

Debt and Mental Health Evidence Form V3

Flowchart: how should advisers use the DMHEF when undertaking case work on behalf of a client?

Step 1

A mental health problem is identified

The client tells the adviser that they have a mental health problem that is affecting their ability to manage their money.

Step 2

The adviser finds out more about this

The adviser should aim to develop a good understanding of the client's situation by asking a range of questions. These include:

- how the mental health problem affects their ability to manage money
- how the mental health problem affects their ability to communicate with their creditors
- whether anyone helps the client manage their finances (such as a family member)

Step 3

the adviser decides whether medical evidence is needed

By this point, the adviser should have spoken with the individual to establish how their ability to manage money has been impacted by the reported mental health problem.

If collecting medical evidence is likely to assist the individual's situation, the adviser may decide that medical evidence needs to be collected. It may not be necessary to collect medical evidence to achieve some actions. For example, most creditors are obliged to offer a breathing space, consider reasonable offers, and not harass a client regardless of whether or not the client has a mental health condition.

When taking this decision, the adviser should check whether the client has recently collected any medical evidence about their mental health problem (e.g. in response to a previous request from another creditor) either using the DMHEF or another method. If so, there may not be a need to collect 'fresh' medical evidence.

Step 4

the adviser explains to the client how the evidence will be used, and gets their *explicit consent* to collect evidence for this purpose

Firstly, the adviser will need to explain to the client how the medical evidence collected from the health and social care professional will be used. This includes an explanation of why the adviser wishes to collect this data, what the data will be used for, who the evidence might be shared with (e.g. the creditor and possibly the creditor's agent), how it will be securely stored, and how long it will be stored for. Without this explanation, the client cannot know what they are consenting to, and consent therefore cannot be properly obtained.

Secondly, the adviser will need to ask the client if they understand this explanation, and allow them to ask questions if necessary to clarify any points.

Thirdly, after doing this, the adviser should ask the client for their *explicit consent* to process their information in this way. There may be additional steps or actions that your organisation requires you to take to record this *explicit consent*. However, you should always ask the client to read, complete and sign the Consent Form that accompanies the DMHEF (Step 5).

Step 5

the client reads, signs and returns the Consent Form

By reading, signing, and returning the Consent Form to the adviser, the client is giving their *explicit consent* for the health or social care professional to complete the DMHEF.

Unless the Consent Form is completed and signed, the health or social care professional should not complete the DMHEF. The adviser should be aware that before signing the Consent Form, the client may want to ask the adviser further questions about the DMHEF, including what will happen to their information, or with whom it might be shared.

It is important for the adviser to remember that the Consent Form can also be completed and signed by a third party authorised to act on their behalf.

When completing the Consent Form, the client is asked to nominate a health or social care professional to approach for evidence. This person should be someone who knows the client in a professional capacity. This professional could be a general practitioner, psychiatrist, nurse, psychologist, occupational therapist, social worker or another member of the health and social care 'team'.

Step 6

the adviser sends a 'DMHEF pack' to the health or social care professional

The adviser will need to prepare the following 'DMHEF pack':

- a blank DMHEF version 3
- the Consent Form that was completed and signed by the client (case work version)
- a stamped addressed envelope (with the advice service's contact address on it)

You may wish to draft your own covering letter to accompany these materials. You should write your client's contact details, the name of your organisation and any **reference number** on the front of the DMHEF. You should then send the DMHEF pack to the nominated health or social care professional.

Step 7

the health or social care professional completes the DMHEF, and returns this (and the Consent Form signed by the client) in the stamped addressed envelope to the adviser

The health and social care professional completes, **signs and stamps** the DMHEF, and then returns this to the adviser in the stamped addressed envelope (along with a copy of the Consent Form signed by the client).

Step 8

the adviser receives the completed DMHEF and the client Consent Form, and decides what action to take in the light of this

On its receipt, the adviser should read and check the DMHEF (ensuring it is signed and stamped by the health or social care professional to authenticate its completion and combat fraud).

The DMHEF will contain information that should not only be shared with creditors, but which could help improve your understanding of the client's situation, and your relationship with them.

The adviser should take into account the information in the DMHEF to help make a decision on what action to take next. For credible information on a range of mental health problems, please visit www.rcpsych.ac.uk/debt

Step 9

the adviser gives a copy of the completed DMHEF to the client, and discusses the options with them

The adviser should give a photocopy of the completed DMHEF to the client as soon as possible, as they will want to see what has been written about their mental health problem.

Step 10

the adviser gives copies of the completed DMHEF (and Consent Form) to creditors

If the completed DMHEF contains relevant and useful information, you should send a photocopy of the completed DMHEF to all appropriate creditors of your client.

If the completed DMHEF does not contain any relevant information, but an organisation specifically requested that a DMHEF was completed, you should (a) inform the organisation that requested this information that the client will not be providing evidence (and give a reason for this) and (b) discuss this decision with the client.

You should supply your client with a list of all the creditors to whom the completed DMHEF has been sent. These actions will ensure that the client has full knowledge of what information has been provided about them and to whom.