

# When a nurse can keep you in hospital if we are already treating you

Information for patients being treated under the Mental Health Act



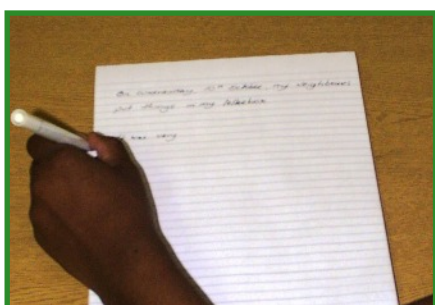
East London  
NHS Foundation Trust



EasyRead version



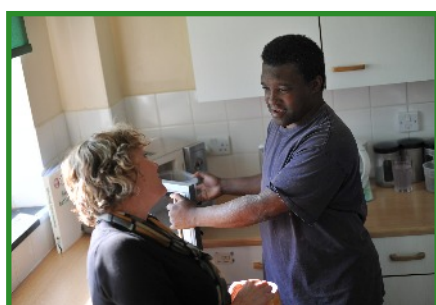
East London NHS Trust runs mental health and community health services.



We wrote this information to help you understand your rights.



This is an EasyRead version of **Nurses' power to detain a person being treated for mental disorder as a hospital in-patient (Section 5(4) of the Mental Health Act 1983).**



The Mental Health Act is the law that tells people with a **mental disorder** about their rights and how they can be treated.



**Mental disorder** means a disorder or disability of the mind such as:

- a mental illness



- a learning disability



- a personality disorder.

# About you



Your name:



Name of the person in charge of your care:



Name of the nurse keeping you here:



## Why you cannot leave hospital



You are being kept in this hospital under Section 5(4) of the Mental Health Act.



This is because a nurse thinks you are not well enough to leave. They can keep you here until the person in charge of your care or their **deputy** can see you.



A **deputy** is someone who can take decisions when the person in charge of your care is not here.



We can keep you here for up to 6 hours.



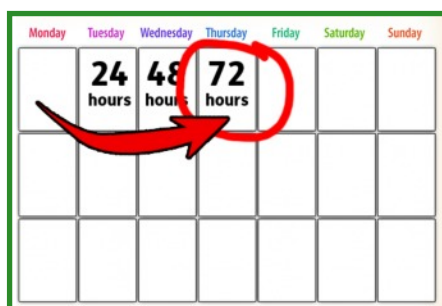
You cannot leave during this time unless the person in charge of your care says you can.



Staff can stop you if you try to leave.



We can bring you back if you do leave.



Your 72 hours will end at:

Date

Time



If you have not seen your doctor or their deputy by then, you can leave if you want to. Please talk to the staff before you go.



## What happens while you are here



The staff will talk to you about any treatment you need.



You can usually say if you want the treatment or not.



There are a few times when you can be given treatment even if you say no. Staff will explain this to you.



## What happens next



The person in charge of your care or their deputy will decide if you need to stay in hospital longer.



You can choose to stay if you want to.



If they decide you need to stay longer they will tell you why and how long it might be.





They will give you a leaflet about this.



If the doctor decides you can leave they will tell you about other help you can get.



If you do not agree with this



You cannot **appeal** (say you do not agree) if we decide to keep you under Section 5(4) of the Mental Health Act.

## Telling your Nearest Relative



We will give your Nearest Relative a copy of this leaflet.



The staff can give you a leaflet about who your Nearest Relative is and what they can do.

We have been told your Nearest Relative is:



If you do not want them to have a copy of this leaflet, please tell your nurse or a member of staff.



You can ask the county court to change your Nearest Relative. The staff can give you a leaflet about this.



## Your letters



We will give you all the letters that are sent to you.



You can write letters to anyone, unless people say they do not want letters from you.



If you write to them, we will stop the letters.



## The Code of Practice



The Code of Practice tells staff how to treat people under the Mental Health Act.



They have to think about it when they decide about your care.



You can ask to see a copy of the Code.

## How to complain



Please tell the staff if you are not happy with your care and treatment in hospital.



If they cannot sort things out they will tell you how to complain. They can also tell you about people like an independent mental health advocate who can help you.



If you are not happy with how the hospital deals with your complaint you can tell the Care Quality Commission. They do not work for the NHS and check that people use the Mental Health Act properly.



Staff can give you a leaflet about how to contact the Commission.



## How to find out more

Please ask the person who gave you this leaflet or other member of staff if:



- you do not understand anything



- you want to ask any questions



- you want a copy of this leaflet for someone else.



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