

**"No health
without
mental health"**



Foreign &
Commonwealth
Office

www.fco.gov.uk

Advice for travellers

>> There is no health without Mental Health <<

World Health Organisation

This leaflet aims to give information about how the Foreign & Commonwealth Office (FCO) is able to assist British nationals experiencing difficulties abroad. In particular, this leaflet focuses on mental health information. We hope that you will find it a useful guide to what type of assistance you may find in the country you are visiting or living in. The leaflet explains some of the differences between English law and practice and that of other countries. This may be useful to your friends and family members too.

Myth: Mental health problems are rare.

Fact: One in four people are affected by mental health problems each year (Time to Change campaign, 2009).

What the FCO can and cannot do for you

Whenever possible, we will seek your permission before taking any action on your behalf

We can

- > listen to you and help you look at your options
- > help you contact friends and family members if you want to
- > visit you in hospital or prison in line with our usual procedures
- > raise any concerns about your treatment or welfare with the responsible authority (such as a prison or hospital)
- > help overseas medical staff contact medical staff in the UK who may be able to provide advice on your medical history
- > give information about local medication suppliers
- > be available, as appropriate, to offer you assistance if you choose to remain overseas
- > liaise with your travel rep or travel insurance company, if you want us to

We cannot

- > give advice on mental health issues
- > buy or supply medication
- > withhold or remove a passport
- > stop you from travelling abroad
- > require you to return to the UK
- > pay for you to return to the UK
- > pay for food, accommodation or medical bills
- > get you better treatment in hospital or prison than is given to local people

General Information

>> Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity <<
(World Health Organisation, 2007).

Throughout our lives we will all experience changes to our health - physical and mental. Travel, the death of a loved one, injury, moving abroad and stress are some of the common life events that can cause us mental distress. This is a normal part of life.

There are clear links between mental and physical health, which makes looking after yourself whilst abroad important.

Drugs, alcohol, dehydration and infection (particularly urinary tract infections in people over 60) are some of the physical health issues that can radically affect behaviour and mental health.

Some people may be diagnosed with a mental illness, which could affect them temporarily, or be a lifelong condition. There are different types of mental illness like Schizophrenia; Bipolar Affective Disorder (formerly known as Manic Depression); Depression; Anxiety Disorders; Dementias; Phobias; Obsessive-Compulsive Disorder - to name a few.

Some factors to consider

Medical treatment is rarely free overseas and in many countries is very expensive. The FCO cannot pay medical bills. You may wish to consider:

- > **Medication:** Running out of your prescribed medication may have a significant impact on your wellbeing. In some countries, your prescription medication might be banned, unavailable or available under a different name.
- > **Travel Insurance:** Insurance may cover costs of local medical treatment and possibly repatriation. However, it often does not cover pre-existing conditions, especially previous mental health diagnoses, and may exclude conditions related to drug/ alcohol abuse. You should make sure that your insurance covers your condition and remember that if you are abroad for longer than intended, your insurance may run out.
- > **European Health Insurance Card (EHIC):** Within the European Economic Area (EU plus Iceland, Liechtenstein and Norway) and Switzerland, a European Health Insurance Card may help. The EHIC entitles you to reduced-cost or free medical treatment which becomes necessary during an overseas trip, even for a chronic disease or pre-existing illness. It may not cover everything provided free of charge by the NHS in the UK, or provide for long term care. You may be required to make a contribution towards the cost of treatment. For more information, including how to apply, please see www.ehic.org.uk

Mental Capacity

Mental capacity is the ability to make decisions. Mental health and mental capacity are two different things. So a person with a mental illness does not automatically lack capacity, and a person who lacks capacity does not automatically have a mental illness. For example, a person with a diagnosis of Bipolar Affective Disorder (manic depression) does not usually lack capacity. However, if they were to become acutely unwell, they may temporarily lack capacity to make some decisions. They will not lack capacity permanently.

