

# Mental Health Crisis Breathing Space scheme

A guide for Approved Mental Health Professionals (AMHPS)

You may have been asked to sign an evidence form as part of the Mental Health Crisis Breathing Space scheme, or you may have heard about Breathing Space and want to learn more about it.

This guide explains what the Mental Health Breathing Space scheme is and how as an AMHP, you can help people in a mental health crisis.

## What is the Mental Health Crisis Breathing Space scheme?

The Mental Health Crisis 'Breathing Space' scheme gives people in problem debt and receiving treatment for a mental health crisis a 'breathing space' from the people they owe money to, so they can focus on their mental health recovery.



## What is the definition of 'mental health crisis treatment'?

Under the Mental Health Crisis Breathing Space regulations, someone is defined as receiving mental health crisis treatment when the person:

- has been detained in hospital for assessment under sections 2 or 4 of the Mental Health Act 1983
- has been detained in hospital for treatment under section 3 of that Act
- has been removed to a place of safety by a police constable under sections 135 or 136 of that Act
- has been detained in hospital for assessment or treatment under sections 35, 36, 37, 38, 45A, 47 or 48 of that Act, or
- is receiving any other crisis, emergency or acute care or treatment in a hospital or the community from a specialist mental health service concerning a mental disorder of a serious nature.

In the regulations, "specialist mental health service" means a mental health service provided by a crisis home treatment team, a liaison mental health team, a community mental health team or any other specialist mental health crisis service.

## How can it help the people I am supporting?

We all know that dealing with debts is stressful and can hurt someone's mental health, triggering a mental health crisis or impacting recovery.

When someone has had their debts entered into the Mental Health Crisis Breathing Space scheme, the organisations they owe money to cannot:

- Demand payment of the debt.
- Charge interest, penalties, or make any other charges to their debt.
- Enter their home to take away anything they own.
- Try to evict them from their home because they are behind with payments on their rent.

The scheme, therefore, gives the person you're supporting 'breathing space' from the worry that comes with dealing with debts and lets them focus on their mental health recovery.

## Free debt advice

If they are feeling well enough, they can also get impartial and confidential debt advice .

The specially trained debt advisers from Mental Health & Money Advice can explore all the



options available to the person and help them choose which option is best for them.

- They can check they are receiving all the income they are entitled to
- and, with permission from the person, they can even contact the people they owe money to for them, so they don't have to worry about it.

This allows your patient to focus on their mental health recovery whilst we help to support their debt solutions.

This means that when the person stops receiving crisis treatment and the protection of the scheme ends, they have the support they need to tackle their debt issue.

## Who is taking referrals in England?

Rethink Mental Illness has funding from the Money & Pensions Service to help support the Mental Health Crisis Breathing Space.

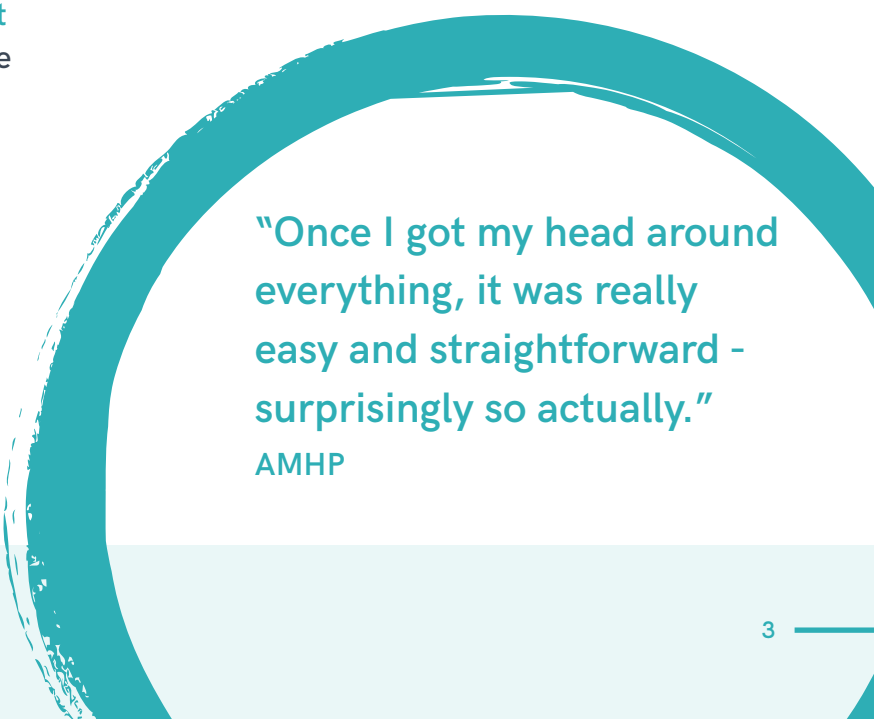
Their specialist **Mental Health & Money Advice Service** is responsible for:

