

Our Ref: FOI 2742

Your ref: xxxxxxxxxxxxxxxxxxxxxxxx@xxxxxxxxxxxxxxxx.xxx

Date: 17 March 2009

Linda Burnip
whatdotheyknow.com

Dear Ms Burnip

Freedom of Information Act 2000 – Request for Information

I am writing in respect of your recent enquiry for information held by the Authority under the provisions of the Freedom of Information Act 2000. Please find the information you have requested enclosed.

Whilst we have undertaken a thorough search of the information held by Birmingham City Council, it may be that, due to the size and amount of information held by Birmingham City Council, some information has been inadvertently missed. If you have any information which may assist us in determining or locating any missed information, we would be grateful if you would contact us with details of this information, so that we can make a further search.

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If you are not satisfied with the decision, you may ask for an internal review. Please contact Birmingham City Council's central FOI Team at this address:

Information Governance Team,
1st Floor, 1 Lancaster Circus, Birmingham B4 7AB
Tel: 0121 303 1909 email: xxxxxxxxxxx@xxxxxxxxxxx.xxx.xx

In addition if you are not satisfied with the Council's decision you may apply to the Information Commissioner for an independent review at this address:

The Information Commissioner
Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF
Tel: 01625 545700 Web: www.ico.gov.uk

Yours sincerely

Philip Wilson
Freedom of Information Officer

Please reply to:

Adults and Communities

Level 6
Louisa Ryland House
44 Newhall Street
Birmingham B3 3PL

Telephone : 0121 303 9462
Facsimile : 0121 303 2769

www.birmingham.gov.uk/adults

Peter Hay, Strategic Director, Adults and Communities

1 What proportion of the adult social care budget is spent keeping people in residential care.

From analysing 2007/08 outturn 34% of the Adults Social Care budget was spent on residential care

2 What proportion of the adult social care budget is spent on the provision of care in the community.

From analysing 2007/08 outturn 15% of the budget was on care in the community [Home Support]

3 Why can some people in Birmingham still not get Direct Payments for care and how many people does this applies to?

The Directorate's procedures are very clear that "there is a legal duty to offer direct payments to all individuals who are potentially eligible to receive them".

Copies of the explanatory leaflets about Direct Payments are available on the Council's website at www.birmingham.gov.uk/adults on the Public Information pages.

The Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2003 exclude people who are subject to certain mental health or criminal justice legislation from receiving direct payments. Also Direct Payments are not available for people who have received compensation to pay for their care and where the Court of Protection does not administer that compensation. People with such compensation should use it to arrange and pay for their own services.

All service users who are eligible for services are given information about the Direct Payments process where that care service falls within the permitted areas. For example, Direct Payments cannot be used to purchase occupational therapy equipment or adaptations, long stay care in a care home or services or equipment arranged by other statutory bodies.

People living in care homes and care homes with nursing can have Direct Payments to try out independent living arrangements before making a commitment to moving out of the care home. They can also be used by people living in care homes and care homes with nursing to buy a day service place or engage in an alternative daytime activity.

Therefore there should be no cases of service users who do not receive Direct Payments for eligible services when they have requested it. If you have evidence of any such cases, please submit that to the Directorate so that the individual cases can be investigated.