



Our ref: 78454115
11 November 2025



Thank you for the Freedom of Information Request you have made. I can confirm that the information you have requested is held by the Trust and our response is detailed below.

Under the Freedom of Information Act 2000, I would like to find out from the Local Authority's social services department how many legal court orders and informal contract agreements they have imposed that restrict visitation rights on families of a protected party.

Please answer the following questions:

- 1) "How many applications to the Court of Protection have you made per year, in the past five years (1st April 2020 to 31st March 2025), asking the court to impose contact restrictions on family members of a protected party?"**

The Trust have never asked a court to impose restrictions on contact with family in the applications we have made.

Please note that apart from Question 2(d) these questions are more relevant in terms of Adults Services and this request has been shared with Adults Services who will respond under separate cover.

If possible, could this be broken down by category of mental impairment:

- a) a protected party with learning disabilities and autism who may lack the capacity to make decisions about contact with family**

n/a

- b) a protected party living with dementia who may lack the capacity to make decisions about contact with family**

n/a

- c) **a protected party living with a mental impairment other than a) or b) who may lack the capacity to make decisions about contact with family**

n/a

- d) **To clarify, we are interested in the number of applications made, not the number of people per application.
If you are unable to provide details of applications asking the court to impose contact restrictions for the category of family members, please provide details for all applications asking the court to impose contact restrictions between a protected party and a person(s)"**

n/a

- 2) **How many 'working together agreements' (or your equivalent contract which outlines visitation rights for families who have relatives in care, sometimes called 'contract of expectations' or 'family contracts') the local authority made per year, in the past 5 years, (1st April 2020 to 31 March 2025) specifying contact agreements with family members of a protected party?**

If possible, could this be broken down by category of mental impairment:

- a) **a protected party adult with learning disabilities and autism who may lack the capacity to make decisions about contact with family**
- b) **a protected party adult living with dementia who may lack the capacity to make decisions about contact with family**
- c) **a protected party adult living with a mental impairment other than a) or b) who may lack the capacity to make decisions about contact with family**

The questions above are only relevant in terms of Adults Services who will respond under separate cover.

- d) **a child with learning disabilities and autism who may lack the capacity to make decisions about contact with family.**

There are 2400 children in care in the trust, of which 75% approximately would have a written Family time agreement. However, without an individual review of each child's record we would not be able to isolate the number of children with disabilities.

I can confirm that the Trust has kept a manual record (i.e. outside of case management systems).

From undertaking a sampling exercise in respect to similar FoI requests in the past, we estimate that it takes approximately 10 minutes to locate the file and locate specific information contained in the file, dependent on the size and complexity of the file.

The Freedom of Information Act 2000 (the Act) requires us to comply with a request, unless it would be too expensive to do so. Under s.12 (Cost of compliance exceeds appropriate limit) of the Act, the cost limit for the Trust is £450 i.e. 18 hours at the rate of £25 per person per hour.

The cost limit allows us to consider when estimating the cost of complying with a request, time spent determining whether we hold the information requested; identifying, locating and retrieving it and extracting the information from the relevant documents.

In order for us to answer this question, there are 1800 records to review and we estimate that each one would take 10 minutes to review which would take 300 hours. We are therefore unable to process your request as to do so would exceed the cost limit as set out in s.12 of the Act.

In cases where the time involved in dealing with requests for information would exceed 18 hours, the Trust normally offers individuals the option to pay for the additional work over and above 18 hours, at a subsidised rate of £25 per hour. However, where the resources involved in dealing with a request would have detrimental impact on the Trust's ability to provide its core services, the Trust is entitled not provide this option, and accordingly, refuse the request outright.

In this case due to the amount of work and resources required to comply with this element of your request, the Trust is of the view that the resources involved in responding to your request, even if you were to pay the subsidised statutory rate of £25.00 per hour, would interfere significantly with the Trust's ability to provide its core services, as such, the Trust considers that it is appropriate to refuse this part of the request on the basis of Section 12 of the Act.

Please quote the reference number **78454115** in any future communications.

If you are dissatisfied with our response to your request, you have the right to ask

for an internal review. Internal review requests should be submitted within 40 working days from the date this authority issued its initial response. Please outline which part of the response you are not happy with setting out your reasons. This request should be addressed to:

Corporate Information Governance Team
PO Box 16366
Birmingham
B2 2YY
Email: infogovernance@birmingham.gov.uk

If you are still dissatisfied with the Birmingham Children's Trust's response after the internal review you have a right of appeal to the Information Commissioner at:

The Information Commissioner's Office

Website: www.ico.org.uk

I will now close your request as of this date.

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Disclosure Officer

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