Barking and Dagenham
Personal Budgets Policy

Revised 2018
Personal Budgets Policy

For children and young people with special educational needs and disabilities (SEND) the Local Authority (LA) can, in certain circumstances, be required to identify a Personal Budget. Personal budgets can be used in all education settings including schools and further education colleges.

Personal budgets are designed to give families more choice and control over the services and support they need. They are not a mechanism for acquiring additional sources of funding, but for using the funding that is available more effectively and, in a way, that suits the family or individual involved.

Definition

A personal budget is an amount of money identified by the LA that can be used to deliver all or some of the provision set out in an Education Health and Care Plan (EHCP).

There are three different types of personal budgets:

1. **A personal social care budget** – this refers to the budget that is made available, if a child or young person is assessed as needing additional and individual support at home and when active in the community. It might, for instance, be used for short breaks, activities in the home or for personal care. The legislation about social care personal budgets means that they are in the form of direct payments.

2. **A personal health budget** – this refers to the budget that will be made available should a child or young person have a complex, long-term and / or life limiting condition. It may also be available, for example, to help with equipment or other health services, or for training family members to know how to give health medication or health support. They are the responsibility of the clinical commissioning group (CCG) or other health commissioning bodies.

3. **A personal SEN budget** – refers to a sum of money made available to meet the child or young person’s additional learning support needs. It cannot be used to fund a school or college place. Personal budgets for education only exist in the context of children and young people who have an EHC Plan.

A personal budget enables the individual to have a choice and control over who provides help and support.
**When can a personal budget be applied for?**

A personal budget can be applied for at two specific times:

1. During the EHC Assessment Process
2. When the EHC Plan is being reviewed, i.e. during the ‘Annual Review’

**How can a Personal Budget be delivered?**

There are four ways in which the parents or young person can be involved in securing provision:

- **Direct Payments** – where individuals receive the money to contact, purchase and manage services themselves
- **An arrangement** – whereby the LA, school or college holds the funds and commissions the support specified in the plan (sometimes called notional budgets)
- **Third party arrangements** - where funded (direct payments) can be paid to and in some circumstances managed by an individual or organisation on behalf of the parents or young person.
- A combination of the above.

**Services eligible for Personal Budgets in Barking and Dagenham**

- Transport to and from School or College (Education)
- Continued Health Care Funding (Health)
- Short Breaks (Social Care)

**Direct Payments**

Parents or young people can also request that the LA arranges a direct payment to them instead of the LA arranging specific provision. This can be a payment of money to the parent or young person instead of the LA arranging for the provision to be made and delivered.

If the provision or service funded by a direct payment takes place in an early years setting, school or a further education setting the LA must seek the consent of the Manager, Head Teacher or Principal of the named setting.

**When can a personal budget be refused?**

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In certain circumstances, the LA can refuse to identify a personal budget. The main reason that the LA might refused is when special educational provision is being provided as part of a larger budget.

**Example**

The LA has a contract with North East London Foundation Trust (NELFT) to provide all Speech and Language Therapy or Occupational Therapy. However, it is not always possible to separate the personal budget from the overall larger budget. In these circumstances a personal budget would not be the best use of funds.

**How is a Personal Budget decided?**

The EHC Coordinator allocated to a child or young person will explain about personal budgets throughout the EHC Assessment process. Parents and young people will also be signposted to sources of information and support who will be able to provide further guidance independent of the LA.

Should a parent or young person request a personal budget, then this will be drawn up by the relevant EHC Coordinator in conjunction with colleagues across education, health and social care. Once a budget is drawn up, the LA will make this decision at the multi-disciplinary EHC Panel at the same time as the EHC Plan is considered. The decision as to whether to agree to a personal budget will be made by the LA in writing. Parents and young people will also be able to seek a review of that decision by writing in person to:

Christopher.Bush@lbdd.gov.uk

Giving full reasons for requesting a review.

**Advice and Support**

Independent Support is provided by Carers of Barking and Dagenham who can assist parents and young people with all aspects of the EHC Assessment Process


**Setting a Personal Budget**

Parents should begiven an indication of the level of funding that is likely to be required to make the provision specified in the EHC Plan or proposed to be specified in the EHC Plan. The LA may also use a resource allocation system.

**Preparing for Adulthood**

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Where a transition assessment identifies needs that are likely to be eligible for a personal budget, the LA will provide an indicative personal budget so that young people have an idea of how much their care and support will cost when they enter the adult system.

Young people may also consider their transfer to adulthood as a sensible time to start receiving a personal budget.
Frequently Asked Questions

Q. Can a personal budget be used to help pay the cost of a school place?
A. No a personal budget cannot be used to pay for the cost of an educational setting place.

Q. is there extra money for personal budgets?
A. No, personal budgets have to be funded through existing resources.

Q. Can parents decide who they want to support their child in school?
A. No, parents cannot make this decision.

Q. Should the LA mention about personal budgets when working on the draft EHC Plan?
A. Yes, your EHC Coordinator should explain to you about your right to request a personal budget and how this might work.

Q. Is it up for parents to ask for a personal budget if they want one?
A. Yes, the onus is on parents to request a personal budget.

Q. Can the LA refuse a parent’s request for a personal budget?
A. The LA can refuse a personal budget but only in certain circumstances. These are, where it is not possible to disaggregate the provision for the child or young person from provision being made for other children or young people.

Q. Can LA’s have a blanket approach which means they do not have to agree to any personal budgets?
A. No, this must be done an individual basis.

Q. Parents can spend the money received as part of a personal budget in any way they like?
A. No, this has to be agreed at the time the budget is allocated and it can only be spent on the agreed elements of support it is designed to cover.

Q. The only time parents can request a personal budget is when an EHC Plan is being prepared?
A. No, parents can also request this via the annual review process.

Q. If parents do not get a personal budget they can apply to the SEND Tribunal?
A. The SEND Tribunal does not have authority to hear cases regarding personal budgets. Parents can ask for a review if they disagree with the LA’s decision.

Source: Making It Personal-A Guide to Personalisation, Personal Budgets and Education, Health and Care Plans for Educational Establishments and Local Authorities-Department of Education