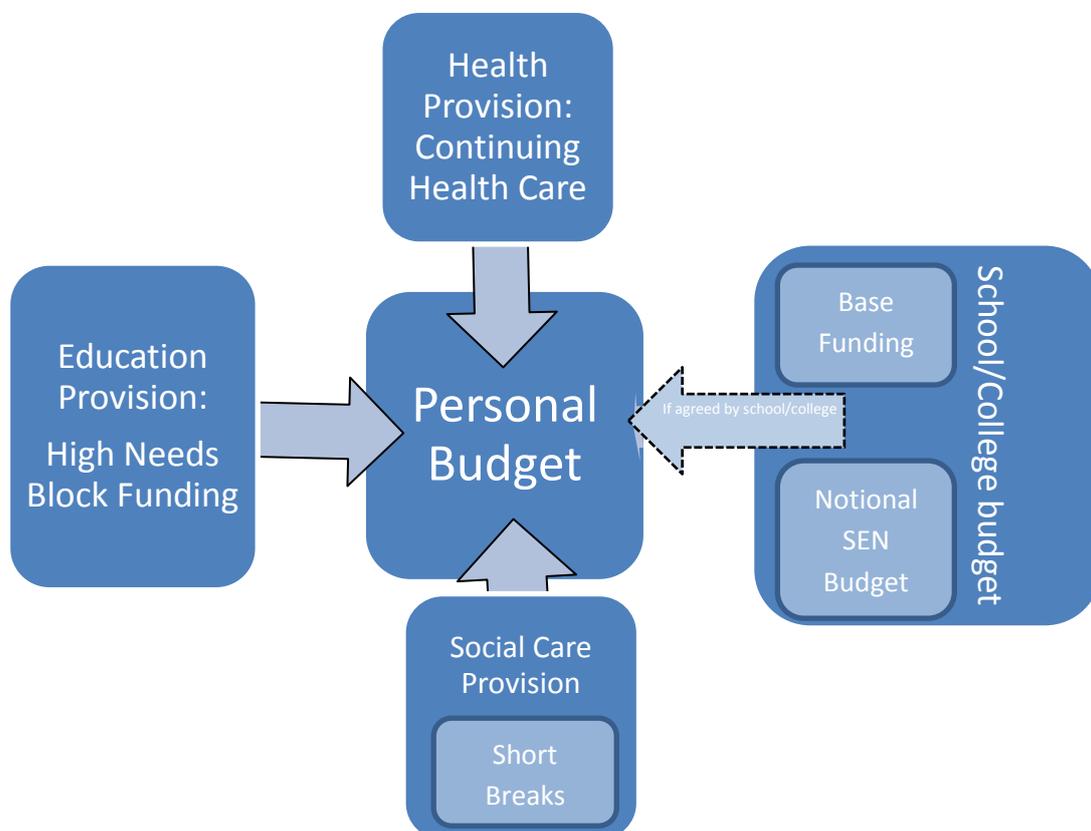


## Halton Guidance on Personal Budgets for Children with Special Educational Needs and Disability – (September 2014)

A Personal Budget is an amount of money identified by the local authority to deliver provision set out in an Education Health and Care Plan where the parent or young person is involved in securing that provision.

Young people and parents of children who have EHC plans have the right to request a Personal Budget, which may contain elements of education, social care and health funding (*Special Educational Needs and Disability Code of Practice 0 to 25 years – July 2014*). Whilst the EHC is being developed there will be discussions with the family on the support and provision available for a child and a young person and which funding may be available for a personal budget. During these discussion it may be necessary to make a referral or and adopt a collaborative approach with other services such as the Disabled Children Service of Social Care. Through this process the resources required will be identified.

The diagram below summarises the Halton Local Offer for Personal Budgets. Each Education, Health and Care Plan will take into account these funding streams, if a child or young person is eligible. A joined up outcomes focussed plan will detail how this money will be spent to meet the outcomes agreed on the EHC Plan.



## **Health Provision – Continuing Care**

There are a small number of children and young people who do need additional support from Health because they have a complex, long-term and/or life limiting condition. This might include children who cannot breathe without support or who have severe epilepsy which is not controlled by medication, or who have significant health need which means that someone has to be with them all the time to keep them as healthy as they can be.

Children in this situation are referred to as having ‘continuing care needs’ and may have had a “continuing care assessment”. This assessment helps decide which additional services they need. Where such services and additional needs are in place these will be included in the EHC Plan and the family will know how much money is available from Health to meet the needs identified.

