Mental Health Law and Social Work Relationships

Posted on January 8, 2020

The health and well-being of the nation should take priority in the policy and spending of any government. The UK Government has taken some important steps in this direction over the years. The Human Rights Act 1998, the Mental Health Act 1983, the Mental Capacity Act 2005, and the Care Act 2014 are examples of relevant legislation. This paper critically discusses these Acts and their impacts on service users and social workers; the ethics and values of social workers are also part of this study.

The Human Rights Act 1998 and the Mental Health Act 1983

The most comprehensive law that protects the rights of the public in the UK is the Human Rights Act 1998; it gives citizens the right to life and a fair trial. There are sixteen rights in total. A positive aspect of the Act is that foreign nationals are also protected, and human rights activists and social workers praise this Act as it also protects the rights of detainees in prisons (Curtice, 2016). It makes compliance binding for all the bodies exercising public functions and the public authorities. Legal experts advise that before resorting to legal action under this Act, the affected party should try to resolve the matter informally. Article eight of this Act is vital from the perspective of mental health (Feldman, 1999). Had this legislation not been in place, there would have been a lot of issues and litigation regarding human rights.

The Mental Health Act 1983 is another important piece of legislation in the UK that covers issues and matters related to patients suffering from mental health issues and the health organizations and experts dealing with such patients. There have been certain changes to the Mental Health Act of 1983 through the Mental Health Act of 2007. Had this Act not been in place, there would have been complications regarding the legal matters relating to mental health patients and medical professionals treating such patients.

The Deprivation of Liberty Safeguarding (the Mental Capacity Act 2005)

The Mental Capacity Act 2005, which became effective in 2007, imposes certain restrictions on the liberties of patients to safeguard their lives and protect the lives and properties of the people around such patients. Someone else has to make decisions on behalf of mental health patients (such as

people with dementia); this Act provides core guidelines for the protection of the rights of mental health patients. The decisions that patients make may be overridden by their healthy caretakers, so in this way, it restricts civil liberty to protect the interests of all parties involved. If these guidelines did not exist, there would have been no legal protection for healthy caretakers making decisions on behalf of mental health patients (Boyle, 2008).

The Care Act 2014

The Care Act 2014 consolidated and modernized the legal framework for adult care and support in England. It places duties on local authorities relating to wellbeing, prevention, assessment of care needs, eligibility, safeguarding, support for carers, and the provision or arrangement of adult social-care services. It did not create universal healthcare or serve as a UK equivalent of the United States' Affordable Care Act. Its effects should therefore be evaluated in relation to adult social care, local-authority responsibilities, service users, and carers.

How legislation and policies impact service users and social workers

Legislation and policies impact service users and social workers in both positive and negative ways. It would be wrong to say that the impact of various pieces of legislation is positive only. A critical analysis of the overall health system shows that when legislation provides a legal right to patients (the health service users), at the same time, legislation and policies impose restrictions on service providers (the hospitals, health care facilities, and health experts). Similarly, when this legislation provides rights to nurses, healthcare staff, and doctors, at the same time, these regulations impose certain restrictions on the rights of patients. As discussed earlier in this critical discussion, the Mental Capacity Act 2005 deprives patients of certain liberties and rights like independent decision-making and free movement.

Social Work Ethics and Values

In recent times, there has been a greater emphasis on moral values and the ethical code of conduct by all segments of society, especially social workers, as they are considered role models by the public. It is not easy to maintain the trust of the public; social workers have to comply with the regulations in letter and spirit and follow moral guidelines in the delivery of social service.

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