

## **KNOWLEDGE OF LEGAL FRAMEWORKS AND CURRENT EVIDENCE BASE RELATING TO ACUTE MENTAL HEALTH INPATIENT CARE**

### **Knowledge**

An ability to draw on knowledge that clinical work with acute mental health inpatients is underpinned by legal frameworks

An ability to draw on knowledge that the sources and details of law may vary across the four home nations of the UK

an ability to draw on knowledge of the relevant legislation and policies that apply to the settings in which interventions take place

### **Mental health**

An ability to draw on detailed knowledge of mental health law particularly the Mental Health Act (Mental Health Act 1983; 2007; Mental Health (Care and Treatment) (Scotland) Act 2003; Mental Health (Wales) Measure 2010)

### **Social care**

An ability to draw on knowledge of social care legislation such as the Care Act 2014

### **Capacity and informed consent**

An ability to draw on knowledge of the legal framework that determines the criteria for capacity and informed consent (Mental Capacity Act 2005; Mental Welfare Commission for Scotland; Age of Legal Capacity (Scotland) Act 1991)

### **Data protection**

An ability to draw on knowledge of legislation that addresses data protection (including General Data Protection Regulation [GDPR]) and the disclosure of information (Department of Health (2003) Confidentiality: NHS Code of Practice; Data Protection Act 2018)

### **Equality**

An ability to draw on knowledge of equality legislation designed to protect patients from discrimination when accessing services including the statutory requirement for service providers to make reasonable adjustments for patients with disabilities (Equality Act 2010; Human Rights Act; 1998)

### **Whistleblowing and freedom to speak up**

An ability to draw on knowledge of whistleblowing and freedom to speak up policies and procedures (including the relevant legislation i.e., the Employment Rights Act 1996 and the Public Interest Disclosure Act 1998)

### **Evidence base**

An ability to draw on knowledge of national and local guidelines\* that apply to the organisation and which identify the range of recommended responses to patients

An ability to keep up to date with current policies and procedures through supervision and training

### **Local policies and guidelines**

An ability to draw on knowledge of local policy and procedures for the delivery of a safe ward environment including, for example, infection control policy, visitation policy, and ligature management

\* For example: NICE guidelines on psychosis, personality disorder, bipolar disorder, depression, suicide, self-harm, Suicide Prevention Strategy, Long Term Plan, reducing restricting practices (Royal College of Psychiatrists)