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s.17 leave: Information for Carers



An information leaflet for friends and family on what to expect with Section 17 leave for people who are detained in hospital. Some of this information might also be useful for carers of people who are in hospital voluntarily.

What is s.17 leave?

When people are detained in hospital under the Mental Health Act 1983 (often known as 'being sectioned') the law requires them to stay in the hospital ward until the medical professional who is legally responsible for them (the 'Responsible Clinician') assesses that they are well enough to be discharged. For many people, having time away from the ward is an important part of their recovery journey.

Section 17 (s.17) of the Mental Health Act 1983 allows the Responsible Clinician to give permission for someone who is detained to have time away from the hospital ward. This is known as s.17 leave and could include activities such as:

- a walk around the hospital grounds
- a visit to the local shops
- going home for a few hours or days

This leave can either be:

- **escorted** (the person is accompanied by a family member, partner or friend (an 'unpaid carer') and/or a member of hospital staff) or
- **unescorted** (the person can leave hospital on their own)

There can be many reasons why leave has to be escorted, including providing practical and emotional support, managing risks, making sure that medication is taken, or seeing how the individual manages outside of the ward to help understand how their recovery is going.

This information leaflet explains s.17 leave for friends and family. It does not cover Community Treatment Orders (s.17a) or the special rules that apply for people who are covered by special restrictions under the Mental Health Act (such as s.37/s.41).

Who decides when someone is ready for s.17 leave?

The team on the ward will regularly discuss how ready someone is for s.17 leave. To decide this, they will think about:

1. how the person is on the ward – their mood, any symptoms they're experiencing and how they're acting
2. how their care plan is progressing
3. what risks, if any, they might pose to themselves or other people
4. whether it's time to see how the person copes outside the hospital as part of the plan to move them toward discharge from hospital
5. any s.17 leave they have already had and how this went

Depending on how the person is, leave may be suggested very soon after admission or it may not be available for quite some time.

If you have an important event like a birthday, wedding, funeral or religious celebration that you or the person detained in hospital wants to attend, you can ask whether s.17 leave can be arranged for this. Whether this can happen will depend on their mental health and wellbeing and cannot be guaranteed.

How long will the s.17 leave be for?

The length of the s.17 leave can change, depending how the person you care for is doing and what the leave is for. The Responsible Clinician will set an appropriate time limit for each period of leave, which could range from 30 minutes to staying away for a number of nights.

If you think that the time granted for leave is not right (either too short or too long) then you can speak to the ward staff about this. It may be possible to change the time granted for leave, but if not, the ward staff can explain why this is.

The time allowed for leave is a maximum and the person can return to the ward earlier than this if needed or wanted. For day leave, you can return at any point. For overnight leave or longer, if someone needs to return earlier than planned, please contact the ward as soon as possible to allow the ward team time to make any necessary arrangements for them to come back into hospital.

It is important that the person on leave returns to the hospital by the agreed time. If they are late, the ward may be concerned. However, you can also ask for extra time if needed – for example, if something you planned to do has taken longer than expected, if leave is going well and you want it to last longer, or if you are unexpectedly delayed in returning to the ward – and the ward will let you know if this is possible.

Where can you go and what can you do during s.17 leave?

Where you can go and what you can do with the person you care for during s.17 leave will depend on how much time you have and any limitations set by the Responsible Clinician. S.17 leave may be restricted to a specific place, such as the hospital grounds. Or you may be able to go home, but be asked to avoid certain places or activities. If there is somewhere specific you would like to go or something specific you would like to do you can check with the ward staff if this is allowed under the terms of the leave.

Once you know any restrictions, have a chat with the person you care for about your plans for the leave. The ward staff might be able to help with suitable suggestions, including what might be available local to the hospital. This may be especially helpful if you do not know the area well.



Involvement in planning the s.17 leave

S.17 leave can happen very quickly after the decision has been made to grant it. However, if the leave will be with you, then you should be involved in planning when and how the leave will take place. If this discussion does not happen and you are told when the leave is going to take place you can ask the ward staff to look for alternatives if this does not work for you (for example due to other commitments you have, such as work or childcare). You should also talk to ward staff if you have any concerns about the planned leave, so that these can be looked at before leave takes place.

Changes to s.17 leave at short notice

Unfortunately, there may be times when planned s.17 leave is changed at short notice. This may be due to a change in how the person is doing in hospital or staffing difficulties (especially where staff will be escorting the person during the leave). The staff should give you notice of changes to leave and any changes should be discussed and agreed with you before the leave starts.

What to do if you have any concerns during s.17 leave

Whether this is your first experience of s.17 leave or you have been involved many times before, you may experience difficulties. This could be things like:

- you see a change in behaviour that worries you
- you think the person you care for is becoming more unwell
- something happens (perhaps unexpectedly) that you don't know how to respond to

If you need support or advice during the leave, please telephone the ward staff. It is better to contact the ward for a chat about a concern rather than wait for a problem to develop which may lead to further distress for yourself or the person having leave.

For urgent concerns contact the ward as soon as you can for advice. In an emergency, and if necessary, contact the emergency services.

Feedback following the s.17 leave

It is important that ward staff know how the leave went to help inform care and treatment in hospital. It is useful to tell them about any concerns you had during the leave, what went well, any difficulties you experienced, or any help or support you need as an unpaid carer.

Ward staff should ask you for feedback following s.17 leave and should offer to speak to you in private in case you want to say something that might upset or worry the person you care for. If ward staff do not do this, you can ask them to telephone you or you can telephone them. If you have something urgent you need to tell the ward about what happened on leave, please speak to them as soon as possible.

Carer support services

If you feel you need some support, perhaps somebody to talk to about your own feelings and experiences about s.17 leave or more generally, the ward may be able to provide you with information about local carer support services. You may be entitled to support or services for yourself as a carer. You can find more information from Carers Trust (<https://carers.org/>) or Carers UK (<https://www.carersuk.org/>).

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