

CHILDREN AND YOUNG PEOPLE’S SERVICES

PERSONAL BUDGET POLICY

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1. Background

This policy on Personal Budgets has been developed using the Special Education Needs & Disabilities (SEND) Code of Practice: 0-25 years (July 2014).

The Children & Families Act 2014 outlines processes to help children with special educational needs and/or disabilities. The Act includes a duty on the Local Authority (LA) to consider a Personal Budget when requested by a parent or the young person following the completion of an Education, Health & Care (EHC) needs assessment, confirmation that the LA will prepare an EHC Plan, or during an Annual Review.

2. What is a Personal Budget?

A Personal Budget is an amount of money identified by the LA to deliver all or some of the provision set out in an EHC Plan or via an assessment of need by Health or Social Care.

This can be paid in the following ways:

- As a direct payment to individuals to contract, purchase and manage themselves.
- A notional arrangement whereby the LA, school or college retains the funds and commissions the support specified in the plan.
- Using a third party (i.e. an individual or organisation on behalf of the parent or the young person).
- A combination of the above.

**** Personal Budgets are not based on financial circumstances so won't affect any benefits parent carers may be in receipt of.***

**** Recipients have the right to change the way they receive a Personal Budget or end a Personal Budget, at any time by contacting the relevant service.***

Before the Act was introduced, Personal Budgets had been limited to Social Care and available to include, but not limited to, personal care, short breaks and social activities. The budgets have been, and still are, available to those without an EHC Plan through various assessment processes.

Personal Budgets are also available for health services but have been limited to children and young people who meet continuing health care criteria. Now they extend to include children and young people with special educational needs who qualify for EHC Plans to support some health needs (those with continuing care needs from 2014, and those with long term conditions from April 2015).

The LA has a responsibility to monitor how people are spending their Personal Budget to ensure it is spent as agreed by the parent carer, young person and the relevant service. Evidence of spend will be required in the form of receipts, spending records, bank statements, etc.

All Personal Budgets will be subject to a regular review with the LA. Excess funding that may build up because it has not been spent will have to be returned to the LA and

the relevant service will discuss this with you. In some services it may not be possible to carry over unspent funds into the next financial year.

3. What can a Personal Budget be spent on?

This will depend on the service from which the Personal Budget comes from but must be flexible, based on agreed outcomes and offer choice that will meet the assessed needs. The service working with the family will make sure they have access to clear information and advice.

There may be some exceptions to the below, so it is important to talk to the relevant service.

3.1 What can't I spend the money on?

- Clothing (other than specific clothing needed for an activity, i.e. horse-riding clothes, dance shoes, etc).
- Household bills including gas, electric, Council Tax etc.
- Everyday household expenses and items, such as maintenance costs, furniture and electrical appliances.
- Parking fines or penalties of any sort.
- Treatments / therapies, medication that the NHS would not normally fund.
- Medical or OT equipment.
- Restricted items that could cause harm, such as knives, weapons and chemicals.
- Body modifications or cosmetic adjustments.
- Grocery shopping.
- To pay a family member living with the child or the young person for childcare / Personal Assistants.
- Anything that is illegal.
- Gambling, debt repayment, alcohol, tobacco.
- Emergency, acute, and most primary healthcare services which are already provided on the NHS.
- Purchasing services directly from Suffolk County Council or other statutory agencies.
- Permanent residential care.
- As a substitute for Disabled Facilities Grants.

4. Personal Budgets Via an Education, Health & Care (EHC) Plan

If a child or young person requires support to help them get the most from their education and meet their goals as independently as possible, then their needs can be assessed by Education, Health and Social Care professionals. In partnership with the child's parent carer and the child or young person, they will produce an EHC Plan.

4.1 Applying for an Education Personal Budget

The child's parent carer has the right to request a Personal Budget during the stages of drafting an EHC Plan and at the point of Annual Review.

The provisional amount that may be available as a Personal Budget will be discussed with the parent carer, considering the level of provision required to achieve the outcomes set in an EHC Plan. The final amount will be agreed, after considering the resources available to the child or young person and ensuring the outcomes of the EHC Plan will be met. The final amount for a Personal Budget will be discussed and agreed by the Specialist Education Panel.

When making its decision, the panel will consider whether it is cost effective to give a Personal Budget, for example, where provision is delivered in a group setting it is not financially viable to deliver this provision on a one to one basis. It will also consider whether it would result in additional cost to the LA, for example where a young person uses equipment that is shared by others, which would mean a duplication of funding.

If a Personal Budget is not able to be provided at this time, or if the amount available is not agreed, this decision will be provided in writing by the LA and details of the appeal process clearly explained.

4.2 Managing an Education Personal Budget

If a Personal Budget is agreed, the parent carer or young person will be required to sign an agreement which sets out the purpose of the funding, agreement that the funding will be used to meet the outcomes of the EHC Plan, and which explains the legal responsibilities and monitoring arrangements.

Personal Budgets will need to be monitored to ensure that the funds are being spent to meet the agreed outcomes. This will involve sending in receipts and/or spending records to the LA.

The outcomes detailed in the EHC Plan will be reviewed during the statutory Annual Review. The LA aim to work in partnership with children, young people and their families; therefore, if a family situation or the young person's support needs change, an early Annual Review can be requested to reassess the needs and outcomes.

4.3 Further Information about Education Personal Budgets can be found on Suffolk Local Offer website.

5. Personal Budgets Via Activities Unlimited

A Personal Budget to purchase short break services may be available via Activities Unlimited (AU). AU provides Short Break personal budgets to families with children and young people with special education needs living in Suffolk between the ages of 0 to 18 years although Short Break Services such as activities are available up to the age of 25.

5.1 Applying for an AU Personal Budget

The service is accessed by an online self-assessment available via the AU website. This can be completed by a parent carer or by a professional on their behalf. It includes questions about the parent carer needs and questions about the child or young person. It is important to complete the form carefully and accurately to ensure it fully reflects the parent carer and the child's needs. Following the assessment, a Personal Budget may be allocated, and the family will receive a letter to let them know

the outcome. A Personal Budget from AU is called a Short Break award and can be spent to purchase items and activities that meet the families short break needs.

5.2 Managing an AU Personal Budget

A set of short break outcomes guide families on what they can spend the money on, and families receive an easy read guide with a welcome pack.

If families choose to have the Short Break award as a direct payment paid directly into their bank account they will be asked to send in receipts and spending records every 3 months to ensure they are meeting the short break outcomes.

If families, choose to have the Short Break award as a pre-payment card the funds will be loaded onto the card by the LA. AU will then monitor spend by accessing the family's pre-payment card account where they will be able to see what the funds are being spent on.

If families decide a Personal Allowance is the better option for them then the provider will invoice AU for payment. Parent carers can call AU to find out the balance of their award.

5.3 Further Information about Short Break Budgets

Additional information can be found on the AU website or the Suffolk Local Offer website.

Contact Activities Unlimited on 01473 260026.

6. Personal Budgets Via Social Care

Personal Budgets may also be an option offered by the Disabled Children & Young People's Service following the completion of a Social Work Assessment if further support is identified. This team works with those families who have children and young people up to the age of 25 with complex learning disabilities.

6.1 Applying for A Social Care Personal Budget

Families can contact Customer First on 0808 800 4005 to request an assessment from a Social Worker. Depending on the level of need, the request will be opened to a Child in Need Team or the Disabled Children and Young People's Service.

A Social Worker from the team will contact the parent carer to carry out the assessment. If they are then eligible for this service, the Social Worker will discuss options which will include exploring the option of a Personal Budget.

6.2 Managing a Social Care Personal Budget

The parent carer, child or young person and Social Worker will agree a care plan together to ensure they are accessing services to fully benefit theirs and their child's needs. Personal Budgets within this service are generally spent on Personal Assistants who can help to care for the child or young person by supporting personal care needs and accompanying their child or young person on activities. Some parent carers choose to buy care services from an agency of a care provider.

If a parent carer decides to use a Personal Budget to employ a Personal Assistant this will mean the parent carer must follow employment law i.e. managing payroll, drawing up an employment contract, etc. The Social Worker will help them decide how much assistance they want with this as some people are happy to manage it themselves. For those families that require support with any aspect of the employment or recruitment process, Suffolk County Council will put them in touch with a support organisation.

If a parent carer decides to use a Personal Budget to purchase care services from an agency, then the Personal Budget will be paid directly into the parent carers nominated bank account as a Direct Payment and we will ask for receipts as evidence of spend.

If a parent carer would like the LA or a third party to manage their Social Care Personal Budget, specific arrangements will be in place as your Social Worker will discuss with you. These arrangements will depend on what has been agreed.

6.3 Further information about Social Care Personal Budgets can be found on Suffolk Local Offer website.

7. Personal Budgets Via Health

A Personal Health Budget is an amount of money to support health and wellbeing needs, which is planned and agreed between the child, young person and parent carers, and their local NHS team. It allows people to manage their healthcare and support such as treatments, equipment and personal care in a way that suits them and works in a similar way to Personal Budgets described above.

