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STATUTORY INSTRUMENTS

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**2003 No. 2277**

**The Delayed Discharges (England) Regulations 2003**

**Notice of proposed discharge date**

**5.—(1)** A notice given by a responsible NHS body to a responsible authority under section 5(3) of the Act shall—

- (a) be given at least one day in advance of the proposed discharge date;
- (b) be given in written form; and
- (c) bear the date on which it is given.

(2) For the purposes of paragraph (1), a notice given “in written form” means in a manner which is in, or which is capable of being reproduced in, legible form.

(3) Such a notice shall contain the following information—

- (a) the name of the patient;
- (b) the name of the hospital in which the patient is being accommodated;
- (c) the name of the person at the hospital who is responsible for liaising with the social services authority in relation to the patient’s discharge from that hospital;
- (d) the date on which it is proposed that the patient be discharged;
- (e) a statement that the patient and, where appropriate, the carer has been informed of the date on which it is proposed the patient be discharged;
- (f) a statement that the notice is given under section 5(3) of the Act.

(4) Such a notice must be withdrawn if the responsible NHS body considers that it is no longer likely to be safe to discharge the patient from hospital on the proposed day, except where that is only because the responsible authority has not complied with its duties under section 4(2) of the Act or because the responsible authority has not made available for—

- (a) the patient a community care service which it decided under section 4(2)(b) of the Act to make available to him;
- (b) the patient’s carer a service which it decided under section 4(3)(b) of the Act to make available to the carer.