The Mental Health Act in Practice: Detention, Treatment, Rights and the 2025 Reforms: Facilitator Pack

THE TALKING THERAPIES UK FACILITATOR PACKS



The Mental Health Act in Practice: Detention, Treatment, Rights and the 2025 Reforms: Facilitator Pack

Teaching the course to a group

A facilitator pack · 6 sessions · for trainers

TALKING THERAPIES UK

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First edition, 2026.

This pack accompanies the course “The Mental Health Act in Practice: Detention, Treatment, Rights and the 2025 Reforms” on Talking Therapies UK Training & CPD and its course book. It is drawn from the course and is kept current with it: whenever the course changes, the pack is set again.

This printing was set on 27 October 2026 from the course as it stood that day.

A note on teaching from this pack. It supports qualified trainers and supervisors teaching within their competence. Running the course from it does not award the course’s CPD certificate, which participants gain by completing the course online.

Set in Poppins and Roboto, the Talking Therapies UK typefaces.

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How to use this pack

This pack is for trainers and supervisors who teach the Talking Therapies UK course “The Mental Health Act in Practice: Detention, Treatment, Rights and the 2025 Reforms” to a group: a session for each of its 6 modules, with timed plans, the points to draw out, group activities and discussion questions, the course’s assessment with answers, an attendance register and an evaluation form.

Part 1 sets out the course and how to plan it. Part 2 has a timed plan for each session, built from the course’s own modules, lessons and practice tasks; read it with the module it teaches. Part 3 holds the course’s assessment with its answers, an attendance register and an evaluation form.

What this pack covers

- Plan the course as 6 sessions
- Follow a timed plan for each session
- Draw out each lesson’s key points
- Run each lesson’s practice task as a group activity
- Check understanding with the course’s own questions
- Keep a register and gather evaluations

PART 1

Planning the course

What the course covers, who it is for, and how to run it.

CHAPTER 1

About The Mental Health Act in Practice: Detention, Treatment, Rights and the 2025 Reforms

This premium programme is a comprehensive, practice-focused course on the Mental Health Act 1983 as it operates in England and Wales in October 2026. It is written for psychological therapists, counsellors, psychologists, social workers and allied practitioners who work with people who may be, or have been, detained or treated under the Act, and who need a secure, accurate understanding of the law and of their own part in it.

The course is current to the Mental Health Act 2025, which received Royal Assent on 18 December 2025. It identifies exactly which provisions of the 2025 Act are already in force, including the power to conditionally discharge restricted patients subject to deprivation of liberty conditions and the extension of the Human Rights Act to private providers of NHS-funded in-patient care from 6 April 2026, and which reforms, such as the nominated person, statutory care and treatment plans, advance choice documents and the new detention criteria, are still to come. It also explains how the Supreme Court's judgment of 2 June 2026 on deprivation of liberty affects the choice between the Mental Health Act and the Mental Capacity Act.

Across six modules and thirty lessons you will study the purpose, structure and principles of the Act and its human rights framework; compulsory admission under sections 2, 3, 4, 5, 135 and 136, the AMHP assessment and the nearest relative; consent to treatment under Part 4, including the statutory consultee role that therapists often fill; restrictive practices and the Mental Health Units (Use of Force) Act 2018; leave, absence, discharge, community treatment orders, guardianship and section 117 after-care; Part 3 and therapy with forensic and restricted patients; information, advocacy, tribunals, children and young people, race equality and accountability; and the interfaces with the Mental Capacity Act, confidentiality, advance choice and supervision-level ethics.

Every lesson contains a worked clinical example, the common pitfalls in practice and a reflective question, together with key points, a practice task for the week, study activities and further reading drawn from a verified reference list. The course closes with an extended case study and a 25-question assessment with a pass mark of 80 per cent, leading to a certificate for 30 CPD hours. Access lasts twelve months.

The course is designed for practitioners who are not usually statutory decision-makers. It is clear throughout about what the law requires of whom, and about the therapist's own contribution and limits. It is educational material and does not constitute legal advice: for decisions about individual cases, follow your organisation's policies and seek legal advice where needed.

By the end of the course, participants will be able to

- Explain the structure, definitions and guiding principles of the Mental Health Act 1983 and the human rights framework within which it operates.
- Distinguish the criteria, duration and safeguards of sections 2, 3, 4, 5, 135 and 136, and describe the roles of the AMHP and the nearest relative.
- Apply the Part 4 consent to treatment rules, including the second opinion process and the statutory consultee role, to practice situations.
- Evaluate restrictive practices against the Mental Health Units (Use of Force) Act 2018, national guidance and the evidence on harm.
- Describe the routes to discharge, community treatment orders, guardianship and section 117 after-care, and support clients to use their rights.
- Explain the Part 3 powers for people in the criminal justice system, including the 2025 Act provisions in force since 18 February 2026.
- Identify inequalities in the use of the Act and describe the actions required by the Patient and Carer Race Equality Framework.
- Choose appropriately between the Mental Health Act and the Mental Capacity Act, taking account of the Supreme Court's 2026 judgment on deprivation of liberty.
- State accurately which provisions of the Mental Health Act 2025 are in force and which are pending, and locate authoritative sources on commencement.
- Apply ethical reasoning and supervision to the dilemmas of therapeutic practice within a system of compulsion.

Who it is for

The course is pitched at experienced practitioners working with complex presentations, who already use the approach in their practice.

At a glance

- 6 sessions of about 210 minutes, one for each of the course's modules.
- The online course is accredited for 30 hours of CPD.
- Each participant needs the course book, or access to the online course, for reading between sessions.

CHAPTER 2

Planning the sessions

Run one session for each module, a week or a fortnight apart, so that participants can read the module and try its practice task between sessions. The sessions can also be run as a block over two or three days.

OVERVIEW

The course at a glance

Session	Module	Lessons	Time
1	Foundations: purpose, principles and the shape of the Act	5	210 minutes
2	Compulsory admission: the civil powers	5	210 minutes
3	Treatment, care and life in hospital	5	210 minutes
4	Discharge, community powers and the criminal justice interface	5	210 minutes
5	Rights, safeguards and oversight	5	210 minutes
6	Interfaces, reform and supervision-level practice	5	210 minutes

The group

- Six to sixteen participants: enough for small-group work, few enough for everyone to contribute.
- Agree ground rules at the first session: confidentiality, respect for different experience, and how participants will speak about their own clients (with nothing that could identify them).
- Ask before the course about access needs, and send any reading a week ahead.

What you need

- A copy of this pack, and the course book or the online course for each participant.
- A flipchart or whiteboard, and space for groups of three or four to work.
- Printed copies of the attendance register and the evaluation form in Part 3, which you may copy for the groups you run.

Keeping it safe

Training about psychological difficulties can bring up participants' own experience. Say at the start that anyone may step out, have someone available to talk to afterwards, and know where to point a participant who is struggling: their GP, their own supervisor or employee assistance programme, or Samaritans on 116 123.