7.1 Applying for a Personal Health Budget

A Personal Health Budget is available to children and young people who receive NHS continuing healthcare funding. A Personal Wheelchair Budget is also available to wheelchair users who are referred and meet the eligibility criteria of their local wheelchair service. This allows them to have more choice and flexibility over the type of wheelchair they want.

7.2 Managing a Personal Health Budget

If a child or young person can have a Personal Health Budget, then together with their NHS team professional they will develop a Personalised Care & Support Plan. This sets out their personal health and wellbeing needs, the health outcomes they want to achieve, the amount of money in the budget and how they are going to spend it.

Once they have a Personal Health Budget, the NHS team will periodically review their Personalised Care & Support Plan with them. They can also ask their NHS team to review and update their plan because their health needs have changed or if they feel the current plan is not working for them.

7.3 Further information about Personal Health Budgets

For those families that require support with any aspect of the employment or recruitment process, Suffolk County Council or the CCG will put them in touch with a support organisation.

Additional information is available for professionals in 'Children and Young People: Quick guide about Personal Health Budgets and Integrated Personal Commissioning part of the Personalised Health and Care Framework.

If the parent carer works within the NHS, LA or a voluntary sector partner, they can sign up to the Personalised Care Collaborative Network to access a range of resources, share learning and discuss issues with colleagues across the country.

8. Personal Budgets Via Passenger Transport

Personal Travel Budgets are an alternative to the travel arrangements offered for a child or young person with SEND who qualifies for School Travel. A Personal Travel Budget is a sum of money paid to parent carers of children or young people with SEND who qualify for School Travel. A Personal Travel Budget is granted at the discretion of Suffolk County Council for children or young people who would be eligible to receive home to school or college travel assistance because of special travel needs.

For example, the offer of a Personal Travel Budget would be as an alternative to a taxi or minibus, as this works out to be more cost effective. This is not available for short term changes to circumstances or while the child or young person is being assessed for School Travel.

8.1 Applying for a Personal Travel Budget

A Personal Travel Budget may be offered if there is no suitable alternative mode of travel available. The other options that Suffolk County Council will explore may include the following: public transport, private contracted transport e.g. bus/taxi and parental agreement.

How much money they receive is based on the distance between their living address and school, college or learner provider. This is calculated by a route planner.

Less than 5 miles: annual Budget = £2,000

5-10 miles: annual Budget = £3,000

Over 10 miles: annual Budget = £5,000

8.2 Managing a Personal Travel Budget

As long as the child or young person gets to and from school or college comfortably and safely, in a way that guarantees their timely attendance in line with the school or college's academic calendar, they can spend the Personal Travel Budget in any way they wish. Previous recipients have spent their Personal Travel Budget in the following ways:

- They or someone in their family driving the child or young person to and from school/college.
- Arranging for a friend or relative to walk the child or young person to and from school/college*.

- Arranging for a private taxi firm to drive their child or young person to and from school/college*.
- Purchase a travel pass for an adult to accompany their child or young person on public transport to and from school/college.
- Purchase travel passes for their other children so they can get home whilst they're collecting the child who has a Personal Travel Budget.

There are many other ways they can spend their Personal Travel Budget. Its purpose is to achieve flexibility for the parent carer and the child.

** If you are arranging for a company/personal assistant to support with the child or young person to get to and from school/college, it is the parent carers responsibility as their employer to ensure that the company/personal assistant are fit for purpose i.e. DBS checked, insurance. [Skills for Care](#) can assist you with employing a company/person. To find out more about personal assistants, please visit: www.suffolk.gov.uk/Personal-assistant.*

8.3 Further Information about Personal Travel Budgets

8.3.1 Will I still have to pay a contribution towards Post-16 Transport costs?

If the child or young person is in Post-16 education, then yes, they are required to pay the contribution as per the Post-16 Travel Policy. This contribution will be deducted from their Personal Travel Budget payment over the academic year.

8.3.2 What happens if my normal travel arrangements stop?

There are situations when the normal travel arrangements that are in place cannot be used. For example, if they normally transport the child in their own car and they are ill, or the car breaks down. They will need to have alternative plans in place to get the child to school or college in these situations.

Suffolk County Council is unable to provide alternative transport in these circumstances and if the child or young person is absent due to the parent carer not being able to get the child or young person to school or college, the Personal Travel Budget may be reduced or withdrawn. The recipient or parent carer will be required to sign as part of the agreement that contingency plans are in place.

Further information about Personal Travel Budgets is available from the website: www.suffolkonboard.com/PTB.

9 Further Information about SEND and Personal Budgets can also be found in: -

A guide to the SEND reforms for parents and carers is available from the Department of Education.

Access to the full 0-25 SEND Code of Practice is available here:

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>