

Mental Health Tribunal Service Charter

The Mental Health Tribunal (Tribunal) is an independent statutory tribunal established under the *Mental Health Act 2014*. The Tribunal is an essential safeguard under the Act to protect the rights and dignity of people with mental illness.

Purpose of our Service Charter

The Tribunal Service Charter provides an outline of -

- our vision, values and goals
- our functions
- the services you can expect from the Tribunal
- the standard of our services
- how you can give us feedback on any aspect of our service

Our Vision

The Tribunal's vision is:

Promoting rights by ensuring the participation of people with mental illness and their carers' in decision making.

Our Values

We are:

- accessible
- collaborative
- responsive and solution focused
- respectful of diversity and individual dignity
- accountable and professional
- committed to learning and improvement

Our Goals

The Tribunal's goals are:

- **Participation** - maximising opportunities of consumer and carer participation.
- **Excellence in Tribunal Practice** - embedding best practice in all aspects of our operation.
- **Building Excellence in Mental Health Law** - promoting transparency in decision making and contributing to the implementation and development of the Mental Health Act.

Functions of the Tribunal

The primary function of the Tribunal is to determine whether the criteria for compulsory mental health treatment as set out in the *Mental Health Act 2014* apply to a person. The Tribunal makes a Treatment Order for a person if all the criteria in the legislation apply to that person.

The Tribunal will also determine:

- Whether electroconvulsive treatment (ECT) can be performed on a person if they do not have capacity to give informed consent to ECT, or if they are under the age of 18.
- A variety of matters relating to security patients.
- Transfers of treatment to other mental health services where the patient does not agree to the transfer.
- Applications to perform neurosurgery for mental illness.

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Tribunal Services

The Tribunal provides the following services:

- Scheduling and conducting hearings, primarily to consider compulsory treatment for mental illness, including electro-convulsive treatment.
- Providing written notice of hearing to all persons who are entitled to be notified as soon as practicable.
- Responding to enquiries from a range of stakeholders including consumers, carers, legal representatives and mental health service providers.
- Where the Tribunal has made an Order, taking steps to give a copy of the Order to all persons who are entitled to receive a copy as soon as practicable after the Order is made.
- Providing Statements of Reason to parties on request.

Tribunal Staff Service Delivery Standards

Our service standards describe the level of service we aim to deliver. Standards are measured regularly through internal monitoring procedures.

- Where a consumer is made a compulsory patient we will list a hearing within the legislative time requirements.
- We will notify consumers, nominated persons and other parties of hearings and Orders as soon as practicable.
- The office will be attended from 9.00 am to 5.00 pm each business day.
- Staff will identify themselves by their preferred name.
- Enquiries will be attended to promptly and the enquirer will be treated fairly, reasonably and with courtesy.
- Email enquiries to the general Tribunal email will be acknowledged on receipt and will be responded to within two business days. Where

your request cannot be finalised within two business days you will be advised of the expected time frame for resolution.

- We will answer 90% of telephone calls within 15 seconds. Where a voice mail message is left we will respond to that message within one business day.
- If it is not possible or appropriate to assist a person making an enquiry, staff will provide referral information regarding agencies which may be able to assist.
- We will collect, store, use and disclose your personal information only for the purposes of the work of the Tribunal and in accordance with the *Mental Health Act 2014* and the Tribunal's privacy policy available on the Tribunal's website.

Feedback

To provide feedback or make a complaint please see the feedback and complaints handling process on our website, complete the online feedback form through our website at www.mht.vic.gov.au, or write to the Tribunal at the addresses below.

The Tribunal will provide written acknowledgement of receipt of feedback and complaints within 7 days of the Tribunal receiving them (if contact details are provided), and in the majority of cases provide a response to complaints within 28 days.

Feedback you provide will be taken into consideration during reviews of Tribunal policies and procedures.

How to Contact Us

Mental Health Tribunal
Level 30, 570 Bourke Street
Melbourne, Victoria 3000

Telephone: (03) 9032 3200

Toll free for Victorian country callers: 1800 242 703

Email: mht@mht.vic.gov.au

Website: www.mht.vic.gov.au

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