

Te Whatu Ora Health New Zealand Hauora a Toi Bay of Plenty	DULY AUTHORISED OFFICER MENTAL HEALTH (COMPULSORY ASSESSMENT AND TREATMENT) ACT 1992	Protocol CPM.M5.18
CLINICAL PRACTICE MANUAL		

PURPOSE

To ensure that Te Whatu Ora – Health New Zealand Hauora a Toi Bay of Plenty meets statutory obligations under the Mental Health (Compulsory Assessment and Treatment) Act 1992 (MHA), in appointing Duly Authorised Officers (DAOs) so that the responsibilities articulated in Section 93 (MHA) can be met.

To provide a framework for the credentialing and ongoing education of DAOs to ensure that DAOs are supported to maintain the skills required for their role.

OBJECTIVE

- To identify the circumstances under which a DAO warrant may be issued, reissued or rescinded.
- To establish standards of practice for DAOs.
- To establish a rationale for the deployment of DAOs within the region.
- To describe the commitment that is required to ongoing education and professional development.

STANDARDS TO BE MET

1. Deployment of Duly Authorised Officers

- 1.1 It is the responsibility of the DAMHS under Section 93 of the MHA to ensure adequate deployment of DAOs sufficient to meet the needs of the region served by Te Whatu Ora Hauora a Toi Bay of Plenty.
- 1.2 The DAMHS will deploy DAOs within the Mental Health & Addiction Services (MH&AS) where their services are most likely to be required.
[See Appendix 1:](#) DAO warrant application and retention process.
- 1.3 The Role and Functions of DAOs are specified in:
 - a) [Guidelines for the Role and Function of Statutory Officers – MOH 2022.](#)
 - b) [DAO Criteria for maintaining a Warrant](#)

2. Eligibility Criteria for Duly Authorised Officers

- 2.1 The requirement to hold a DAO warrant will be included within position descriptions where a warrant is considered relevant.

3. Preceptorship

- 3.1 Once the eligibility criteria above are met the health professional will become a DAO trainee and will complete a three (3) month probation period with an experienced DAO.
- 3.2 The DAMHS Lead will assess the level of achievement and make a recommendation:
 - a) For further training; or
 - b) That a DAO warrant is issued.
- 3.3 If a new warrant is issued the warrant will be valid for the balance of the current calendar year.
- 3.4 The DAMHS office will advise Payroll to activate the allowance as per the Employment Collective.

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4. Criteria For Maintaining Duly Authorised Officer Status

- 4.1 DAO warrants will be issued for a period of up to 12 months, commencing in January and expiring in December of any calendar year.
- 4.2 The DAMHS, supported by the respective Team Leaders, will ensure that DAOs have access to ongoing education relevant to this role.
- 4.3 Warrants will be reissued if the DAMHS is satisfied that the DAO:
 - a) Has met the criteria for maintaining a DAO Warrant and submitted signed documentation by end of November showing the criteria have been met.
 - b) Continues to work in a role that requires a DAO warrant or works in a designated role where the warrant is considered, of value to the service.
 - c) [See Appendix 2](#): DAO Warrant renewal process
- 4.4 The DAMHS needs to ensure there are sufficient warrants available to cover the service at all times and consequently at times warrants may be authorised where requirements under 4.3 not met.

5. Criteria For Rescinding Duly Authorised Officer Status

The DAMHS may rescind the warrant of any DAO who has:

- 5.1 Resigned from a designated role, or transfers to another position within MH&AS where a DAO warrant is not required.
- 5.2 Not completed the criteria for renewal of a warrant.
- 5.3 The DAMHS has the discretion to suspend or rescind the warrant of any DAO who acts in a manner contrary to the spirit of the MHA, or who wilfully violates the provisions of the MHA, or who is subject to an upheld complaint from any service user or his / her family in respect of any DAO related action, or while any of the above are being investigated according to the proper form and conduct of the Complaints Management policy.
- 5.4 The DAMHS has the discretion to suspend or rescind the warrant of any DAO who, on the basis of objective evidence, is not competent to perform the statutory duties of a DAO and/or MH&AS Duly Authorised Officer Criteria for Maintaining a DAO Warrant.
- 5.5 The DAMHS will advise the DAO in writing and meet with the DAO about the reasons why a warrant may be rescinded.
- 5.6 In a situation where a DAO warrant is rescinded, one month's notice will be provided to payroll before the DAO allowance ceases.

