



Cumbria, Northumberland,  
Tyne and Wear  
NHS Foundation Trust

# Consent to treatment

Patient information leaflet



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## Introduction

Before a doctor or any other health professional examines or treats you, they need your consent. You should be given information about the suggested treatment or any alternative options before you are asked to decide whether you want the treatment or not.

However, there are some situations where you can be given treatment without your consent. For example:

- If you are detained under certain sections of the Mental Health Act 1983.
- If you are on a Community Treatment Order (CTO) and you have been recalled to hospital.
- If you are unable to make a decision about your treatment and the treatment is in your best interests, it can be given to you under the Mental Capacity Act 2005.
- If there is an emergency and you require life-sustaining treatment.

## Before you decide

Before you decide, health professionals should provide you with the relevant information about your treatment. Consent should be freely given, which means that you shouldn't feel coerced to decide one way or another.

It's also important for the doctors and nurses treating you to know about any illnesses or allergies which you may have or have suffered from in the past.

## Should I ask questions?

Always ask anything you want. You might like to bring a friend or relative to support you and prompt questions. You could also ask to have someone independent to speak up for you. If there is a treatment you don't want, you should tell the professionals treating you and explain why you would prefer not to receive that particular treatment.

Here are some examples of questions you might want to ask:

- What are the main treatment options?
- What are the benefits of each of the options?
- What are the risks, if any, of each option?
- What are the risks if I decide to do nothing for the time being?
- How long will it take to work?
- Are there any side effects?

## **What happens if I am treated without my consent?**

If you have been detained under the Mental Health Act 1983 and given treatment without your consent, you can request to have the support of an Independent Mental Health Advocate (IMHA).

If you are given treatment under the powers of the Mental Capacity Act 2005, you can request to have the support of an Independent Mental Capacity Advocate (IMCA).

These independent advocates can help you get information about your care and treatment, why you are being kept in hospital, what it means, and what your rights are.

If you are detained under the Mental Health Act 1983, there are special rules that apply after three months of detention. These rules apply to any treatment you are being given for your mental disorder.

This means that if you do not want the treatment, or are too unwell to consent to it, an independent doctor will visit you. This independent doctor will talk to you and to staff at the hospital who know you.

They are referred to as Second Opinion Appointed Doctors (SOADs) and they will check that the treatment you are given is appropriate to your needs.

## **What if things don't go as expected?**

If you are not happy with the care being provided to you, you can speak to a member of your care team to discuss your concerns. You can also speak to the Patient Advice and Liaison Service (PALS), or make a complaint.

If you still feel something isn't right, you can contact the Care Quality Commission (CQC) - they are the independent regulator of health and social care. You can ask a member of your care team to help you to contact them.

If you are detained under the Mental Health Act 1983, you can appeal to the Mental Health Tribunal. You can also appeal to the Hospital Managers. You can ask staff to help you do this.

## **What if I have a comment, suggestion, compliment or complaint about the service?**

If you want to make a comment, suggestion, compliment or complaint you can:

- talk to the people directly involved in your care
- ask a member of staff for a feedback form, or complete a form on the Trust website [www.cntw.nhs.uk/contact/complaints](http://www.cntw.nhs.uk/contact/complaints)
- telephone the Complaints Department on 0191 245 6672
- email [complaints@cntw.nhs.uk](mailto:complaints@cntw.nhs.uk)

We are always looking at ways to improve services. Your feedback allows us to monitor the quality of our services and act upon issues that you bring to our attention.

You can provide feedback in the following ways:

- the quickest way for you to do this is to complete our short online survey at [www.cntw.nhs.uk/yourvoice](http://www.cntw.nhs.uk/yourvoice)
- complete a Your Voice survey, available on wards, reception areas or from staff
- other options for sharing your feedback and experience [www.cntw.nhs.uk/yourfeedback](http://www.cntw.nhs.uk/yourfeedback)

## Patient Advice and Liaison Service (PALS)

PALS provide confidential advice and support, helping you to sort out any concerns that you may have about any aspect of you or your loved ones care.

We act independently when handling patient and family concerns, liaising with staff, managers and, where appropriate, relevant organisations, to negotiate prompt solutions. If necessary, we can also refer patients and families to specific local or national-based support agencies.

### PALS (for North of Tyne and North Cumbria)

Telephone: 0800 032 0202

Email: [pals@nhct.nhs.uk](mailto:pals@nhct.nhs.uk)

Post: FREEPOST PALS

### South of Tyne (for Gateshead, Sunderland, South Tyneside and Lotus Ward)

Telephone: 0800 328 4397

Text: 07825 061 035

Email: [pals@cntw.nhs.uk](mailto:pals@cntw.nhs.uk)

Post: Patient Advice and Liaison Service, Garden Lodge, Hopewood Park, Ryhope, Sunderland, SR2 0NB

9.00am to 4.30pm, Monday to Friday

An answerphone is always available for you to leave a message.

A member of the PALS team will aim to return your call as soon as possible.

## Useful contacts

### Care Quality Commission (CQC)

The CQC is the independent regulator of all health and social care services in England. It checks all hospitals in England to ensure they are meeting government standards of quality and safety.



Website: [www.cqc.org.uk/public](http://www.cqc.org.uk/public) or scan the QR code.

### Independent Mental Health Advocacy (IMHA)

Sometimes it can be difficult for people to speak up for themselves. An advocate is somebody who can work with you to help you have your say about things. Ask staff for a copy of the IMHA leaflet.



Website: [www.cntw.nhs.uk/resource-library/do-you-need-an-independent-mental-health-advocate](http://www.cntw.nhs.uk/resource-library/do-you-need-an-independent-mental-health-advocate) or scan the QR code.

### Independent Mental Capacity Advocate (IMCA)

An Independent Mental Capacity Advocate (IMCA) is a person who helps and speaks up for adults who can't make certain decisions for themselves and don't have family or friends to support them.



Website: [www.gov.uk/government/publications/independent-mental-capacity-advocates/making-decisions-the-independent-mental-capacity-advocate-service-web-version](http://www.gov.uk/government/publications/independent-mental-capacity-advocates/making-decisions-the-independent-mental-capacity-advocate-service-web-version) or scan the QR code.

Further information about the content, reference sources or production of this leaflet can be obtained from the Patient Information Centre. If you would like to tell us what you think about this leaflet please get in touch.

This information can be made available in a range of formats on request (Braille, audio, larger print, easy read, BSL or other languages). Please telephone the Patient Information Centre on 0191 246 7288

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