While English legislation does not apply outside the UK, the FCO uses it as a framework for assisting British nationals overseas. Some of the key principles of the Mental Capacity Act (2005) are that:

- > People aged 16 and over have the right to make their own decisions and must be assumed to have capacity unless it is established otherwise;
- > Individuals must be given all appropriate help before anyone concludes that they cannot make their own decisions;
- > People with the capacity to make a decision retain the right to make what might be seen as an eccentric or unwise decision.

A person is deemed to lack capacity if they are unable to do one of the following things:

- > understand the information relevant to the decision;
- > retain the information for long enough to be able to make a decision;

- > use or weigh up the information as part of the process of making the decision;
- > communicate the decision by any possible method, such as talking, using sign language, squeezing someone's hand and so on.

Consular staff in British Embassies, High Commissions and Consulates overseas are not trained to undertake complex capacity assessments. However, there may be times when there are concerns about capacity. These concerns will be discussed by FCO staff using the above English legislation as a framework.

What this means for you:

We will respect the decisions you take and assume that you have the capacity to make decisions unless proven otherwise.

We will give you as much information as we can, or direct you to people who can help, so that you can make an informed decision.

If we have concerns about your capacity, we will discuss this using the previous four points before making any decisions about how to assist you.

What this means for family & friends:

If an individual has the capacity to make decisions, we will respect those decisions. This means, for example, that if the person refuses to allow us to contact family or friends, we can ask again, but we cannot ordinarily overrule the decision when the person has capacity.

Data Protection

The Data Protection Act (1998) establishes a framework of rights and duties which are designed to safeguard personal data. All organisations collecting and using personal information are legally required to comply with the principles of the Act.

Some of the key principles of the Data Protection Act (1998) are:

- > data should be kept securely;
- > data should only be used for the purposes for which it was originally obtained;
- > it should not be retained for longer than is necessary; and
- > it should not be transferred to countries which do not have adequate data protection laws.

These principles are designed to ensure that there are certain safeguards in place which protect individuals' privacy. Wherever possible, individuals should be able to exercise choice on whether their information is to be shared.

The threshold for sharing sensitive or confidential information (such as your ethnic background or health issues) is higher than that for other sorts of information. In most cases, consent should be obtained prior to sensitive information being shared. However, there will be occasions where information may be shared without the individual giving consent. For instance, advising an airline that a passenger with a serious communicable disease (like typhoid) is intending to travel, as this could potentially harm other passengers.

What this means for you:

We will respect your personal information and store it securely. Wherever possible, we will seek your permission in order to assist you appropriately. Please be aware that in certain circumstances we are obliged to inform other authorities, such as, where it is necessary for the prevention and detection of crime.

What this means for family & friends:

We understand that family and friends may be worried about a loved one. However, if the individual declines permission for us to make contact or discuss their situation, we must respect their decision.

Data Protection & Mental Capacity

Even if a family member or friend holds the position of Power of Attorney, that person does not necessarily have rights to the sensitive personal information of the person represented, unless it is a Health and Welfare Lasting Power of Attorney. Where a registered Enduring or Lasting Power of Attorney is in place, we may only share information with the designated person in the best interests of the individual we are assisting.

Data Protection & Mental Health Detention

Being detained for mental health reasons does not take away an individual's right to make decisions about their personal information. Therefore, we cannot automatically disclose personal information about a detained person, even if a family member or friend holds a specific status within the local mental health legislation.

Detention for mental health reasons

Mental health law differs in each country and therefore local law will govern the area to which you have travelled. Detention under local mental health law may not be transferable to another country.

In England, the Mental Health Act 1983 (as amended 2007) is the law under which someone can be admitted, detained and treated in hospital against their will. It does not apply to all people with a mental health condition and there are specific criteria which need to be met if it is going to be used.

What this means for you:

If you have been detained under a Mental Health Act in the UK and you abscond, the authorities in some countries will try to contact the UK hospital. They may also arrange for you to return to the UK hospital; often at your own expense. The UK hospital may report you missing to local police.

If you are detained under the mental health law of another country, the hospital may try to arrange for a UK Community Mental Health team to assess you or provide follow up on your return. Unfortunately, in some countries, you may be detained in a prison facility and then deported.

