

Want to Lodge a Complaint?

- 1) Make sure you have raised the issue with the health care provider or staff first before taking next steps.
- 2) If you would like to escalate the matter further, you can lodge a complaint online to the Health Care Complaints Commission at <https://ecomplaints.hccc.nsw.gov.au> or call 1800 043 159.

Need Advocacy Support?

Visit the Official Visitors website <https://officialvisitorsmh.nsw.gov.au/> or call 1800 208 218 for more information.

Need Legal Support

Contact the Mental Health Advocacy Service, Legal Aid on 1300 888 529. You can also visit their website <https://www.legalaid.nsw.gov.au/>

BEING – Mental Health Consumers is the independent, state-wide, peak organisation representing the views, perspectives and experiences of people who live with mental health issues in NSW. Our primary focus is to ensure the voices of people living with mental health issues are heard by decision makers, service providers, and the community, and recognised for the valuable expertise they bring to system and service reform.

Supported by NSW Health, BEING has developed this series of resources to help you learn about your rights as a mental health inpatient under the NSW Mental Health Act and the advocacy supports available to you.

For more information about BEING visit being.org.au contact info@being.org.au or call **1300 234 640**

To view an expanded version of this resource online, scan this QR code.



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Mental Health and Your Rights

Designated Carers and
Principal Care Providers

KNOW YOUR RIGHTS

EXERCISE YOUR RIGHTS

What is a Designated Carer?

A designated carer is someone who is involved as a contact and support person in your treatment and recovery when admitted to a mental health unit.

Can I Choose My Own Designated Carer?

Yes, you are allowed to nominate the person you want as your designated carer while at a mental health unit.

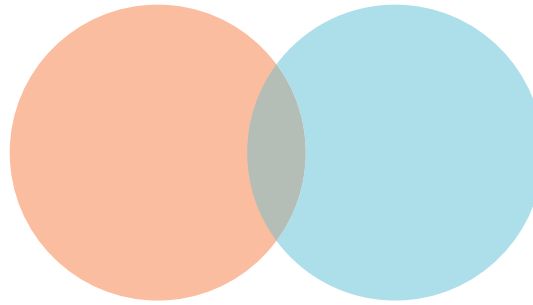
If you have a Guardian, that person will automatically be nominated as your designated carer.

How Many Designated Carers Can I Choose?

You can nominate up to 2 designated carers.

What is a Principal Care Provider?

A principal care provider is someone who is mainly responsible for providing support and care to you but is not a paid professional carer.



Can I Choose My Principal Care Provider?

You cannot choose your principal care provider as this is decided by the mental health unit. But the mental health unit cannot choose someone to be your principal care provider if you have excluded them from receiving updates and information about your care or treatment.

The mental health unit should always consider your views when deciding who will be your principal care provider.

Can My Designated Carer Also Be My Principal Care Provider?

Yes, one of your designated carers can also be your principal care provider.

Can I Choose Not to Have a Designated Carer?

While you can decide not to nominate a designated carer, you are still required by law to have one while admitted to a mental health unit. If you decide not to nominate a designated carer, the mental health unit will help choose one for you. It will be either:

1. Your Guardian (if you have one)
2. Your parent (if you are between the ages of 14 - 18)
3. Your partner or spouse
4. Someone who acts as your primary carer
5. Your close friend or relative

Can I Decline to Share Treatment Information with My Carers?

Yes, generally you can but your designated and principal care providers can still receive information about your care and treatment in certain circumstances. These include if:

- (a) The mental health unit decides you are unable to make decisions for yourself.
- (b) Not sharing information with your carers may put either you or other people at risk of harm.