Information about Mental Health Act section 117
Aftercare services

May 2019

Some people who have been kept in hospital under the Mental Health Act can get free help and support after they leave hospital. The law that gives this right is section 117 of the Mental Health Act, and it is often referred to as 'section 117 aftercare'.

‘Aftercare’ is the help you will get in the community after you leave hospital. This can cover all kinds of things like healthcare, social care and supported accommodation.

Section 117 of the Mental Health Act says that aftercare services are services which are intended to:

- You are entitled to section 117 aftercare if you have been in hospital under section 3, 37, 45A, 47 or 48 of the Mental Health Act 1983.
- ‘After-care’ is the help and support you need to minimise the risk of you returning to hospital or relapsing as a result of your mental health.

- You should receive an assessment of your Health and Social Care ‘Aftercare’ needs prior to your discharge from hospital.
- Heath and Social Care teams have a statutory duty to assess your needs jointly; this means they may discuss your case to ensure that you get the right services at the right time.
- Section 117 means that you will not be charged for your ‘Aftercare’ services which have been identified when you are discharged from hospital.
- You may receive ‘Aftercare’ from NHS and/or Social Services.
- Your Aftercare should only stop when the services you receive from the NHS and/or Social Services are no longer needed to meet your assessed ‘Aftercare’ needs.
- You may still be entitled to receive NHS and Social Care services outside of your ‘Aftercare’ needs e.g. access to GP, other Community services, Community Mental Health Teams.
- Services for Social Care outside of ‘Aftercare’ needs are subject to the
Privacy notice

Hampshire County Council Adults’ Health and Care department and the NHS have a legal duty under section 117 of the Mental Health Act 1983 to jointly assess people and provide or arrange for the provision of aftercare services.

To assess you and provide or arrange aftercare services for you, Hampshire County Council Adults’ Health and Care department, your NHS Foundation Trust and West Hampshire Clinical Commissioning Group (CCG) need to share some information about you between themselves and, where applicable, with care providers. This will include sharing your personal details, such as name, date of birth, address and gender, as well as any information they may hold that is relevant to assessing your needs and providing you with the best service. The information to be shared will be discussed with you and may include sharing information about your medical history, mental or physical health, offending history, or sexual life, if it is relevant and necessary to your assessment or to meet your aftercare service needs.

Hampshire County Council and West Hampshire CCG will also use your information when evaluating and monitoring their performance in relation to making funding decisions.

The legal basis for collecting, sharing and using your personal information for joint assessment or arrangement or provision of aftercare services is the Mental Health Act 1983.

Each organisation will keep your personal information for the period specified in their retention policy.

You have some legal rights in respect of the personal information we collect from you. Please see our Your Information leaflet or our Data Protection web page for further details: www.hants.gov.uk/aboutthecouncil/strategiesplansandpolicies/dataprotection.

You can contact the County Council’s Data Protection Officer at: data.protection@hants.gov.uk.

If you have a concern about the way we are collecting or using your personal data, you should raise your concern with us in the first instance or directly to the Information Commissioner’s Office at: https://ico.org.uk/concerns/.

Problems or questions

If you have any problems or questions about aftercare services, talk to your Care Co-ordinator/Social Worker or your other contacts in the NHS or Social Services. An advocate might be able to help you do this.

Mental Health advocacy services in Hampshire are run by:

Hampshire Advocacy Services
Web: http://hampshireadvocacy.org.uk/mental-health
Email: info@hampshireadvocacy.org.uk.
Further information and advice

Mind – the mental health charity

Provides information on a range of topics including:

- types of mental health problems
- where to get help
- medication and alternative treatments
- advocacy.

Mind infoline: 0300 123 3393
Open 9am to 6pm, Monday to Friday (except for Bank Holidays)

Email: info@mind.org.uk
Text: 86463
Web: www.mind.org.uk/

Connect to Support Hampshire

Online information and directories of local and national services for Hampshire residents with care and support needs.

Web: www.ConnectToSupportHampshire.org.uk

Hampshire County Council Adults’ Health and Care

Tel: 0300 555 1386
Web: www.hants.gov.uk/adultsocialcare