

# NHS treatment - Your rights

## Key Points.

This factsheet is about your rights when you use NHS services. It explains how NHS staff should act towards you. And what treatment you may get. This information is for people over 18 who are affected by mental illness in England. It is also for their loved ones and carers and anyone interested in this subject.

- The NHS should:
  - ask you if you agree to treatment,
  - give you information about treatment choices,
  - treat you with care and skill,
  - keep your personal information confidential,
  - let you see your health records,
  - respect your human rights,
  - sometimes let you choose what treatment you have, and
  - usually let you choose which mental health team you see for your first appointment.
- NHS staff should follow codes of practice and guidance.
- If you think that the NHS has not acted properly, you can complain.
- You can take legal action against the NHS if they break the law or are negligent.

### This factsheet covers:

1. [What are my rights when I use the NHS?](#)
2. [Can I choose what treatment I get or which mental health service I see?](#)
3. [Do I have the right to see a psychiatrist or to a second opinion?](#)
4. [What can I do if I have a problem with NHS services?](#)

## 1. What are my rights when I use the NHS?

The NHS must respect your rights. We explain your main rights below.

### Do I have to agree to treatment?

Before any NHS medical professional gives you treatment, test, or examination, you must agree to it.<sup>1</sup>

The medical professional must explain the treatment, test, or examination to you first.<sup>2</sup>

You can refuse treatment, even lifesaving treatment.<sup>3</sup> This is the case even if other people disagree with your decision.

But there are exceptions. Your doctor can treat you even if you do not want it if:

- you are in hospital under the Mental Health Act 1983,<sup>4</sup> or
- you cannot make decisions because you 'lack capacity'.<sup>5</sup>

You can find more information about:

- [Mental Health Act](#)
- [Mental capacity and mental illness - The Mental Capacity Act 2005](#)
- [Planning for your care - Advance statements and advance decisions](#)

at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### What about my information?<sup>6</sup>

Your doctor should give you clear information about the possible risks and side effects of your treatment. And any other relevant information about it.

This is to make sure you have all the information you need to make decisions about your treatment.

### Do I have the right to access treatment?<sup>7</sup>

You have the right to use NHS services.

The services cannot refuse to help you without a good reason.

Some NHS commissioned services have maximum waiting times. You have right to be seen within those waiting times. If you are not, the NHS must take reasonable steps to offer you different options to meet your needs.

### What standards of care can I expect from the NHS?

Health professionals must use reasonable care and skill when they treat you. This means different things in different situations. Your doctor should

follow trusted medical opinion. And not do something that other doctors wouldn't do.<sup>8</sup>

You should always get care and treatment that is appropriate for you and your needs. Your health professionals should also think about your preferences.<sup>9</sup>

You have a right to be cared for somewhere safe, clean, and suitable. You should be given suitable food and drink to keep you well while you are there.<sup>10</sup>

### **What are my rights around confidentiality?**

Health professionals must not tell other people about your diagnosis, condition, treatment, or other personal information.<sup>11</sup>

They can only tell other people if:<sup>12</sup>

- you tell them they can,
- they are other NHS and social care staff who directly support or care for you,<sup>13,14</sup>
- they need to in an emergency, or
- a court orders them to.<sup>15</sup>

You can find more information about:

- [Confidentiality](#)
- [Confidentiality, information and your loved one - For loved ones of people living with mental illness](#)

at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### **Can I see my medical records?**

You have the right to see your medical records.<sup>16</sup>

Your medical records must be up-to-date, accurate and relevant.<sup>17</sup>

It is possible to have some mistakes corrected in your records. But medical opinions are usually not removed.<sup>18</sup>

You can find more information about [Access to health records](#) at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### **What about my human rights?**

NHS services must respect your human rights. Like, they have to respect your private and family life.

Your human rights may be affected in the following situations:

- Being placed in a hospital a long distance from your family.
- Keeping you alone in a room for a long time, without good reason.
- Refusing to allow family visits or contact when you are in hospital.
- Too much force used to restrain you.

But some of your human rights, are not 'absolute'. This includes your right to a private and family life. This means that your rights can be restricted if the restriction is:

- **Lawful.** This means that there must be a law allowing the restriction. Such as the Mental Health Act or Mental Capacity Act.
- **For a legitimate reason.** Like, the need to protect you or other people.
- **Necessary and proportionate.** This means that the NHS must be able to show that they have thought about your rights. And that the restriction is as minimal as possible to achieve a legitimate aim.

**The Equality Humans Right Commission** (EHRC) has many useful guides on their website. You can find more information about your rights when detained under the Mental Health Act at:

[www.equalityhumanrights.com/guidance/your-rights-when-detained-under-mental-health-act-england](http://www.equalityhumanrights.com/guidance/your-rights-when-detained-under-mental-health-act-england)

### **Am I protected from discrimination?**

You have the right to use NHS services without being unlawfully discriminated against because of a disability. Or other characteristics such as ethnicity and sexuality.<sup>19</sup>

This protection is under the Equality Act 2010.

You can find more information about [Discrimination and mental health](http://www.rethink.org) at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### **Do I have the right to advocacy?**

Advocates can help you to communicate with doctors and other professionals in the NHS. They normally work for charities, so they are independent. They can help you to:

- get what you are entitled to,
- get your point of view across and
- get the services you need.

Certain advocacy services are statutory. This means that they must be provided by law.

Statutory advocacy includes:

- independent mental health advocacy,
- independent mental capacity advocacy,
- Care Act advocacy, and
- NHS complaints advocacy.

You can find more information about [Advocacy for mental health- Making your voice heard](#) at [www.rethink.org](http://www.rethink.org) . Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### **What if I have a complaint?**

You also have a right to complain about any NHS service if you are unhappy. The NHS must acknowledge your complaint and investigate it properly.

You can read more about complaints in [Section 4](#) below.

You can find more information about [Complaining about the NHS or social services](#) at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

### **Can I choose what treatment I get or which mental health service I see?**

You might have some rights to choose the type of treatment you have.

You have the right to choose which team you are referred to by your GP for your first appointment. But there are times when you do not have a right to choose.

See [section 3](#) of this factsheet for more information.

### **What is the NHS Constitution?**

The NHS Constitution says what your rights are in the NHS. All NHS services must follow the constitution. You can read it here:

[www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england](http://www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england)

You can read a handbook with additional information about every part of the NHS Constitution here:

[www.gov.uk/government/publications/supplements-to-the-nhs-constitution-for-england](http://www.gov.uk/government/publications/supplements-to-the-nhs-constitution-for-england)

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## **2. Can I choose what treatment I get or which mental health service I see?**

### **Can I choose what treatment I get?**

Your doctor will offer you treatments that are available locally. They will

choose treatment based on your diagnosis and guidelines.

NHS treatments are usually based on guidance provided by the **National Institute of Health and Care Excellence (NICE)**. You can find guidelines for treatment for different conditions on their website: [www.nice.org.uk](http://www.nice.org.uk)

There might be more than one provider of the same treatment in your area. If so, you may be able to choose between them.

If your doctor does not offer you what you want, you can ask them why. Some people might find it helpful to ask an advocate to help them talk to their doctor.

You can find more information about [Advocacy for mental health- Making your voice heard](#) at [www.rethink.org](http://www.rethink.org) . Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

#### What is an Individual Funding Request?<sup>20</sup>

The NHS does not offer all possible treatments routinely.

A treatment might not be widely available because:

- there is not enough evidence that shows how well it works, or
- because it costs a lot of money and does not offer good value for taxpayers and the NHS.

If you want a treatment that the NHS does not offer, you can ask the it to make an exception for you.

This is called an Individual Funding Request (IFR). When you make a request, the NHS will look at your case. And decide if they will pay for your treatment.

You cannot make an IFR application yourself. Only your GP or specialist clinician can do this. You will need to speak to them about this.

When they make an IFR application, your doctor needs to clearly show:

- that the treatment they are asking for will help you,
- that other treatments have not worked, and
- that your circumstances are exceptional.

You can read more about IFRs from the **NHS** here:

[www.england.nhs.uk/long-read/individual-funding-requests-for-specialised-services-a-guide-for-patients](http://www.england.nhs.uk/long-read/individual-funding-requests-for-specialised-services-a-guide-for-patients)

#### **Can I choose which mental health service I see?**<sup>21</sup>

You have the right to choose which provider and team you are referred to by your GP for your first appointment.