6. Lapsed and Rescinded DAO Warrants

- 6.1 At times the holder of a DAO warrant may move to work in another part of the MH&AS where a warrant is not considered necessary for the role. In these circumstances the warrant holder may discuss with the DAMHS the option of having their warrant 'lapsed' for up to 12 months. This would mean that if they were to resume their role in the part of the service then their warrant could be reissued immediately.
- 6.2 The DAMHS may re-issue a warrant to a health professional who has previously had a DAO warrant, (for example from another mental health area) if there is evidence from that mental health service that the staff members has of the appropriate level of skill, knowledge and attitude required to hold a warrant.

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REFERENCES

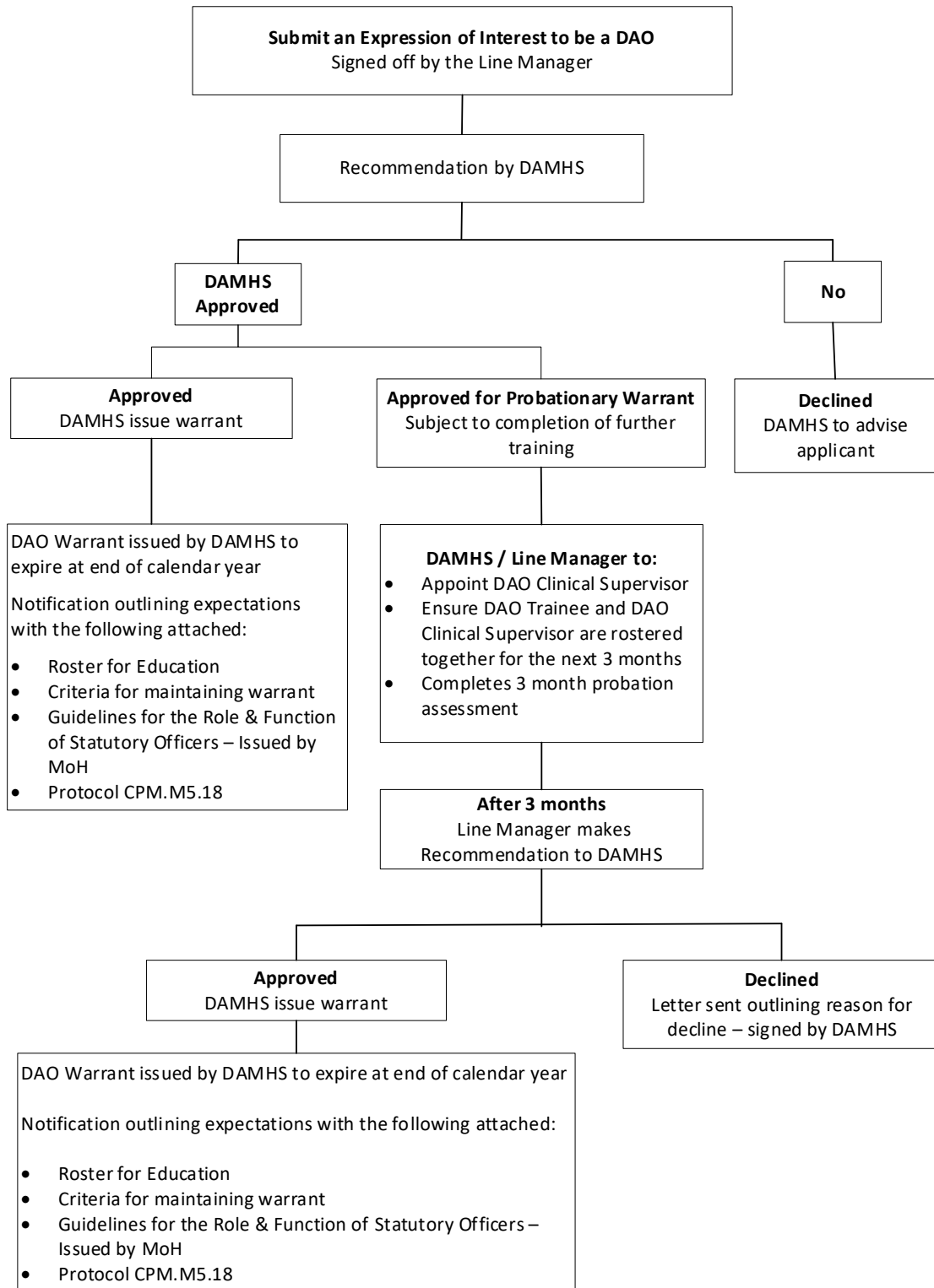
- Guidelines to the Mental Health (Compulsory Assessment and Treatment) Act 1992. Ministry of Health 2020.
- Guidelines for the Role and Function of Statutory Officers – MOH 2022
- Mental Health (Compulsory Assessment and Treatment) Act 1992
- Ngā Paerewa Health & Disability Service Standards NZS 8134:2021