What this means for family & friends:

Individuals often nominate the person they wish to be their next of kin, where-as "Nearest Relative" status is a specific legal term within the English Mental Health Act 1983. The Nearest

Relative is given certain powers and rights under the Act, which are only applicable in England and Wales. These rights and powers are therefore not transferable to other countries.

We cannot overrule consent unless a person is deemed to lack capacity. In some countries, it is common practice for family to consent to medical treatment or hospital admission - even when detention under local mental health law is being considered. We cannot provide this consent on behalf of family or friends, nor can we request a hospital admission for the person we are assisting.

Returning to the UK

If you have been out of the UK for a long time and you want to apply for housing or other welfare benefits, you may be subject to the Habitual Residence Test. This test is applied by your local authority in the UK to establish your connection to the area. You may not be entitled to welfare support until a local authority decides that you are habitually resident in the UK. The local authority may want you to provide evidence that you have either lived, been employed or have close family ties to an area. The Habitual Residence Test is about the length of time you have been out of the country. Being a British national or having previously paid taxes/ national insurance is not enough. For further information on housing, benefits and other related topics, please see www.direct.gov.uk

Staying overseas

It is your decision whether you stay overseas or return to the UK. This can depend on local conditions, cost of living and availability of help etc. So you could consider:

- > Looking for support or services from recognised charities, voluntary groups, welfare organisations or religious groups (for example, a local Church).
- > If you have served in the British or Commonwealth Forces, the Royal British Legion (RBL) or the Soldiers, Sailors, Airmen and Families Association (SSAFA) may be able to help you.

Although we will respect your decision to stay overseas as far as possible, the local authorities may insist or require you to leave the country. This may be the case if a British national has been detained; cannot support themselves; or has overstayed their visa.

Useful Contact Information – United Kingdom:

Charities providing fact sheets on all issues to do with mental health, including diagnosis, treatment, stigma, law, travel insurance

MIND

for better mental health.

MindInfoLine – 0845 766 0163

www.mind.org.uk

Rethink

working together to help everyone affected by severe mental illness recover a better quality of life.

Rethink Advice & Information Service –
0845 456 0455

www.rethink.org

SANE

meeting the challenge of mental illness.

SaneLine – 0845 767 8000

www.sane.org.uk

Mental Health Foundation

the UK charity for everyone's mental health.

020 7803 1100

www.mentalhealth.org.uk

Other Relevant Organisations – United Kingdom:

Office of the Public Guardian

The Office of the Public Guardian supports and promotes decision making for those who lack capacity or would like to plan for their future, within the framework of the Mental Capacity Act 2005.

www.publicguardian.gov.uk

Age UK

Age UK has a vision of a world in which older people flourish and aims to improve later life for everyone through information and advice, campaigns, products, training and research.

www.ageuk.org.uk

Time to Change Campaign

Let's end mental health discrimination.

www.time-to-change.org.uk

Royal British Legion

Caring and campaigning for the serving and ex-Service community.

www.britishlegion.org.uk

The Soldiers, Sailors, Airmen and Families Association (SSAFA)

One day's service, a lifetime of support for Armed Forces personnel and their families.

www.ssafa.org.uk

Useful Contact Information – International Organisations:

European Federation of Associations of Families of People with Mental Illness (EUFAMI)

EUFAMI Members are national and regional organisations that support family carers and people with mental illness throughout Europe.

www.eufami.org

World Fellowship for Schizophrenia and Allied Disorders (WFSAD)

WFSAD is the only global grassroots organization dedicated to lightening the burden of schizophrenia and other serious mental illnesses for sufferers and their families. WFSAD has now merged with the World Federation for Mental Health.

www.world-schizophrenia.org

Befrienders Worldwide with the Samaritans

Befrienders centres work to reduce suicide worldwide with 31,000 volunteers in 40 countries. The website gives details of local helplines around the world, as well as further information on depression and suicide intervention.

www.befrienders.org



Foreign & Commonwealth Office

Consular Directorate

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Comments and Suggestions

We welcome the views of our customers on the quality of the service we provide. Please write to the Head of Consular Directorate at the above address.

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