

Making a complaint about a public mental health service

Speaking up improves services for you and for other people.

Under Victorian law:

- you have the right to speak up or complain about a public mental health service
- you cannot be treated unfairly because you make a complaint to us.

How to speak up and make a complaint

Talk directly with the service

Every public mental health service must have a process to help you speak up and raise your concerns.

Talk with us. We can:

- help you raise your concerns directly with the service
- work with you and the service to help resolve your concerns
- discuss other options, if we are unable to help.

Who are we?

We are an independent, specialist complaints organisation created by the Mental Health Act 2014 (the Act) to help resolve complaints about Victorian public mental health services and to recommend improvements. We opened in July 2014.



What complaints can we help with?

We deal with complaints about public mental health services in Victoria. This includes publicly funded mental health community support services and NDIS (National Disability Insurance Scheme) funded mental health community support services.

We can help with complaints about your experience with a service, including accessing a service, treatment and care. If we can't help with your concerns, we will do our best to put you in touch with others who can.

Who can make a complaint?

People receiving public mental health services, families, carers, advocates, mental health workers and friends – any person who is genuinely concerned about someone's experience with a public mental health service in Victoria can make a complaint.

What happens if you aren't the consumer?

The Act allows us to accept complaints without the consumer's consent, if we are satisfied:

- there are special circumstances and
- accepting the complaint will not be detrimental to the consumer's wellbeing.

If you aren't the consumer, we can:

- contact the consumer to seek their consent
- discuss whether special circumstances may exist in your individual case
- help you explore other options for resolving your concerns.

Anyone can contact us to discuss how we can help. For more information on consent visit www.mhcc.vic.gov.au/consent

We are accessible

We receive and listen to complaints in any language through interpreters. We will arrange an interpreter at no cost to you when needed.

If you are Deaf or have hearing or speech support needs, please contact us through the National Relay Service or email us. We can arrange an appointment or Skype call with an interpreter at no cost to you.

Speak up. Your experience matters.

call **1800 246 054**
free call from landlines
mhcc.vic.gov.au/form
help@mhcc.vic.gov.au

**Mental Health
Complaints Commissioner**
Level 26, 570 Bourke Street
Melbourne Victoria 3000
T 03 9032 3328
F 03 9949 1506



Search for 'Mental Health
Complaints Commissioner'



Mental health principles

The Mental Health Act 2014 (s 11) requires public mental health services and staff to uphold the following principles:

- a) People receiving mental health services should be provided assessment and treatment in the least restrictive way possible, with voluntary assessment and treatment preferred.
- b) People receiving mental health services should be provided those services with the aim of bringing about the best possible therapeutic outcomes and promoting recovery and full participation in community life.
- c) People receiving mental health services should be involved in all decisions about their assessment, treatment and recovery, and be supported to make, or participate in, those decisions. Their views and preferences should be respected.
- d) People receiving mental health services should be allowed to make decisions about their assessment, treatment and recovery that involve a degree of risk.
- e) People receiving mental health services should have their rights, dignity and autonomy respected and promoted.
- f) People receiving mental health services should have their medical and other health needs, including any alcohol and other drug problems, recognised and responded to.

- g) People receiving mental health services should have their individual needs (whether as to culture, language, communication, age, disability, religion, gender, sexuality or other matters) recognised and responded to.
- h) Aboriginal people receiving mental health services should have their distinct culture and identity recognised and responded to.
- i) Children and young people receiving mental health services should have their best interests recognised and promoted as a primary consideration, including receiving services separately from adults, whenever this is possible.
- j) Children, young people and other dependents of people receiving mental health services should have their needs, wellbeing and safety recognised and protected.
- k) Carers (including children) for people receiving mental health services should be involved in decisions about assessment, treatment and recovery, whenever this is possible.
- l) Carers (including children) for people receiving mental health services should have their role recognised, respected and supported.



If you feel these principles have not been upheld for you or someone you care about, you have the right to make a complaint.

To make a complaint, you can contact the service directly, or contact the Mental Health Complaints Commissioner.

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