

Supporting young people in mental health settings



Introduction

Advocates will support young people who have mental health needs – some of whom are receiving services from Child and Adolescent Mental Health Services (CAMHS), community based teams and hospitals (including being detained under the Mental Health Act).

If the young person is detained under the Mental Health Act or receiving care and treatment in a mental health hospital, they are likely to be eligible for support from the statutory role of an Independent Mental Health Advocate (IMHA).

Introduction

Advocates often provide support to children and young people who might not understand how to challenge decisions about medications, length/nature of detention, diagnosis or their care plan.

The specialist nature of mental health services often means that the young person is at greater risk of being excluded from the decision making process.

Introduction

Professionals can defer decision making to parents and may find it easier to give the parents or carers information about plans rather than the young person themselves.

Advocacy is an important part of challenging the inherent power imbalances within mental health systems to make sure that children and young people receiving support for their mental health are empowered to be involved and make decisions.

What affects young people's mental health?

Traumatic events can trigger mental health problems for children and young people who are already vulnerable.

Changes often act as triggers: moving home, changing school or the birth of a new sibling, for example. Some children who start school feel excited about making new friends and doing new activities, but there may also be some who feel anxious.

Teenagers often experience emotional turmoil as their minds and bodies develop. An important part of growing up is working out and accepting who you are. Some young people find it hard to make this transition to adulthood and may experiment with alcohol, drugs or other substances that can affect mental health.

What affects young people's mental health?

Certain risk factors can make some children and young people more likely to experience mental health problems than others. However, experiencing them doesn't mean a child will definitely – or even probably – go on to have mental health problems.

These factors include:

- having a long-term physical illness
- a parent who has had mental health problems, problems with alcohol or has been in trouble with the law
- the death of someone close to them
- parents who separate or divorce
- experiencing severe bullying or physical or sexual abuse
- poverty or homelessness
- experiencing discrimination
- caring for a relative, taking on adult responsibilities
- having long-lasting difficulties at school.

What mental health problems commonly occur in children?

Depression affects more children and young people today than in the last few decades. Teenagers are more likely to experience depression than young children.

Self-harm is a very common problem among young people. Some people who experience intense emotional pain may try to deal with it by hurting themselves.

Generalised anxiety disorder (GAD) can cause young people to become extremely worried. Very young children or children starting or moving school may have separation anxiety.

Post-traumatic stress disorder (PTSD) can follow physical or sexual abuse, witnessing something extremely frightening or traumatising, being the victim of violence or severe bullying or surviving a disaster.

What mental health problems commonly occur in children?

Children who are consistently overactive, impulsive and have difficulty paying attention may have attention deficit hyperactivity disorder (ADHD).

Eating disorders usually start in the teenage years and are more common in girls than boys. The number of young people who develop an eating disorder is small, but eating disorders such as anorexia nervosa and bulimia nervosa can have serious consequences for their physical health and development.

Information taken from

<https://www.mentalhealth.org.uk/a-to-z/c/children-and-young-people>

Making decisions - broad guidance

When making decisions in relation to the care and treatment of children and young people, professionals should keep the following points in mind:

- the best interests of the child or young person must always be a significant consideration
- everyone who works with children has a responsibility for keeping them safe and to take prompt action if welfare needs or safeguarding concerns are identified
- all practitioners and agencies are expected to contribute to whatever actions are needed to safeguard and promote a child or young person's welfare
- the developmental process from childhood to adulthood, particularly during adolescence, involves significant changes in a wide range of areas, such as physical, emotional and cognitive development – these factors need to be taken into account, in addition to the child and young person's personal circumstances, when assessing whether a child or young person has a mental disorder

Making decisions - broad guidance

- children and young people should always be kept as fully informed as possible and should receive clear and detailed information concerning their care and treatment, explained in a way they can understand and in a format that is appropriate to their age
- the child or young person's views, wishes and feelings should always be sought, their views taken seriously and professionals should work with them collaboratively in deciding on how to support that child or young person's needs
- any intervention in the life of a child or young person that is considered necessary by reason of their mental disorder should be the least restrictive option and the least likely to expose them to the risk of any stigmatisation, consistent with effective care and treatment, and it should also result in the least possible separation from family, carers, friends and community or interruption of their education

Making decisions - broad guidance

- where hospital admission is necessary, the child or young person should be placed as near to their home as reasonably practicable, recognising that placement further away from home increases the separation between the child or young person and their family, carers, friends, community and school
- all children and young people should receive the same access to educational provision as their peers
- children and young people have as much right to expect their dignity to be respected as anyone else, and children and young people have as much right to privacy and confidentiality as anyone else.

