

## Information for Nominated Persons

As a nominated person, your role is to assist the person who made the nomination by making sure that their rights are being upheld, and their interests and wishes are being taken into account while they are a patient.

You agree to be the person's nominated person by signing the Form 12A.

As a nominated person you are entitled to receive information about, and be involved in, matters relating to the patient's treatment and care. The staff will contact you with this information unless the patient's psychiatrist decides that sharing certain information or involving you in certain matters is not in the patient's best interests.

You can resign as the nominated person at any time by telling the patient in writing that you will no longer be their nominated person and signing this. You must also let a staff member know that you are no longer the nominated person.

As a nominated person you are one of the patient's 'personal support persons' and have the same rights as the patient's carer or close family members. To find out more about the rights of personal support persons see the brochure titled 'Information for personal support persons'.

## Further information

The information in this brochure relates to the laws set out in the *Mental Health Act 2014*. Information about the Act is summarised in the following set of brochures:

- Being referred to a psychiatrist for an examination
- Inpatient treatment orders
- Community treatment orders
- Information for voluntary patients
- Receiving treatment for a mental illness
- Information for personal support persons
- Nominated persons: how to make a nomination and what it means.

Other brochures are available from:

- The Mental Health Tribunal
- The Mental Health Advocacy Service
- The Mental Health Law Centre.

For more information about the *Mental Health Act 2014* and other resources, visit the Mental Health Commission website: [www.mhc.wa.gov.au](http://www.mhc.wa.gov.au) or phone (08) 6553 0600.

This document can be made available in other languages and alternative formats on request.

## Nominated persons:

## How to make a nomination and what it means



This brochure provides information on how to make someone your nominated person and what this means. It also provides nominated persons with information about their role and their rights under the *Mental Health Act 2014*.

The role of carers and close family members is well recognised and they have a right to be informed and involved in a patient's treatment and care.

You may have someone in your life (for example a friend), who is not your carer or close family member, but it is important to you that they have a role in your treatment and care.

You can make this person your a 'nominated person' and this will give the person the same role, rights and status as a carer or close family member.

### Role of your nominated person

The role of your nominated person is to assist you by making sure that your rights are being upheld and your interests and wishes are being taken into account while you are a patient.

Your nominated person will usually be involved in your treatment and care including considering the options for treatment and care and providing you with support.

Your nominated person will also be given information about:

- your mental illness, options for treatment and care and your response to any treatment provided,
- the grounds on which any involuntary treatment order was made, and

- the services available to meet your needs. Your nominated person will not be informed/involved in certain matters if your psychiatrist considers that this is not in your best interests.

### Who can make a nomination?

Any person, including a child, can make someone their nominated person. However, you must be able to understand what a nomination is and what it means.

### Who can you nominate?

You can ask anyone you want, to be your nominated person. They must however be 18 years of age or over and accept the nomination. You can only have one nominated person at a time.

### How to make a nomination

To make a nomination, you must complete a Form 12A - Nomination of nominated person. You can ask staff for a copy of this form, or you can get a copy from [www.mhc.wa.gov.au](http://www.mhc.wa.gov.au).

Both you and your nominated person have to sign the form and both signatures must be witnessed. People who are authorised to be a witness include a medical practitioner, nurse, pharmacist, teacher and justice of the peace. A full list is available here: [http://www.courts.dotag.wa.gov.au/\\_files/Professions\\_witness\\_statutory\\_declarations.pdf](http://www.courts.dotag.wa.gov.au/_files/Professions_witness_statutory_declarations.pdf)

You need to let the service providing you with treatment know about the nomination. A staff member will make a copy of your nomination form and place it on your medical record.



### How can a nomination be ended?

1. You can end a nomination at any time and in any way (for example by telling staff that the person is no longer your nominated person).
2. You can also end the nomination by making a new nomination. You must complete a new Form 12A to do this.
3. Your nominated person can resign for any reason and he or she must do this in writing.
4. The Mental Health Tribunal can end a nomination if it decides that the nominated person is not able to perform the role, or is having a negative impact on you.