



Complaining about the use of the Mental Health Act



Easy to read

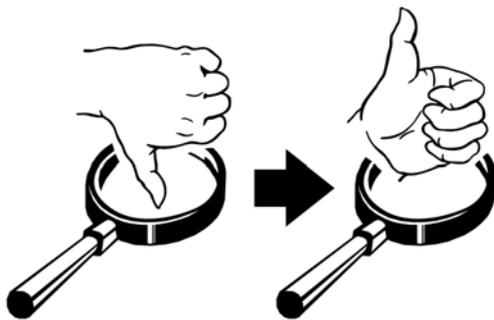
October 2012



About the Care Quality Commission



- The Care Quality Commission is independent, this means we are not part of the Government.



- We make sure people in England get better health and social care services.



- We also check services for people who are being treated under a law called the Mental Health Act.



What you can expect from our role in complaints about use of the Mental Health Act



- The Care Quality Commission can look into complaints about your treatment under the Mental Health law.



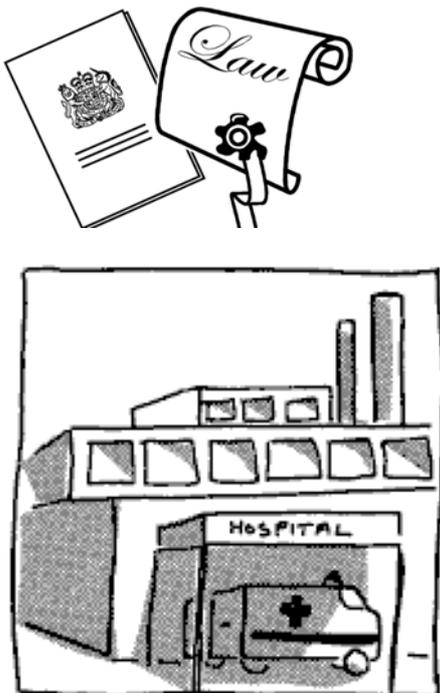
- If you ask us to help you with your complaint, we will be polite, helpful and deal with your complaint fairly and in good time.



- We will tell you how we are getting on with your complaint and try to help you to find the right organisation to talk to if we cannot deal with your complaint.



Who can make a complaint under the Mental Health Act?



- Anyone who is, or was:
 - being made to stay in hospital for treatment
 - on a community treatment order
 - under guardianshipcan complain to us.



- An **advocate** (someone who speaks up for you) or solicitor can make a complaint for a patient, and so may a carer, family member or friend.



- We will always talk to the person who they are making the complaint for before we speak to anyone else.



The sort of complaints we can look at.



We will usually ask you to go to the service with your complaint first. We can help you do this, or tell you who else could help you.



But, we can look at complaints to do with:



- checks and decisions about a person being kept in a service which you think do not follow the law



- not being given information about your rights



- not being involved in decisions about care



- not being able to have agreed leave



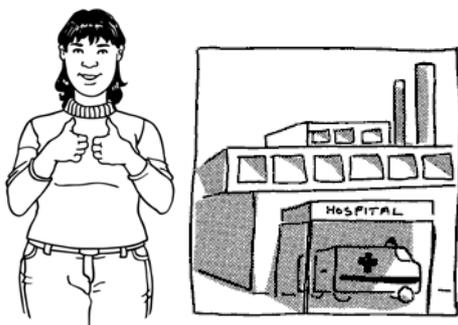
- The use of seclusion and restraint



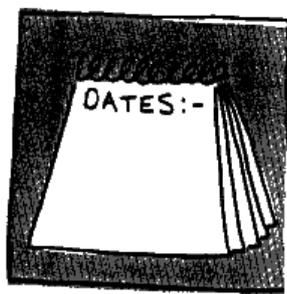
- plans for leaving the hospital or place of detention



We cannot look at complaints that:



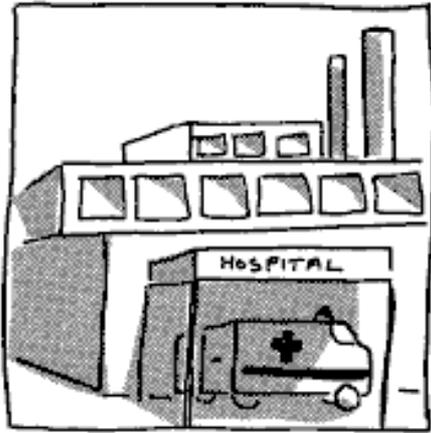
- are from patients who have agreed to go into hospital (known as voluntary patients)



- happened over a year ago



- are being looked at by someone else such as a the police, or by the law.



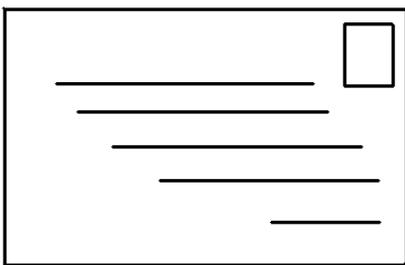
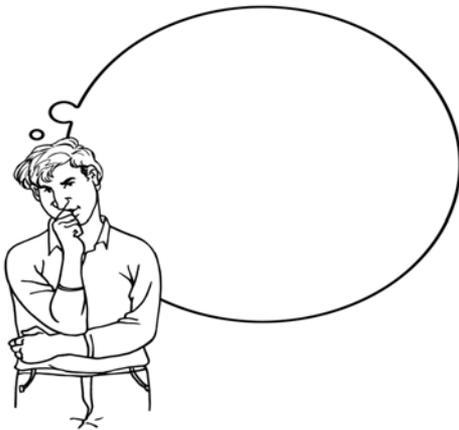
- are about leaving hospital or detention before a patient is allowed to by law. Or if it is about treatment which a person does not like or want, but is allowed by the law

- are about checking the results of medical or clinical checks, decisions and diagnoses or getting access to medical records

- would be deal with better by another organisation



What will happen with your complaint



- When we get a complaint, we will decide if it is one, which we can help with or not.
- If we cannot help, we will write to you and tell you why not and if anyone else might be able to help you.
- If we can look into it, we will write to tell you what we have done or plan to do.



Recording complaints



We keep a record of all the complaints we get so that we can:

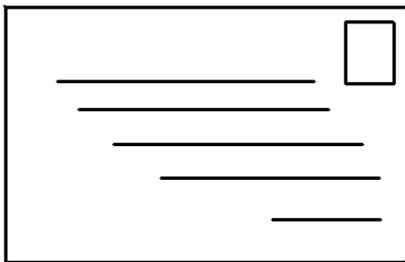


- check the types of problems people have and if there are themes that we might want to look into in our checks
- decide the best way to sort the problems out
- look at how long we are taking to deal with them.

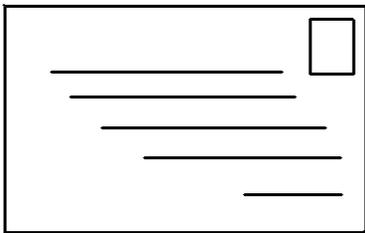




Your feedback



- We may put a survey form in with the response letter that we send to you so you can tell us what you think about how we dealt with your concerns.
- The survey comes with a pre-paid envelope which means you can send it back to us without buying a stamp. We will make sure the names of people who send us their comments are never used in our publications.



How to contact us

- **Phone:** 03000 616161
and press '1' to speak to the
mental health team.

- **Write to us at:**
CQC Mental Health Act
Citygate
Gallowgate
Newcastle
NE1 4PA

- **Email us at:**
enquiries@cqc.org.uk