The Mental Health Act

The Mental Health Act informs how to offer and deliver care and treatment to a person who is experiencing mental health distress.

There is no age limit to the Mental Health Act - which means that the provisions and safeguards introduced in the Act affect people of all ages including children and young people.

There are however extra special provisions that affect children and young people that will look at now.....

Age Appropriate Services

The Mental Health Act 2007 introduced age appropriate services for children and young people. Hospital managers must now ensure that patients aged under 18 admitted to hospital for mental disorder are accommodated in an environment that is suitable for their age (subject to their needs).

This will apply to all young patients, whether or not they are subject to any kind of compulsion under the Act, It is intended to prevent children and young people being placed inappropriately on adult wards.

Treatment for young people under 16 who are 'competent'

If a child is competent and they consent to treatment, they should be treated and, if necessary, admitted to hospital as an informal patient.

If a competent child refuses the treatment proposed and/or to be admitted to hospital for treatment they can be detained if they meet the requirements of the Mental Health Act.

The Code of Practice suggests that it would be unwise to rely on the consent of a person with parental responsibility to treat or detain a competent young person.

This essentially means that a parent should not override the wishes and views of a young person who is competent to make decisions about their mental health care and treatment.

Treatment for young people under 16 who are 'not competent'

Children and young people who are under 16 who are NOT competent, cannot consent to receiving care and treatment. In order to authorise treatment, the Mental Health Act can be used OR people with parental responsibility may in certain circumstances give consent to them being given medical treatment or being admitted informally for such treatment.

Even in these cases mental health professionals can rely on such consent only where it is clear they are acting in the best interests of the young person AND it falls within the zone of parental control.

Zone of parental control

The zone of parental control refers to decisions that a parent would be expected to make, having regard both to what is considered to be normal practice in our society and to any relevant human rights decisions made by the courts.

So decisions authorising ECT may fall outside the zone of parental control because it is particularly invasive.

Similarly, decisions about forcibly feeding a young person may fall outside the zone of parental control because this may be considered outside what parents may routinely make for their children

Independent Mental Health Advocates (IMHA)

Children and young people have statutory access to an Independent Mental Health Advocate (IMHA) if they are:

- detained under the Act (but not section 4, 5, 135 or 136 in England)
- conditionally discharged restricted patients
- subject to guardianship; or
- supervised community treatment (SCT) patients
- are being considered for a treatment to which section 57 applies
- being considered for electro-convulsive therapy or any other treatment to which section 58A applies
- In wales only – anyone who is an informal patient

Independent Mental Health Advocates (IMHA)

An IMHA's primary role is to help them access and understand information about their care, treatment and rights under the Mental Health Act.

It is possible for a young person to have an IMHA to support them on issues connected to their care and treatment and a children's advocate to help on other issues.

Confidentiality

As with adults, children and young people have a right to confidentiality. Where children are competent, and young people have the capacity, to make decisions about the use and disclosure of information they have provided in confidence, their views should be respected.

However, as with adults, in certain circumstances confidential information may be disclosed without the child or young person's consent; for example if there is reasonable cause to believe that the child or young person is suffering, or is at risk of suffering, significant harm.

Confidentiality

The same principles of confidentiality apply if a child who is competent, or a young person who has capacity, to make a decision regarding the information does not wish their parent (or others with parental responsibility) to be involved in decision making about their care and treatment. Their decision should be respected unless the disclosure can be justified; for example, if there is cause to suspect that the child or young person is suffering or is likely to suffer, serious harm.

Practitioners should encourage the child or young person to involve their parents (unless it is considered that to do so would not be the best interests of the child or young person). They should also be proactive in discussing with the child or young person the consequences of their parent(s) not being involved.

In Summary

When providing advocacy to children and young people who are receiving support in mental health settings, you should:

- understand their rights! Young people have the same rights to confidentiality, choice and control as adults!
- check whether the hospital they are staying in, is 'age appropriate'
- understand what it is like to receive mental health support as a young person
- be mindful of the role parents play in the young person's life. Be led by the young person by how much involvement they want you to have
- check if the young person is eligible for IMHA support and if they are, have they been able to access this
- challenge any discriminatory attitudes

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learning

