 1.17.3; 1.18.1;

[EQulPNational Standards](#): 11.1; 12.1.2; 12.3.1

[National Standards for Mental Health Services](#): 1.4; 1.7; 1.10; 1.11; 1.12; 7.4; 10.4.3; 10.5.8; 10.5.11

[National Standards for Disability Services](#): Standard 1

8. Legislation

[Mental Health Act 2014](#)

9. References

[Charter of Mental Health Care Principles](#)

[Health and Disability Services Complaints Office \(HaDSCO\)](#)

[WA Mental Health Advocacy Service](#)

[BMHU Aboriginal Admission Information](#)

[BMHU Admission Information](#)

[KMHDS Consumer Rights and Responsibilities](#)

10. Related Policy Documents

[Patient Visitors Procedure - Broome Mental Health Unit \(Mabu Liyan\)](#)

[BMHU Use of Electronic Equipment, Mobile Telephones and Photographic Devices Procedure](#) (title change for Patients Use of Mobile Telephones Procedure and Use of Photographic Equipment Procedure)

[Patient Admission Procedure - Broome MH Unit \(Mabu Liyan\)](#)

[BMHU Patient Admission to High Dependency Unit Procedure](#) (change of title from Admission to Secure Area – under review)

[Patient Property Procedure - Broome Mental Health Unit \(Mabu Liyan\)](#)

11. WA Health Policy Framework

[Clinical Governance, Safety and Quality Policy Framework](#)

[Mental Health Policy Framework](#)

**This document can be made available in alternative formats
on request for a person with a disability**

Contact:	Senior Project Officer (M.Vandale)		
Directorate:	Mental Health	TRIM Record #	ED-CO-13-132885
Version:	2.00	Date Published:	11 November 2016

Copyright to this material is vested in the State of Western Australia unless otherwise indicated. Apart from any fair dealing for the purposes of private study, research, criticism or review, as permitted under the provisions of the *Copyright Act 1968*, no part may be reproduced or re-used for any purposes whatsoever without written permission of the State of Western Australia.