ASSOCIATED DOCUMENTS

- [Te Whatu Ora Hauora a Toi Bay of Plenty Clinical Practice Manual protocol CPM.M5.11 Clinical Supervision](#)
- [Te Whatu Ora Hauora a Toi Bay of Plenty policy 1.3.1 Complaints Management](#)
- [DAO Criteria for maintaining a Warrant](#)
- [DAO Trainee Expression of Interest to be a DAO](#)
- [DAO Trainee 3 month assessment](#)
- [DAO Education Programme](#)
- [DAO Monitoring Audit template](#)

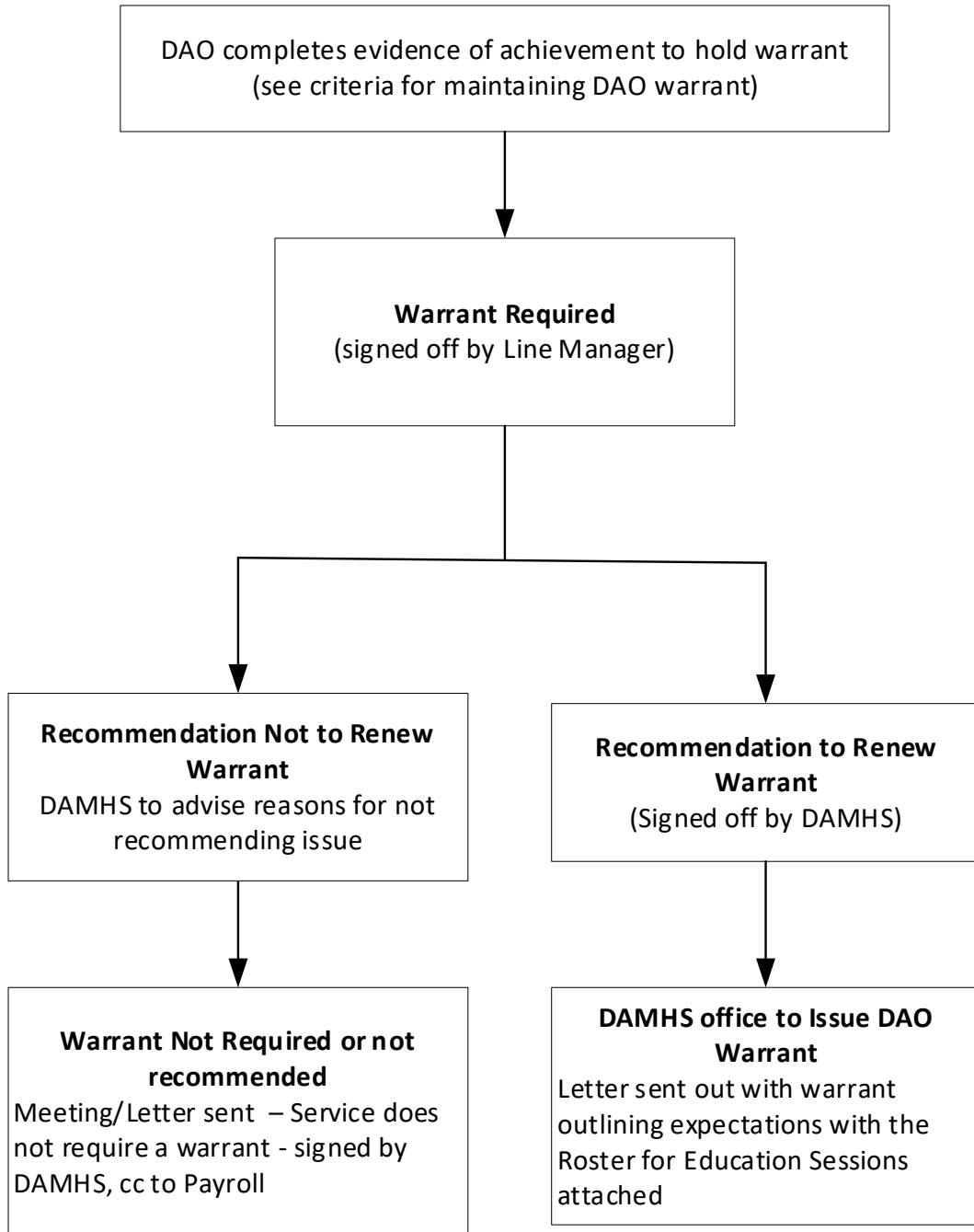
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Appendix 1: Application for Duly Authorised Officer (DAO) Warrant



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Appendix 2: Application for Renewal of a Duly Authorised Officer (DAO) Warrant



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