



My Ref: FOI/4410
Your Ref:
Date: 19/05/2025
Enquiries to: Information Requests
E-Mail: informationrequests@barnsley.gov.uk

Dear Requester,

Re: Request for Information – Freedom of Information Act 2000

I wish to confirm that the council has completed its search for the information which you requested.

The information requested and our findings are as follows: -

Your questions and my findings are as follows:-

Your questions and my findings are below:-

With regard to supported living clients, who have care and support delivered to them in their own homes occupied under tenancies signed by either them or their authorised representatives or by administrative order from the Court of Protection, what percentage receives their budget via a direct payment, directly or indirectly under sections 31 or 32 of the Care Act, as opposed to receiving a commissioned service?

We have three service users on Direct payments. This represents 0.5% in total as of 30th May 2025.

Do you provide any general advice or information to those interested in the welfare of people for whom supported living is regarded as an appropriate way of meeting their needs, about the possibility of receiving their budget via a direct payment? Please link us to it if so.

This is captured and discussed as part of the Care Act assessment , or review where required.

Does your council have any kind of a policy or practice whereby people who are tenants in supported living, whether it counts or not as 'specified' accommodation, are not permitted to receive their budget by way of a direct payment?

No

In an individual's situation if he, she, they or their advocate or informal supporter were to enquire about the possibility of their having a direct payment for their budget in supported living, how would the care plan/budget sign-off officer or officers approach that question with regard to the fact that one is allowed to

refuse a direct payment on the basis that it is not an appropriate way of meeting a need?

All queries are covered as part of care and support planning, and how best to meet eligible Adult Social Care needs. This may include Direct Payment, as long as Terms and Conditions can be adhered to.

In supported living households where you make a contract for the meeting of needs of the people sharing the house with one care provider, how do you achieve compliance with s25(11) of the Care Act if the occupants or any one of them does not have sufficient mental capacity to consent to sharing their care plans and the budgets required to meet each person's individual needs? Please provide a prose answer if none of the following apply:

a) you believe you can make a best interests decision as the council responsible for meeting the needs and that that is sufficient to comply with the very specific contents of that particular section?

Yes, and compliance with S25 (3c) is also adhered to, whereby any person interested in the person's welfare is involved in preparation of the care and support plan, whether they have registered LPA/Deputyship or not.

b) you believe that the consent of people's best interests consultees is sufficient to comply with that section?

As above

c) you believe that a registered finance and property power of attorney or deputyship is sufficient to comply with that section?

As above

d) you believe that only a registered welfare power of attorney or deputyship is sufficient to comply with that section?

As above

If you have any queries about this letter, please contact Information Requests via email.

Please remember to quote the reference number above in any future communications.

If you are unhappy with the way the Directorate has handled your request, you may ask for an internal review. Please clearly mark your correspondence 'Complaint' and address it to:

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PO Box 634, Barnsley, South Yorkshire S70 9GG

Barnsley MBC
Information Requests Team
PO Box 634
Barnsley
S70 9GG
email: informationrequests@barnsley.gov.uk

If you are not content with the outcome of the internal review, you have the right to apply directly to the Information Commissioner for a decision. The Information Commissioner can be contacted at: -

Customer Services Team
Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Email: <http://www.ico.org.uk/foicomplaints>

Kind regards,

Information Requests Team, Barnsley MBC

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