- Taking referrals.
- Checking a person is eligible.
- Keeping in touch with the **Nominated Point of Contact** every 20-30 days to check if the person is still receiving mental health crisis treatment
- Providing help and advice to the person about their debts.

## How can I refer someone to the Mental Health Crisis Breathing Space scheme?

If someone meets the definition for receiving mental health crisis treatment and has problem debts, they need to:

- Complete and sign an **evidence form** that confirms they are receiving treatment for a mental health crisis.
- Include details for a **Nominated Point of Contact**.
- Once the form has been completed, the following people can refer someone via the 'Single Point of Entry':
  - Their carer
  - Approved Mental Health Professionals (AMHP)
  - Care Coordinators
  - Mental Health Nurses
  - Social Workers
  - Independent Mental Health Advocates (IMHAs)
  - Independent Mental Capacity Advocates
  - Someone with Power of Attorney or,
  - a Court of Protection appointed Deputy.



"Once I got my head around everything, it was really easy and straightforward - surprisingly so actually."  
AMHP

## What is a Nominated Point of Contact?

When you complete and sign the evidence form, you must name a Nominated Point of Contact. This is someone who should be in regular contact with the person and involved in their care and treatment.

The regulations require that the nominated point of contact must either be an:

- AMHP (you or someone else)
- a Care Coordinator or
- a Mental Health Nurse.

You cannot provide details of anyone else, even if they are involved in the individual's care.

If a care coordinator has been appointed under the Care Programme Approach (or, in Wales, the Mental Health Measure), then they should be the nominated point of contact.

The nominated point of contact will:

- **Be notified by email when the Mental Health Breathing Space starts and ends**
- **Be contacted by the debt adviser to:**
  - Check that the person's crisis treatment is ongoing,
  - Establish when that treatment ends,
  - Clarify any necessary information (e.g. if there is a problem with the evidence form or delay in starting the MHCBS).

If the debt adviser is unable to contact the nominated point of contact, the assumption

will be that the person named on the form is no longer receiving mental health crisis treatment, and their Mental Health Breathing Space will end immediately days from the date on which the debt adviser failed to receive a response.

## How else can I help?

As an AMHP, you could help the person you are supporting by finding out and sharing information with the Mental Health & Money Advice team about the person's situation.

This could include:

- **The person's contact information (contact number and/or email address).**
- **The names of people or organisations they owe money to. This is important because they won't be protected against any creditors that have not been included.**
- **Whether they have a relative, friend or carer who they would permit Mental Health & Money Advice to speak to so they can get more information about their debts and financial situation.**

It would be helpful to inform the person you are supporting about the free debt advice available to them from the Mental Health and Money Advice team.

## Where can I find out more?

You can find more information on our dedicated Nominated Point of Contact Mental Health Crisis Breathing Space landing page:

[www.mhma.org.uk/breathing-space-amhp](http://www.mhma.org.uk/breathing-space-amhp)

Or contact us on **0808 801 0745**