

The role of Community Visitors in Authorised Mental Health Services

One of the important roles the Office of the Public Guardian (OPG) holds is to advocate for and protect the rights and interests of all people residing in Authorised Mental Health Services. We do this through our Community Visitor Program.

The role of a Community Visitor

Community Visitors (CVs) are responsible for providing both oversight and individual advocacy for individuals being treated in Authorised Mental Health Services (AMHS). This includes looking into the adequacy, appropriateness and standard of services provided to patients at an AMHS and whether the services are being provided in a way that is least restrictive of their rights. To do this they focus on a range of issues.

Care and treatment

CVs will ensure that every person's care and treatment is:

- appropriate for, and exclusively directed towards, promoting and maintaining their health and wellbeing
- suitably orientated towards improving their mental health condition
- regularly reviewed to make sure all courses of treatment are on track to achieve the above.

Decision making

A key focus of CVs is to promote the presumption that a person has capacity to make decisions about their life, treatment and care. This means that they ensure that, wherever practicable, an AMHS is:

- appropriately seeking the views and wishes of the person
- encouraging the person to take part in decisions about their treatment and care.



Contact Us

Office of the Public Guardian

t. 1300 653 187

e. publicguardian@publicguardian.qld.gov.au

www.publicguardian.qld.gov.au

Least restrictive practices

A key principle of the *Mental Health Act 2016* is that an AMHS uses the least restrictive way when carrying out treatment. CVs must then ensure that an AHMS is:

- providing treatment in a manner that is the least restrictive of a person's rights and liberties, while still considering that person's safety and welfare
- reducing, and where possible, eliminating seclusion and restraint (chemical, mechanical and physical)
- documenting decisions and methods throughout treatment in cases where a person's rights and interests are being restricted.

CVs will also ensure that the AHMS has provided people receiving treatment (and/or their carers or support persons) with suitable and appropriate information about their rights and responsibilities, and are supporting them to exercise these rights and responsibilities.

It should also be noted that while the role of a CV is very different to that of a Guardian employed under the OPG Guardianship program, a CV and Guardian may refer to the other in the best interests of an adult.

The statutory powers of a Community Visitor

Under the *Public Guardian Act 2014* CVs have the power to do everything necessary and convenient to enable them to perform and fulfil the duties and functions outlined above. These can include:

- entering the site during normal hours without notice
- with the Public Guardian's authorisation, entering the site outside normal hours without notice
- requiring a staff member at the site to answer questions, and produce visitable site documents¹, relevant to the CVs functions
- inspecting and taking extracts from, or making copies of, any visitable site document¹
- conferring alone with a consumer or a staff member at the site
- requiring a staff member at the site to give the CV reasonable help
- having access to a child staying at the site
- talking with a child or adult staying at a site out of the hearing of other persons at the site (including staff members)

1. *A visitable site document is a document relating to the site, including records, policies and procedures, or, a document relating to a patient staying at the site including their personal or medical file (PGA, 2014, s39).*

What does a Community Visitor do when planning and executing a visit?

Before the visit

Community Visitors come to each visit prepared. Before each visit they will review previous visit reports and determine whether there are outstanding issues for the service.

A CV will often contact the ward and request a list of names of people staying in the AMHS. This will help them frame lines of enquiry, and also identify any adults who are subject to an order appointing the OPG as guardians, or children under a child protection order. These are areas of particular interest for CVs as the Public Guardian has particular obligations in regard to these two groups of people.

Arriving at an AMHS

Upon arrival, CVs will identify and introduce themselves to a senior staff member, and ensure the staff are aware that they have arrived. CVs will always follow any arrival or security procedures for the service, and will also show you their photo identification.

Before meeting with patients, CVs will generally speak to staff regarding the patients in the ward currently, and enquire into any significant incidents since their last visit. Often this will include enquiring into any deaths of patients, reports of harm, complaints made by patients or requests from patients to speak to a CV.

During the visit

Community Visitors will prioritise their interaction with people, often seeking out those patients who have made a complaint, have outstanding issues, have been subjected to a restrictive practice, have been subjected to - or an order has been made for - multiple instances of ECT, and those who have requested to see a Community Visitor. They will generally also focus their enquiries on:

- patients who have a dual diagnosis e.g. a mental illness and either a disability, or a mental illness and both a disability and addition has been made.
- patients whose period of stay appears to be without a defined end date. This is particularly relevant for people with a dual diagnosis.
- the rights and needs of children and young people who are patients
- adults who may be under the guardianship of the Public Guardian.

Community Visitors make enquiries on behalf of people about the treatment and care they are receiving. They have a responsibility to ensure any issues raised during visits are resolved as soon as practical. To do this, CVs will speak with AMHS staff and nurse unit managers in the first instance when seeking to resolve issues raised during a visit or previous visit.

Community Visitors will often request to view or inspect relevant documents which may include patient files. For more information about this process, please see our 'What are the powers and responsibilities of Community Visitors when inspecting, requesting or copying site document' [factsheet](#).

After the visit

Following the visit the CV has a statutory obligation to provide a visit report to AMHS management team. The report will provide an overview of the visit and what issues were raised either by patients or CVs directly.

Obligations of Community Visitors and nursing staff

All staff are required to adhere to the *Code of Conduct for the Queensland Public Service*, which emphasises the importance of treating all persons with respect and professional courtesy; provides for the sharing information across Queensland public service agencies, where permitted by law, to enhance the seamless delivery of services; and that we exercise our lawful powers and authority with care and for the purpose for which these were granted.

Issues between agencies should be resolved locally where possible. A list of key contacts within the OPG are listed on our [website](#).