There are times when you do not have a right to choose. These times include when:<sup>22</sup>

- you need urgent or emergency treatment,
- you already receive care and treatment for the condition you are being referred for,
- the organisation or clinical team does not provide clinically appropriate care for your condition,
- you are a prisoner, on temporary release from prison,
- you are detained in a secure hospital setting, or
- you are detained under the Mental Health Act.

If you are not offered a choice you can speak to your GP.

**NHS England** can provide advice on issues around choice. You can find their contact details in the [Useful contacts](#) section of this factsheet.

### Can I see a team in another area?

Every area will have the same core adult NHS mental health services.

These include:

- GP support,
- talking therapy services,
- community mental health teams,
- crisis support teams, and
- early intervention in psychosis teams.

Some areas might have teams who deal with specific conditions. Like an eating disorder team or personality disorder team and other types of teams.

Each area has what is known as an integrated care board (ICB). They decide what NHS services will be provided in each area of the country.<sup>23</sup>

You might say, live with an eating disorder. But there might not be a specialist eating disorder team in your area. You might be able to see an eating disorder team in another area.

There might not be an eating disorder team in your area. NHS mental health services must still provide treatment and support to you. It is the same whatever mental health condition you live with.

### How can I find out what mental health services there are?

Below is some guidance to help you find out what might be available.

#### **NHS website**

You can find information about the different types of mental health services available. And search for different local service providers at:

[www.nhs.uk/nhs-services/mental-health-services](http://www.nhs.uk/nhs-services/mental-health-services)

## Local NHS policies

You can look on your local ICB's website for more information about their services. You can read their policies on what services exist. And who can access these.

You can also look online for NHS England services and their policies.

## What are NHS England specialist services?

NHS England provide specialist mental health services across England.

These services might cover a certain condition, like obsessive compulsive disorder (OCD).<sup>24</sup>

Usually, you will only be accepted by these services if:

- you have very severe symptoms, and
- you have been treated by local services first.

You can usually be treated by these services even if they are not in your area.<sup>25</sup>

We understand that some of the responsibility for these services are going to be changed to integrated care boards.<sup>26</sup> This is at the time of writing in May 2024.

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## **3. Do I have the right to see a psychiatrist or to a second opinion?**

### **Do I have the right to see a psychiatrist?**

You should get treatment from a professional with the appropriate experience and qualifications.<sup>27</sup>

You cannot demand to see a psychiatrist. But your GP should offer you a referral if they think you need to see one.

GPs can provide treatment for symptoms of mild to moderate mental health conditions, like depression or anxiety.

They are not trained to diagnose mental illnesses such as bipolar disorder or schizophrenia. They should refer you to a psychiatrist if they think that you need a specialist opinion.

### **Do I have the right to a second opinion?**

A second opinion means that you see another doctor to see if they agree with your diagnosis or treatment.

You can ask for a second opinion if you do not agree with your doctor's opinion. But you do not have a right to a second opinion.<sup>28</sup>

You can find more information about [Second opinions - About your mental health diagnosis or treatment](#) at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

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#### **4. What can I do if I have a problem with NHS services?**

##### **How can I complain?**

If you have an issue with NHS you can:

- contact them and try and sort it out
- contact your local PALS service [www.nhs.uk/service-search/other-services/Patient-advice-and-liaison-services-\(PALS\)/LocationSearch/363](http://www.nhs.uk/service-search/other-services/Patient-advice-and-liaison-services-(PALS)/LocationSearch/363)
- Complain

You can find more information about:

- [Complaining about the NHS or social services](#)
- [Advocacy for mental health - Making your voice heard](#)

at [www.rethink.org](http://www.rethink.org) . Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

##### **Can I take legal action?**

If the NHS has breached your legal rights, you might be able to take legal action.

Below are some examples of legal action you can take but there might be others.

We are not experts on taking legal action. So, if you want to do this, we suggest you get legal advice.

You can find more about [Legal advice - Getting help from a solicitor](#) at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of our factsheet.

##### **What is clinical negligence?**

Clinical negligence is when you have been physically or mentally hurt because of a poor standard of health care.

You can take legal action against the NHS and try to claim compensation. This can be complicated, and you should speak to a solicitor about this.

