

FOI 0269/2023 Response

There is a requirement for a record to be maintained of people who receive aftercare and services they are provided with under s117 MHA

1. Can you confirm where this record is kept and what programme you use if this is stored electronically?

The Code of practice (CoP) is clear that it is the Local Authorities or the Integrated Care System (formerly known as Clinical Commissioning Groups) who are responsible for maintaining a record of s117.

However, we do have a register which captures s117 on a simple spreadsheet. This is held by the Mental Health Legislation Act Department and is reliant on the care co-ordinator informing the Mental Health Legislation office of any changes and updates.

2. Please provide details of which department and/or organisation is responsible for creating, updating, and maintaining this record? (This could be NHS Trust, Integrated Care Board or Health commissioner or the Local Authority)

Please see the response provided for question 1.

3. Please can provide us with a copy of the structure of your Mental Health Act Office/Mental Capacity Act Office or Liberty Protection Safeguards or Equivalent Offices?

Please see the attachment titled Current MHLA Provision.

4. Please can you supply us with all their job descriptions for staff that work in these offices?

Please see attachment titled Mental Health Legislation Administrator JD and Mental Health Legislation assistance JD and note that an exemption Section 40 of the Freedom of Information Act 2000 has been applied to the document.

This therefore means that staff members names have been redacted from the document as we do not routinely release staff members personal information.