

# Section 117 aftercare

## Introduction

### **This leaflet explains if you can get aftercare under section 117 of the Mental Health Act 1983.**

#### **Key points about section 117 aftercare services**

- 'Aftercare' means the help you get when you leave hospital
- Section 117 means that you will get free aftercare when you leave hospital for support or services linked to your mental disorder.
- Section 117 aftercare services are to help reduce the risk of you becoming unwell again and possibly needing re-admission to hospital.
- Your illness might affect you in different ways. Your aftercare will help you with your particular 'needs'. The NHS and social services will provide your section 117 aftercare services.
- You may get specialist housing, help to meet other people, help with work or education and free prescriptions for mental health medication.

## Who is entitled to section 117 aftercare?

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 and if you are placed on a Community Treatment Order (section 17A) after discharge from hospital.

You will not be entitled to free aftercare if you have only been in hospital under section 2, 4, 5 or 38 of the Mental Health Act 1983.

Aftercare services should help reduce the risk that you may need to be admitted to hospital again for treatment of your mental illness.

## What if I stay in hospital?

You might want to stay in hospital after you have been discharged from the Mental Health Act 1983 section 3, 37, 45A, 47 or 48. This is called being an 'informal' patient. If you don't leave hospital straight away, you will still get free aftercare when you do leave.

You will only start getting aftercare services when you leave hospital.

## What if I go back to hospital?

If you go back into hospital, your section 117 will not end. Some people worry that if they are detained in hospital under section 2 in the future, section 117 aftercare will end. This will not happen. They may be reviewed and tailored to reduce further admissions to hospital.

## How is section 117 aftercare started?

Planning for your aftercare should start very soon after your admission to hospital so that all the arrangements are in place for your care and support when you are discharged.

A section 117 planning meeting will be arranged involving you and your family or carer (if you would like them to be there), and the team that have supported you on the ward together with your named practitioner.

If you would find it helpful, an Independent Mental Health Advocate can be involved in the meeting to help ensure that you are able to express your views about what is important to you in your recovery.

A care plan will be drawn up describing the support you will receive and any services to be provided and who is responsible for them. A copy of the care plan will be offered to you and your family or carers.

The NHS and social services have a legal duty to commission any aftercare services. The people identified as responsible for each service at the planning meeting have the duty of ensuring that the care plan is in place by the time you are discharged from hospital.

Following discharge, the care plan will be implemented by the organisations involved in providing the support.

## When will my section 117 aftercare end?

Your aftercare should only stop when you no longer need the services related to your mental disorder. This can happen if your needs change and they relate to your physical health rather than your mental health.

The NHS and social services have to give you aftercare as long as you need it. Even if you are doing well outside of hospital, you may still need aftercare services to make sure you stay well. Ending section 117 is called being 'discharged' from section 117. The NHS Clinical Commissioning Group (CCG) and Local Authority social services responsible for your aftercare must both decide that you no longer need any aftercare services. They must not discharge you from section 117 when you are still receiving the services you need.

Section 117 aftercare must be reviewed regularly at section 117 review meetings to ensure that this meets your needs. You will be invited to review meetings and you can bring a carer or family member if you want.

## Section 117 aftercare does not necessarily end when:

- You have been discharged from specialist mental health services, such as a community mental health team
- A certain length of time has passed since you left hospital
- You go back to hospital voluntarily or under Section 2
- Your Community Treatment Order ends
- You refuse aftercare services.

## What might be included?

The aim of section 117 is to provide aftercare services that “meet a need arising from or related to the patient’s mental disorder and [reduce] the risk of a deterioration of the patient’s mental condition...” (Mental Health Act 1983: Code of Practice, 2015, paragraph 33.3).

Aftercare services and needs should be considered broadly, including consideration of:

- Healthcare
- Social care
- Medication
- Assistance with employment opportunities
- Supported or independent accommodation
- Any other support required to meet any social, cultural and spiritual needs.

Services may be provided by means of a Direct Payment or Personal Health Budget.

## Further Information

What if I have problems with section 117?

If you have a problem with section 117, you should talk to your Named Practitioner. If you do not have a Named Practitioner, talk to your main contacts in the NHS and Social Services.

### Advocacy

If you need support, advocates can help you to get your point across:

If you are detained under the Mental Health Act 1983 or subject to a Community Treatment Order (CTO) you can get help from an Independent Mental Health Advocate (IMHA) by contacting 01905 27525 or emailing [accesshub@onside-advocacy.co.uk](mailto:accesshub@onside-advocacy.co.uk)

If you are not eligible for an IMHA, help may be available from Onside Advocacy who can also be contacted on 01905 27525 or emailing [accesshub@onside-advocacy.co.uk](mailto:accesshub@onside-advocacy.co.uk)

### Complaints

If there still remain unresolved issues or you are unhappy with your care you can contact the Patient Advice and Liaison Service, and if you wish make a formal complaint. If you are not happy with the outcome of your complaint it may be possible to complain to the Health Service Ombudsman whose role is to make final decisions on complaints that have not been resolved by the NHS in England. This is a free and impartial service.

If you have any further questions, including around eligibility, contact the Patient Relations Team using the details below:

### Patient Relations Team

Herefordshire & Worcestershire Health and Care NHS Trust  
2 King's Court  
Charles Hastings Way  
Worcester, WR5 1JR  
telephone: 01905 681517  
email: [WHCNHS.PALS@nhs.net](mailto:WHCNHS.PALS@nhs.net)

Health Service Ombudsman helpline: 0345 0154033

## Your feedback

If you would like to know more about us, need information in a different language or format or have a concern, compliment or complaint, then please contact our Patient Relations Team:

Patient Relations Team  
Herefordshire & Worcestershire Health and Care NHS Trust  
2 King's Court  
Charles Hastings Way  
Worcester, WR5 1JR  
telephone: 01905 681517  
email: WHCNHS.PALS@nhs.net

You will also find useful information about our services and issues related to mental health and wellbeing on our website [www.hacw.nhs.uk](http://www.hacw.nhs.uk)