You can find more information about [Clinical negligence](#) at [www.rethink.org](http://www.rethink.org). Or call our General Enquiries team on 0121 522 7007 and ask them to send you a copy of or factsheet.

## What is a Judicial Review?<sup>29</sup>

Judicial review is a type of court proceeding. In this type of proceeding, a judge reviews the lawfulness of a decision made by a public body. Such as the NHS.

Judicial reviews are a challenge to the way in which a decision has been made. Rather than challenging the rights and wrongs of the decision itself.

The court will look at the process of the decision. And whether the right procedures have been followed by the NHS. The court will not substitute what it thinks is the 'correct' decision.

This could mean that the NHS is able to make the same decision again. So long as it does so in a lawful way.

But the court might rule the way the decision was made was unlawful. If the NHS then follow the correct procedures it might lead to them making a different decision.

If you want to argue that a decision was incorrect, judicial review may not be best for you. There are alternative remedies, such as appealing against the decision to a higher court.

If you want to ask for a judicial review, you need to act as quickly as you can. There are time limits. You should start legal action within **3 months** of the problem.<sup>30</sup>

Legal Aid may be available for judicial review cases. You can find out if you are eligible for legal aid at: [www.gov.uk/check-legal-aid](http://www.gov.uk/check-legal-aid).

You can find out more about the judicial review process here:

- <https://publiclawproject.org.uk/content/uploads/2019/02/Intro-to-JR-Guide-1.pdf>
- [www.gov.uk/guidance/administrative-court-bring-a-case-to-the-court](http://www.gov.uk/guidance/administrative-court-bring-a-case-to-the-court)

## Can I take legal action about my human rights?

You may be able to take legal action for a breach of your human rights. The law that says what human rights you have is the Human Rights Act 1998.<sup>31</sup>

You can get legal advice about taking action under human rights law.

You might be in pain or be suffering when something could reasonably be done to help or make it better. That would be against human rights law.

### Equality Advisory and Support Service

They can help with issues relating to equality and human rights across England, Scotland and Wales.

**Phone:** 0808 800 0082

**Address:** FREEPOST EASS HELPLINE FPN6521

**Email:** (online form) [www.equalityadvisoryservice.com/app/ask](http://www.equalityadvisoryservice.com/app/ask)

**Website:** [www.equalityadvisoryservice.com](http://www.equalityadvisoryservice.com)

### NHS England

For issues relating to choosing where you go for your first appointment as an outpatient, you may wish to complain to NHS England.

**Phone:** 0300 311 2233

**Email:** [england.contactus@nhs.net](mailto:england.contactus@nhs.net)

**Address:** NHS England, PO Box 16738, Redditch, B97 9PT

**Website:** [www.england.nhs.uk](http://www.england.nhs.uk)

### The Patients Association

A charity campaigning for improvements in health and social care for patients. They have a helpline that can advise you on your medical records, complaining to the NHS and social services, second opinions and other things to do with your healthcare.

**Phone:** 0800 345 7115

**Email:** [helpline@patients-association.org.uk](mailto:helpline@patients-association.org.uk)

**Website:** [www.patients-association.org.uk](http://www.patients-association.org.uk)

### Broken links?

All links to other pages on our website, and other websites, worked when we last reviewed this page. If you notice that any links no longer work, you can help us by emailing us at [feedback@rethink.org](mailto:feedback@rethink.org) and we will fix them. Many thanks.

### Incorrect information?

All the information in this factsheet was correct, to the best of our knowledge, when we published it. If you think any information is incorrect you can help us by emailing us at [feedback@rethink.org](mailto:feedback@rethink.org). Many thanks.

<sup>1</sup> NHS. Overview – Consent to treatment? <https://www.nhs.uk/conditions/consent-to-treatment> (accessed 12<sup>th</sup> March 2024).

<sup>2</sup> NHS. Overview – Consent to treatment? <https://www.nhs.uk/conditions/consent-to-treatment> (accessed 12<sup>th</sup> March 2024).

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<sup>3</sup> NHS. Overview – *Consent to treatment?* <https://www.nhs.uk/conditions/consent-to-treatment> (accessed 12<sup>th</sup> March 2024).