**Children who have a service provided because they have a continuing care need have the right to have this provided as a Personal Budget and direct payment from October 2014. Criteria is being finalised.**

**School and College** – Schools and Colleges will remain in charge of their budgets and families will not be able to access a budget to pay for something the school or college already provides. However, they will be encouraged to personalise the support they provide and can choose to contribute their own funding to a Personal Budget (this will usually be an organised arrangements managed by the setting). Where support or service is to be used in a school the Headteacher of the school must agree.

## **Social Care**

Some children with special needs or a disability do access support from social care. These will usually be families who have a disabled child, or children, with more complex needs or living in more difficult family circumstances who may need a larger package of support from different services. Therefore, it may be more appropriate to have involvement from a Social Worker.

For example, a family who have a child who has complex care needs who requires constant support in the day and throughout the night may require a more robust support service. This might be provided by the Council who use a number of agencies to provide support within family homes or in the community.

Within Adult Services, Self-Directed Support is a way for people who are eligible for funding from adult social care to get the support they need. Following a social care assessment people will be told how much is available to meet eligible support needs and this is called a Personal Budget. There is a Support Plan where eligible assessed Community Care needs are identified and the detail of how these will be met will be clearly written. Personal Budgets can only be approved if the information on exactly how it will be used is written down in the Support Plan and if the financial cost does not exceed the agreed budget.

A Personal Budget can be used to support any identified need which is written down in your Support Plan, but cannot be used for anything that falls outside of your agreed plan and does not directly contribute to meeting your assessed need. There are a few options for you to choose from to manage your Personal Budget including a services purchased by the Council on your behalf, a Direct Payment or a mixture of both.

### **Short Breaks (0 – 18 years)**

**Short Breaks is available for a personal budget and direct payment.**

In Halton personal budgets will be available for children and their families who are entitled to a short break. Halton Borough Council offers a range of Short Breaks and support services for disabled children and their families. These are arranged through Halton's Disabled Children Service located in the Early Help Service within Children and Family Services.

Some Short Break services are available without an additional assessment if your child has had a previous assessment that confirms their disability and need for additional support. Other Short Breaks Services, such as, specialist after school clubs and play activities, are available for those disabled children who have more complex needs. They will usually have already been through an assessment process such as a Common Assessment Framework (CAF), Education Health and Care Plan or Social Work assessment that has identified their need for a short break.

Some families prefer to organise their own short break service and can do so through a Personal Budget. In Halton, we use a Short Breaks Support Document to assess the amount of support a disabled child or young person may require to enjoy a short break experience. Once completed it produces an indicative score that will represent the level of short break service that may be appropriate to meet the family's needs. This can be used to access an existing service, a Personal Budget or a combination of the two.

In Halton, we have 2 different types of budget available, one which can be used to employ a Personal Assistant in cases where it is assessed that the disabled young person requires individual support and the second which can be used to pay for community activities e.g. music lessons, sporting events, group activities.

In all cases, a short break support plan is completed that will detail the type of support that is to be provided to meet the child and family's identified needs. This is reviewed to update the plan as necessary.

**Education Provision** – High needs block funding is available as a personal budget if an EHC Plan has been agreed following an EHC needs assessment or a conversion from a statement of SEN/Learning Disability Assessment or through Statutory Review of an EHC Plan. The money used to pay for this is referred to as "High Needs Block" funding and is usually paid by the Council to the school or college.

## **Mechanisms for delivering a Personal Budget**

There are four ways in which the child's parent and/or the young person can be involved in securing provision:

- Direct payments – where individuals receive the cash to contract, purchase and manage services themselves;
- An arrangement – whereby the local authority, school or college holds the funds and commissions the support specified in the plan (these are sometimes called notional budgets);
- Third party arrangements – where funds (direct payments) are paid to and managed by an individual or organisation on behalf of the child's parent or the young person;
- A combination of the above.

### **Direct Payments**

For both education and social care the local authority **must** be satisfied that the person who receives the direct payments will use them in an appropriate way that they will act in the best interests of the child or young person.

Regulations governing the use of the direct payments for special educational provision place a number of additional requirements on both local authorities and parents before a direct payment can be agreed. These include requirements to consider the impact on other service users and value for money and to seek agreement from educational establishments where a service funded by a direct payment is delivered on their premises.

*(Relevant Legislation: Section 49 of the Children and Families Act 2014, the Special Educational Needs (Personal Budgets) Regulations 2014, the Community Care, services for Carers and Children's Services (Direct Payments) Regulations 2009 (the 2009 regulations will be replaced by those made under the Care Act 2014), and the National Health Service (Direct Payments) Regulations 2013)*