

Freedom of Information Act 2000 (FOIA)

Decision notice

Date: 20 December 2024

Public Authority: Birmingham City Council

Address: Council House
Victoria Square
Birmingham
B1 1BB

1. Request:

The complainant requested the following information from Birmingham City Council on 28 August 2024:

“Please note that we assume that much of the information requested will be included as part of the information provided in response to requests 1 and 2, and we do not anticipate that the statutory costs threshold will be reached. However, we have set out a number of further requests for specific information some or all of which will be relevant to the extent that that assumption is incorrect. If you intend to refuse to provide the information requested on the ground of the costs of doing so, please would you provide responses until, on your calculation, the costs limit has been reached in the following order of priority 1, 2, 10, 6, 3, 4, 5, 7, 8, 9.

Page 13 of Annex 1 to the Report under Section 25 of the Local Government Act 2003 made to Birmingham City Council on 5 March 2024 said:

Each of the new savings proposals has a detailed Delivery Plan and where necessary an Equality Impact Assessment, both of which have received significant review in the development stage. These Delivery Plans will be subject to continuous monitoring, and should be challenged by Members to ensure delivery is achieved.

One of the savings proposals (which were presented to the Council at its meeting on 5 March) was as follows:

"125. Review Care Packages to reflect a strength-based approach whilst still meeting assessed needs."

We will refer to this in what follows as the Care Packages Savings Proposal.

1. Please provide a copy of the Delivery Plan for the Care Packages Savings Proposal which was in place as at 5 March 2024 and, if that Plan has been amended at any point since, please provide a copy of each amended version and its date of production, and include the current version.
2. We note that the extract from the Report referenced above said that each Delivery Plan would be subject to continuous monitoring. Please provide:
 - 2.1 a copy of the document which sets out the fullest detail of the monitoring process which has been applied to the Care Packages Savings Proposal since its implementation.
 - 2.2 a copy of the record or records of the monitoring of the implementation of Care Packages Savings Proposal since its implementation;
 - 2.3 a copy of each report on such monitoring to members whether that has been to all members or an individual member or a subgroup of members.
- 3.1 As at 5 March 2024, how many adults were known or, if not known, were estimated to be in receipt of care packages and how many care packages were to be subject to a review for the purpose of the implementation of the Care Packages Savings Proposal between 1 April 2024 and 31 March 2025 and how many between 1 April 2025 and 31 March 2026? Please provide a copy of the documentary material setting this out.
- 3.2 Have these figures changed at any point since 5 March 2024? Please provide a copy of the documentary material setting this out.
- 3.3 How many care packages have been reviewed to date for the purpose of implementation of the Care Packages Savings Proposal? Please provide a copy of the documentary material setting this out.
- 4.1 As at 5 March 2024, how many and/or what percentage of the care package reviews to be undertaken for the purpose of implementing this Proposal was it anticipated would lead to:

- (a) a reduction in the cost of the care package in each period 2024/25 and 2025/26,
- (b) an increase in the cost of the care package again in each of these two periods, and
- (c) no change in the cost of the care package in each of these two periods? Please provide a copy of the documentary material setting this out.
- 4.2 Have these figures changed at any point since? Please provide a copy of the documentary material setting this out.
- 4.3 How many care packages that have been reviewed to date for the purpose of implementation of the Care Packages Savings Proposal have led to:
- (a) reduction in the cost of the care package;
- (b) an increase in the cost of the care package; and
- (c) no change in the cost of the care package?
- Please provide a copy of the documentary material setting this out.
- 4.4 How many of those to date whose care package has been subject to a reduction in costs as a result of the Care Packages Savings Proposal review have raised concerns about the decision made? Please specify how many have done so:
- (a) by formal complaint
- (b) in legal correspondence
- (c) in some other way.
- Please provide a copy of the documentary material setting this out.
- 4.5 What total savings have been made to date as a result of the implementation of the Care Packages Savings Proposal?
- Please provide a copy of the documentary material setting this out.
- 5.1 How many staffing hours have been allocated to deliver the reviews being undertaken in the implementation of the Care Packages Savings Proposal between 1 April 2024 and 31 March 2025 and between 1 April 2025 to 31 March 2026? Please provide a copy of the documentary material setting this out.
- 5.2 What proportion of these staffing hours are to be provided by
- (a) temporary and (b) agency staff?

- 6 Please provide a copy of all material that is being used to provide to staff information, guidance and/or training about the Care Packages Savings Proposal and its implementation. Please specify for each item of material the intended staff audience. By staff we mean all staff in any role and not only permanent employees but also agency staff, temporary staff etc.
- 7 What is the decision-making process being used for the purpose of a final determination of the outcome of a care package review undertaken for the purpose of the Care Packages Review Proposal? Please provide a copy of the documentary material setting this out.
- 8 What quality assurance processes are in place in relation to the implementation of the Care Packages Savings Proposal (a) for an individual case and (b) for the process as a whole? Please provide a copy of the documentary material setting this out.
- 9 How is the impact on those being subject to a Care Package Savings Proposal review being monitored? Please provide a copy of the documentary material setting this out.
- 10.1 How were the original anticipated savings in 2024/25 and 2025/26 (as presented to Full Council on 5 March 2024 i.e. 5.687m 10.187m respectively) from the implementation of the Care Package Savings Proposal calculated? Please provide a copy of the documentary material setting this out.
- 10.2 Have those figures since been revised? If so, please provide the revised figures on each revision and how they were calculated. Please provide a copy of the documentary material setting this out.
- 10.3 Please provide a copy of all policies developed for the purpose of supporting delivery of this proposal and its associated savings.

2. Commissioner's Decision:

A public authority will breach section 10 of FOIA if it fails to respond to a request within 20 working days. Based on evidence available to the Commissioner, by the date of this notice the public authority has not issued a substantive response to this request. Therefore, the Commissioner finds a breach of section 10.

3. Steps:

The public authority must provide a substantive response to the request in accordance with its obligations under FOIA.

The public authority must take this step within 30 calendar days of the date of this decision notice. Failure to comply may result in the Commissioner making written certification of this fact to the High Court pursuant to section 54 of FOIA and may be dealt with as a contempt of court.

4. Right of Appeal:

Either party has the right to appeal against this decision notice to the First-tier Tribunal (Information Rights). Information about the appeals process may be obtained from:

First-tier Tribunal (Information Rights)
GRC & GRP Tribunals,
PO Box 9300,
LEICESTER,
LE1 8DJ

Tel: 0203 936 8963

Fax: 0870 739 5836

Email: grc@justice.gov.uk

Website: www.justice.gov.uk/tribunals/general-regulatory-chamber

Any Notice of Appeal should be served on the Tribunal within 28 (calendar) days of the date on which this decision notice is sent.

**Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF**