

PROTECTION OF PROPERTY

Under what circumstances does Birmingham City Council arrange to protect property?

Birmingham City Council has a statutory duty to arrange the protection of property where there is no one willing or able to arrange this.

The Council has a legal obligation to protect property under certain circumstances with the owner's permission.



When does the Council protect property?

When there is no one else willing or able, the team will protect client's property under section 47 of the Care Act 2014 (formally, section 48 of the National Assistance Act 1948).

Birmingham City Council has a statutory duty to protect residential property under certain circumstances. Protection includes safeguarding moveable property in the home when the owner has to go into hospital or a care home/care home with nursing or is made the subject of a Place of Safety order. The City Council must be clear that the property is at risk or in danger and that no other person is able to act.

Buildings can be secured, which means taking reasonable steps such as locking doors and shutting windows. If valuables such as cash, jewellery, or antiques have been left in a property, or pets have been left alone, then further action may be necessary. Permission from the owner must be sought to enter the property, except where the person is unable to give it due to reasons of ill-health, i.e. the lack of capacity to make a decision.

The usual practice is for a member of the Funerals and Protection of Property Team and a Social Worker to enter the premises and carry out any action necessary to protect property, ensuring that the owner's best interests are met.

Who qualifies for this service and is there a charge?

The person must be in hospital, a care home/care home with nursing, or on a Place of Safety in order to qualify for the service.

There is no initial charge for the service, except where repairs or locks have to be fitted, or repairs are needed to keep the property safe and secure. Garden maintenance work to front gardens may also be done at the Council's discretion. In such circumstances the owner will be assessed to determine whether they will pay for any work carried out. There will be a monthly administration charge after an initial one month period if the property is still under our protection at this time.

The Council has a duty to recover expenses where possible in order to minimise costs to the taxpayer.

What if I do not agree with how the Council have acted in relation to protection in relation to the protection of your property?

You can write to:

**Service Manager
Funerals and Protection of Property
PO Box 16519
Birmingham
B2 2FJ**

More Information

Funerals and Protection of Property Team

PO Box 16519

Birmingham

B2 2FJ

phone: 0121 675 7129

email: fpp@birmingham.gov.uk

You may also find additional information from the following organisations:

Age UK

www.ageuk.org.uk

phone: 0800 169 6565

hone: 0121 706 4040

Citizens Advice Bureau

www.citizensadvice.org.uk

phone: 0808 27 87 97 6 (Solihull)

0344 477 1010 (Birmingham)

Department for Work and Pensions

www.dwp.gov.uk

phone: 0800 169 0140

The Pension Service

www.thepensionservice.gov.uk/pensioncredit

phone: 0800 991 234

Your right to be heard

If you have any comments, compliments or complaints, please contact:

Adult Social Care Directorate

phone: 0121 303 1234

If you have a hearing impairment you can contact us by using the text relay service. Details of this service can be found on the Text Relay website:www.relayuk.bt.com/ email: CSAdultSocialCare@birmingham.gov.uk

Birmingham City Council Switchboard

phone: 0121 303 9944

