



Recall to Hospital of a Patient on Community Treatment Order

(Section 17E of the Mental Health Act 1983)



Sussex Partnership
NHS Foundation Trust

Why am I in hospital?

You have been recalled to this hospital under section 17E of the Mental Health Act 1983 because the person in charge of your care (your responsible clinician) thinks you need to be here to be treated for your mental disorder or to be examined.

You may have been recalled because your mental health has got worse since you were discharged from hospital and your responsible clinician thinks you need treatment in hospital.

Or it may be because you have not complied with the conditions of your community treatment order when you were told that your responsible clinician or an independent doctor wanted to examine you.

How long will I be here?

You can be kept here for up to 72 hours at first, under section 17F of the Mental Health Act. You must not leave during this time unless your responsible clinician tells you that you may. If you try to go, the staff can stop you, and if you leave, you can be brought back.

What happens next?

Your responsible clinician will tell you when you can leave hospital. If this happens within 72 hours from the time you arrived at the hospital, you will be able to go back onto Community Treatment Order as before. Your responsible clinician will talk to you about why you had to be recalled to hospital and what you should do next.

But if your responsible clinician thinks that you need to stay in hospital for longer than 72 hours, they will ask an approved mental health professional to talk to you. An approved mental health professional is someone who has been specially trained to help decide whether people need to be kept in hospital.

If your responsible clinician and the approved mental health professional agree that you need to be kept in hospital for longer than 72 hours, they may use section 17F of the Mental Health Act to revoke (end) your community treatment order.

If they do that, your Community Treatment Order will end and you will be kept in hospital in the way you were before you went onto Community Treatment Order. Your responsible clinician will talk to you about this if they think you need to stay in hospital.



Can I appeal?

No, you cannot appeal against being recalled to hospital.

You will be able to appeal if you are kept in hospital for longer than 72 hours. If this happens you will be told and your rights to appeal will be explained to you.



What treatment will I be given?

Your responsible clinician will talk to you about the treatment you need for your mental disorder while you are in hospital. In most cases, you will have to accept their advice.

If it is more than one month since you went onto Community Treatment Order, special rules apply to medicine and drug treatment for your mental disorder.

If it is more than three months since you first had medicine or drug treatment while you were in hospital or on Community Treatment Order, you cannot be given any medicine or drug if you say you do not want it or are too ill to say whether you want it, unless an independent doctor agrees, or it is an emergency.

An independent doctor may already have talked to you and said that the treatment is right for you before you were recalled. If so, the staff can give you that treatment. Otherwise, an independent doctor will be asked to visit you and talk to staff at the hospital who know you. The doctor will talk to you and decide if the treatment is right for you.

This independent doctor is called a SOAD (Second Opinion Appointed Doctor) and is appointed by an independent Commission which monitors how the Mental Health Act is used.

There are different rules for some special treatments, like electro-convulsive therapy (ECT). If the people treating you think you need one of these special treatments, the rules will be explained to you and you will be given another leaflet.

Help from an independent mental health advocate

You are entitled to help from an independent mental health advocate if you want it. These advocates are independent of people involved in your care. They can help you get information about your care and treatment, why you are being kept in hospital, what it means and what your rights are. They can come to see you and help you understand what you are told by people involved in your care and treatment. If you want, they can help you talk to these people or they can talk to them for you.

You can contact the independent mental health advocacy service yourself. There should be a telephone where you can contact the advocacy service and talk to them in private. You can ask a member of staff where this telephone is.

If you do not want to contact the advocacy service yourself, you can ask a member of staff to contact the advocacy service for you. You can also ask your nearest relative to contact the advocacy service for you.

Your letters

All letters sent to you while you are in hospital will be given to you. You can send letters to anyone except someone who has said they do not want to get letters from you. Letters to these people can be stopped by the hospital staff.

Code of Practice

There is a Code of Practice that gives advice to the staff in the hospital about the Mental Health Act and treating people for mental disorder. The staff have to consider what the Code says when they take decisions about your care. You can ask to see a copy of the Code, if you want.

How do I complain?

If you want to complain about anything to do with your care and treatment in hospital, please speak to a member of staff. They may be able to sort the matter out. They can also give you information about the hospital's complaints procedure, which you can use to try to sort out your complaint locally. They can also tell you about any other people who can help you make a complaint, for example an independent mental health advocate (see above).

If you do not feel that the hospital complaints procedure can help you, you can complain to an independent Commission. This is called the Care Quality Commission and it monitors how the Mental Health Act is used, to make sure it is used correctly and that patients are cared for properly while they are in hospital. The hospital staff can give you a leaflet explaining how to contact the Commission.

Further help and information

If there is anything you do not understand about your care and treatment, a member of staff will try to help you. Please ask a member of staff to explain if there is anything in this leaflet you do not understand or if you have other questions that this leaflet has not answered.

Please ask if you would like a printed copy of this leaflet.



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