This document has been developed to provide guidelines for the West Coast District Health Board (WCDHB) Mental Health Services on the role of Duly Authorised Officer (DAO).

Policy Statement

For the purposes of the Mental Health (Compulsory Assessment & Treatment) Act 1992, the Director of Area Mental Health Services (DAMHS) will designate, train and authorise a body of experienced mental health professionals to perform the duties of Duly Authorised Officer (DAO).

Duly Authorised Officers should be mindful of the emphasis in the Act on individual rights, civil liberties and respect for a person's culture as they carry out their activities.

Duly Authorised Officers carry a significant responsibility to:

- Respond to and assess requests from the community regarding information and advice on the mental health needs and services that may be required by people experiencing mental health difficulties.
- Facilitate assessment of a person or proposed patient by arranging / assisting the person, proposed patient or consumer to be examined by a medical practitioner and to assist anyone to apply for an assessment of a person who may be mentally disordered.

Note: The DAO must be satisfied that the concern expressed is genuine and that there are reasonable grounds for believing that the person may be mentally disordered.

Definitions

Duly Authorised Officer

A person who is designated and authorised by the Director of Area Mental Health Services under Section 93 of the Mental Health Act, to perform the functions and exercise the powers conferred on Duly Authorised Officers by or under this Act.

This document has been developed to provide guidelines for the Mental Health Services on the role of 'Duly Authorised Officer'.

Definitions

Duly Authorised Officer

A person who is designated and authorised by the Director of Area Mental Health Services under Section 93 of the Mental Health Act, to perform the functions and exercise the powers conferred on Duly Authorised Officers by or under this Act.

Duly Authorised Officer Activity

Use the following guidelines to differentiate Duly Authorised Officer activity with normal clinical practice.

Defined by Mental Health Act

The roles of a Duly Authorised Officer are defined within Sections 37-40 of the Mental Health (Compulsory Assessment and Treatment) Act 1992. The roles include participation and assistance in processes related to the assessment and management of consumers between Sections 8 and 9, Sections 11 and 15, Sections 29 and 30, those consumers on leave under Section 31 and those consumers who are absent without leave.

Point of contact

The Duly Authorised Officer is also required to be a ready point of contact for anybody in the community who has a worry or concern about any aspect of the Mental Health (Compulsory Assessment and Treatment) Act 1992 and Amendment 1999, or about services available to those who are, or may be, suffering from mental disorder.

Differentiating activity

In differentiating between Duly Authorised Officer activity and normal activity, the key is that Duly Authorised Officer activity relates directly to those responsibilities given to Duly Authorised Officers under the Act that are conducted without the consent of the person, proposed patient or consumer.

This activity may relate to a routine clinical activity of a known consumer, a planned clinical activity of an unknown consumer (person or proposed patient) or an emergency or unexpected intervention where the person or proposed patient or consumer does not give consent, whether they are known or unknown.

This activity is independent of time of activity, nature of activity or site of activity (applies equally to inpatient or community based activity).

Documentation

Routine or emergency intervention

A Duly Authorised Officer log must be completed with any Duly Authorised Officer activity related to either the routine or emergency intervention with a known or unknown person, proposed patient or consumer, where that person, proposed patient or consumer has not given consent.

Investigation without consent

A Duly Authorised Officer log must also be completed where a Duly Authorised Officer is approached and conducts an investigation without the consent of the person concerned.

For example, the Duly Authorised Officer may seek information from the family or general practitioner without that person's consent.

General advice

Duly Authorised Officer activity related to general advice and assistance is activity of a Duly Authorised Officer, but does not require the completion of a Duly Authorised Officer log.

If, however, the Duly Authorised Officer becomes concerned about the nature of the discussion, the nature of the information sought or the demeanour of the enquirer, they may choose to record the Duly Authorised Officer log to prevent any confusion in the event of a later enquiry.[1]

DAO authorisation and competency

Experience

Duly Authorised Officers are trained mental health workers who are experienced in working with people who suffer from mental disorders and their families.

Assistance and Support

Duly Authorised Officers provide assistance and support whenever requested in the application of the compulsory processes of the Mental Health Act and will facilitate access to and act as representatives for Mental Health Services.

Training

Duly Authorised Officers receive the following training:

- Attend the formal training programme as approved by the DAMHS, and
- Before being authorised by the DAMHS to act as a DAO for a 12 month period, complete two supervised DAO activities

Identification

Every DAO is issued with a name badge that includes DAO status. This identification is carried and worn to all DAO activities

Register

The DAMHS maintains a register of trained and active Duly Authorised Officers.

Competency

Review of DAO activity should be part of the clinical team's usual review processes. An individual DAO's clinical competency is reviewed through the usual performance appraisal and review systems and a DAO may also use the clinical supervision process.

[1] Dr P. Brinded, Associate Professor, Academic Unit of Forensic Psychiatry

Criteria for Maintaining Duly Authorised Officer Status

Attendance & Completion of Full Duly Authorised Officer Course

and Current First Aid Certificate[2]

and Written annual authorisation by Director of Area Mental Health Services to undertake DAO role[3]

and Recommendation for warrant approved by Clinical Governance Group

and Recorded attendance at one Duly Authorised Officer ½ day Education Sessions[4] annually

and /or Duly Authorised Activity (totalling three in combination in any 12 month period)

Note: In exceptional circumstances WCDHB Mental Health Service staff may be authorised to undertake the role of a Duly Authorised Officer, provided that the Clinical Governance Committee and the Director of Area Mental Health Services is satisfied that the staff member is sufficiently competent and that the statutory criteria have been met.

Related Documents

- Mental Health (Compulsory Assessment & Treatment) Act, 1992 and Amendment 1999
- Guidelines for the Appointment of Duly Authorised Officers, Mental Health Services, Ministry of Health 1995
- Guidelines for the Role and Function of Duly Authorised Officers under the Mental Health (Compulsory Assessment and Treatment) Act 1992, Ministry of Health April 2000
- Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992, Ministry of Health April 2000
- Memorandum of Understanding with New Zealand Police
- Duly Authorised Officer Log
- Duly Authorised Officer Register
- Mental Health Act Forms

Revision History		
	Version:	1
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[2] First Aid Certificate completed to a standard specified by the WCDHB Mental Health Service.

[3] Authorisation may be withdrawn by the Director of Area Mental Health Services if there has been minimal activity and/or the standard has not been met. Every individual will be considered on a case by case basis.

[4] In-service education for Duly Authorised Officers is provided by CDHB and approved by the Director of Area Mental Health Services. No DAO shall be disadvantaged if these sessions are not provided.