<sup>4</sup> Mental Health Act 1983. S63.

<sup>5</sup> s5, Mental Capacity Act 2005 c9.

<sup>6</sup> General Medical Council. 2020. *Decision making and consent*. Para 8 – 10. [www.gmc-uk.org/-/media/documents/gmc-guidance-for-doctors---decision-making-and-consent-english\\_pdf-84191055.pdf](http://www.gmc-uk.org/-/media/documents/gmc-guidance-for-doctors---decision-making-and-consent-english_pdf-84191055.pdf) (accessed 12th March 2024).

<sup>7</sup> Department of Health. *The NHS Constitution. Patients and the public: your rights and the NHS pledges to you. Access to health services.* [www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you](http://www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you) (accessed 12<sup>th</sup> March 2024).

<sup>8</sup> Bolam v Friern Hospital Management Committee [1957] 1 WLR 583.

<sup>9</sup> Department of Health. *The NHS Constitution. Patients and the public: your rights and the NHS pledges to you. Access to health services.* [www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you](http://www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you) (accessed 12<sup>th</sup> March 2024).

<sup>10</sup> Department of Health. *The NHS Constitution. Patients and the public: your rights and the NHS pledges to you. Quality of care and environment.* [www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you](http://www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you) (accessed 12<sup>th</sup> March 2024).

<sup>11</sup> Department of Health. *The NHS Constitution. Patients and the public: your rights and the NHS pledges to you. Respect, consent and confidentiality.* [www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you](http://www.gov.uk/government/publications/the-nhs-constitution-for-england/the-nhs-constitution-for-england#patients-and-the-public-your-rights-and-the-nhs-pledges-to-you) (accessed 12<sup>th</sup> March 2024).

<sup>12</sup> General Medical Council (GMC). *Confidentiality: good practice in handling patient information.* Para 9. [www.gmc-uk.org/-/media/documents/gmc-guidance-for-doctors---confidentiality-good-practice-in-handling-patient-information---70080105.pdf](http://www.gmc-uk.org/-/media/documents/gmc-guidance-for-doctors---confidentiality-good-practice-in-handling-patient-information---70080105.pdf) (accessed 18th April 2024).

<sup>13</sup> General Medical Council. *Confidentiality: Good practice in handling patient information.* Manchester: General Medical Council; 2017. Para 28.

<sup>14</sup> Health and Care Professionals Council. *Confidentiality: Guidance for registrants.* London: Health and Care Professionals Council; 2018. Sections 7 and 8

<sup>15</sup> General Medical Council (GMC). *Confidentiality: good practice in handling patient information.* Para 17. [www.gmc-uk.org/-/media/documents/gmc-guidance-for-doctors---confidentiality-good-practice-in-handling-patient-information---70080105.pdf](http://www.gmc-uk.org/-/media/documents/gmc-guidance-for-doctors---confidentiality-good-practice-in-handling-patient-information---70080105.pdf) (accessed 18th April 2024).

<sup>16</sup> Information Governance Alliance. *The General Data Protection Regulations. What's new.* Page 21. [londongp.org.uk/wp-content/uploads/2020/02/gdpr\\_iga\\_-\\_gdpr\\_whats\\_new\\_guidance\\_v1\\_final.pdf](http://londongp.org.uk/wp-content/uploads/2020/02/gdpr_iga_-_gdpr_whats_new_guidance_v1_final.pdf) (accessed 18<sup>th</sup> April 2024).

<sup>17</sup> NHS England. *High quality patient records. What is a high-quality record?* [www.england.nhs.uk/long-read/high-quality-patient-records/#what-is-a-high-quality-record](http://www.england.nhs.uk/long-read/high-quality-patient-records/#what-is-a-high-quality-record) (accessed 18<sup>th</sup> April 2024).

<sup>18</sup> Information Governance Alliance. *The General Data Protection Regulations. What's new.* Page 12-13, Para 29. [londongp.org.uk/wp-content/uploads/2020/02/gdpr\\_iga\\_-\\_gdpr\\_whats\\_new\\_guidance\\_v1\\_final.pdf](http://londongp.org.uk/wp-content/uploads/2020/02/gdpr_iga_-_gdpr_whats_new_guidance_v1_final.pdf) (accessed 18<sup>th</sup> April 2024).

