

Your rights under the Mental Health Act: section 41

Patients whose restrictions have come to an end

Leaflet reference: L800E
Version: V3
Date last updated: 07/06/2019
Archive date: 06/06/2022

Information for service users, families, carers and supporters



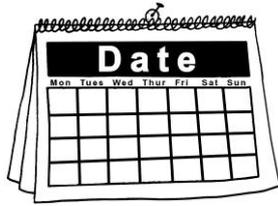
Your name:



Your doctor's name:



Hospital name:

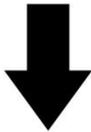


Date you came to hospital

Why am I in hospital?



You are being kept in this hospital because you have been sent from prison to hospital.



Until now you have been subject to special restrictions.

The restrictions ended on:

Your doctor thinks that you need to stay in hospital to receive treatment.



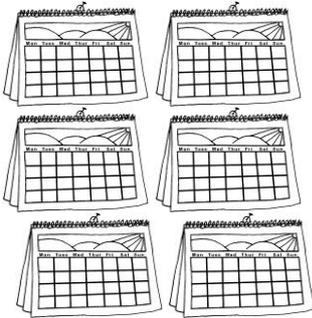
You will become subject to a Section 37



(notional) of the Mental Health Act.

From:

How long will I stay in hospital?



You will be kept in hospital for up to six months.



You must not leave during this time unless your doctor says you can.



If you try to go you can be stopped.



If you leave you can be brought back.

What treatment will I be given?



The rules on what treatment you can be given have not changed.



Your doctor and nurse will talk to you about any treatment you may need.

Can I appeal?

You can ask the hospital managers to let you leave.



Your nurse will help you do this.



The hospital managers will read reports written by your doctor, social worker and nurse.

They will speak with you.

You can ask someone to go to the meeting with you.

This could be:

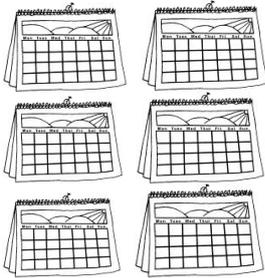
- solicitor
- family member
- friend
- advocate.



You can ask the tribunal to let you leave the hospital.



You can ask this once in the first six months you are in hospital.

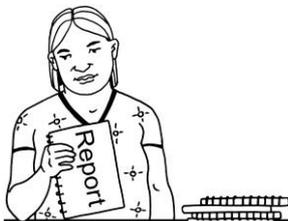


What is a tribunal?

The tribunal is made up of three people who do not work for the hospital.



The tribunal will have a meeting with you and the staff who know you.



Before the meeting the members of the tribunal will read reports written by your doctor, social worker and nurse.



The tribunal doctor will talk to you.



You can ask someone to go to the

meeting with you.



This could be a:

- solicitor
- family member
- friend
- advocate.

Help from an independent mental health advocate

You can ask an advocate for help. An advocate is a person not involved in your case who will help you:



- get information
- help you to understand your treatment
- help you tell your doctor or nurse how you are feeling
- talk to other people for you, on the Ward or in meetings



If you would like to speak to an advocate please tell your nurse.

Letting your nearest relative know



A copy of this leaflet will be given to the person the Mental Health Act says is your nearest relative.

Their name :

If you do not want this person to be sent this leaflet please tell your nurse.

Your letters



You can get letters while you are in hospital.

You can send letters to anyone except someone who has said they do not want to get letters from you.

How do I complain?



Speak to your nurse who will help you complain to the right person.



You can also write to the Care Quality Commission.



Your nurse will give you a leaflet explaining more.

If you are unhappy about our services...



Please tell a member of staff.



Freephone 0800 052 0219 or



Email tewv.pals@nhs.net.

Feedback

We'd like to know if you thought this information was



- good or bad
- if anything was missing you wanted to know
- if there was anything you didn't understand.



You can tell us by email.

tewv.communications@nhs.net

Please do not use these contact details to contact us about your care, instead use the contact details given to you by your care team.

Staff can find this information at:

T:\Patient and Carer Information\Trustwide

Service users and carers can also view this information on our website:

www.tewv.nhs.uk > About us > How we do it > Mental health act