

Sharing Information

You, as a carer, should be invited to share information with the treating team when the person is being assessed or reviewed.

If you are not invited to participate, and you want to, you should request to talk to one of the treating team.

Sometimes the assessment is conducted using audio-visual equipment and you may not be in the same place as the health professionals conducting the assessment. In these circumstances you still have the right to provide information.

You should ask for arrangements to be made so you can pass on your knowledge by telephone or audio-visual link.

Carers must be advised of hearings and inquiries by the Mental Health Review Tribunal and provided with the opportunity to participate.

Use the QR code in this brochure to access the 'The Mental Health Review Tribunal' brochure.

Confidential Information

If you want the information you provide to be kept confidential, you can ask the Tribunal not to share the information with the person.

The Tribunal will advise you if they can accept your information and not share it with the person. Another way is to ask the treating team to include the confidential information you have in their report to the Tribunal.

You have the option of withdrawing information if the Tribunal feels obliged to give it to the consumer.

Further Information

- **On Carers Rights**
mhrm.mhcc.org.au/chapters/9-carers-of-people-with-mental-health-conditions/9b-supporting-your-family-member-or-friend-in-the-mental-health-system/
- **On the Mental Health Review Tribunal**
www.mhrt.nsw.gov.au/the-tribunal/

Scan the QR code to access all brochures.



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Information for Carers of a person with Mental Health Issues

Information Sharing

This brochure provides information on how carers can share information with health professionals and the Mental Health Review Tribunal.

Recognition of Carers

The treating team must share certain information with you if you are a 'designated carer' or 'principal care provider'.

To be recognised as the designated carer the person must nominate you, in writing, as the designated carer. If the person has not nominated you, the treating team may recognise you as the 'principal care provider'.

Ask one of the treating team if the person has nominated you as a designated carer. If not, you can ask the treating team to nominate you as the 'principal care provider', provided you are the person 'primarily responsible for providing support and care'.



The principal care provider may also be a designated carer¹.

The treating team must:

- Tell carers about critical events involving the person
- Assist carers to raise any concerns about the person's recovery.

Check that your correct contact details are recorded on the person's medical record.

Use the QR code in this brochure to access the 'Carer Rights' brochure.

N.B. The designated carer nomination only applies to mental health services. To receive information and make decisions on the person's behalf with other organisations (e.g., NDIS or Centrelink, etc.) you or the person may need to sign a different form.

¹ Section 72A(5) of the Mental Health Act (2007) NSW



Exclusion of Carers

The Mental Health Act allows a person receiving mental health care to exclude another person from receiving information about their care and treatment². To do this they must write the name of the person to be excluded on the Designated Carer Form.

Being excluded may be difficult for you as a carer. You may feel it is not safe for you to withdraw from supporting the person.

Ask one of the treating team if you have been excluded as a person who can receive information about their care.

Being excluded does not prevent you from sharing important information with the treating team. The treating team must consider the views of carers and family members when assessing if a person is mentally ill or mentally disordered³.

If you have been excluded, the treating team cannot identify you as the principal care provider. You may not receive information about the person if you have been excluded.

² Section 72A (3) of the Mental Health Act (2007) NSW

³ Section 72B of the Mental Health Act (2007) NSW



You can give information to the treating team but if the person has excluded you, the treating team is limited in what they can tell you about the person.

Questioning Exclusion

If you have been excluded by the person you can ask the treating team to assess the person's decision-making capacity. The treating team does not have to recognise an exclusion, by a person, if:

- They think the person, at the time, lacked capacity to make such decisions, and/or
- Such an exclusion would put the consumer, carer, or someone else at risk of serious harm⁴.

The treating team should apply their professional judgement to the balance between safety and the person's choices.

You can ask the treating team to check with the person, at a later date, if they want to change the designated carer form and no longer exclude you.

⁴ Section 72(7)(a) & (b) of the Mental Health Act (2007) NSW