<sup>19</sup> s4 Equality Act 2010.

<sup>20</sup> NHS England Individual funding requests for specialised services a guide for patients. [www.england.nhs.uk/long-read/individual-funding-requests-for-specialised-services-a-guide-for-patients/#what-does-my-clinician-need-to-explain](http://www.england.nhs.uk/long-read/individual-funding-requests-for-specialised-services-a-guide-for-patients/#what-does-my-clinician-need-to-explain) (accessed 18<sup>th</sup> April 2024).

<sup>21</sup> Department of Health and Social Care. *The NHS Choice Framework: what choices are available to you in your NHS care.* Choosing where to go for your first appointment as an outpatient. <https://www.gov.uk/government/publications/the-nhs-choice-framework/the-nhs-choice-framework-what-choices-are-available-to-me-in-the-nhs#choosing-where-to-go-for-your-first-appointment-as-an-outpatient> (accessed 18<sup>th</sup> April 2024).

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<sup>22</sup> NHS. *How you can access NHS mental health services*. Your right to choose who helps you. [www.nhs.uk/mental-health/social-care-and-your-rights/how-to-access-mental-health-services/#choice](http://www.nhs.uk/mental-health/social-care-and-your-rights/how-to-access-mental-health-services/#choice) (accessed 18<sup>th</sup> April 2024).

<sup>23</sup> S21 The Health & Care Act 2022.

<sup>24</sup> Schedule 4. The National Health Service Commissioning Board and Clinical Commissioning Groups (Responsibilities and Standing Rules) Regulations 2012.

<sup>26</sup> NHS England and NHS Improvement letter to NHS trust and foundation trust chief executive officers 31 May 2022 <https://www.england.nhs.uk/publication/nhs-england-commissioning-functions-for-delegation-to-integrated-care-systems/>

<sup>27</sup> Department of Health. *The Handbook to the NHS Constitution for England*. Rights and pledges covering quality of care and environment.

[www.gov.uk/government/publications/supplements-to-the-nhs-constitution-for-england](https://www.gov.uk/government/publications/supplements-to-the-nhs-constitution-for-england) (accessed 18<sup>th</sup> April 2024).

<sup>28</sup> East Lancashire Hospitals NHS Trust. *How to seek a second opinion*.

<https://elht.nhs.uk/patients/how-seek-second-opinion> (accessed 18<sup>th</sup> April 2024).

<sup>29</sup> Courts and Tribunals Judiciary. *Judicial reviews*. [www.judiciary.uk/you-and-the-judiciary/judicial-review/](http://www.judiciary.uk/you-and-the-judiciary/judicial-review/) (accessed 18<sup>th</sup> April 2024).

<sup>30</sup> Ministry of Justice. *Civil Procedure Rules Part 54 Judicial Review and Statutory Review*. [www.justice.gov.uk/courts/procedure-rules/civil/rules/part54#54.5](http://www.justice.gov.uk/courts/procedure-rules/civil/rules/part54#54.5). Para 54.5. (accessed 18<sup>th</sup> April 2024).

<sup>31</sup> Equality and Human Rights Commission. *The Human Rights Act*. What the Human Rights Act does. <https://www.equalityhumanrights.com/human-rights/human-rights-act#what-the-human-rights-act-does> (accessed 18<sup>th</sup> April 2024).

This factsheet is available in large print.

### Rethink Mental Illness Advice Service

**Phone 0808 801 0525**

**Monday to Friday, 9:30am to 4pm  
(excluding bank holidays)**

Email a [\[redacted\]](mailto:feedback@rethink.org)

### Did this help?

We'd love to know if this information helped you

**Drop us a line at:** [feedback@rethink.org](mailto:feedback@rethink.org)

**or write to us at Rethink Mental Illness:**

RAIS  
PO Box 18252  
Solihull  
B91 9BA

**or call us on** 0808 801 0525

We're open 9:30am to 4pm

Monday to Friday (excluding bank holidays)



**Equality, rights, fair treatment, and the maximum quality of life for all those severely affected by mental illness.**

For further information on Rethink Mental Illness Phone 0121 522 7007  
Email [info@rethink.org](mailto:info@rethink.org)



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