

Personal Budgets

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What is a Personal Budget?

- A personal budget is an amount of money that has been identified by the local authority to deliver SEND provision where the parents or young person is to be involved in making sure that provision is provided. There are 4 types:
- 1) 'Direct payments' whereby parents and young people are given funding directly to spend.
- 2) 'Notional arrangements' whereby the local authority, school or college holds the funding and commissions the support needed on behalf of the parent or young person.
- 3) Third party arrangements whereby the funding is held by a third party who handles the funding on behalf of the parent.
- 4) A combination of the above 3

Who can have an EHCP personal budget?

- Under current proposals, only where an Education, Health and Care Plan is in place will a parent or young people be able to have a personal budget.
- A personal budget can be requested by a parent (or a young person over 16) once the local authority has agreed it will issue an Education, Health and Care Plan or during the annual review process.
- Personal budgets will also continue to exist outside of the Education, Health and Care planning process where there is either a Social Care or Health requirement but no education need.

Who CAN'T have an EHCP personal budget?

- **Local authorities must consider all requests for personal budgets. However, there are exceptions. For example:**
- **Local authorities DO NOT have to provide personal budgets if they are concerned it will negatively impact on other people or will be poor value by reducing the funding they have available to support other families.**
- **Local authorities are required to judge if a young person or family is 'capable' of managing personal budgets.**
- **Young people or families who have been required by the law to undergo treatment for drug or alcohol abuse will not be allowed to have a personal budget.**
- **Where a child or young person is in custody, a personal budget is not permitted.**

Can my child have a personal budget?

- If your child is over 16, in theory, yes, he/she could have a personal budget. As above, not everyone will be allowed to have a personal budget.
- Once a child reaches 18 years of age
- We understand that a young person will need the consent of their college if they wish to use direct payments in this context.

Will I have to have a personal Budget?

- **As previously discussed Local authorities must consider all requests for personal budgets.**
- **But ultimately the answer is No – it will be entirely optional. Local authorities must provide families with information to understand what a personal budget will involve and how it can be used. This information will then allow parents and young people to decide.**

What will I be able to buy with a personal budget?

- **This will be set out in the Education, Health and Care Plan – a personal budget can only be used for provision that has been set out in the Plan.**
- **Separately, where provision is being purchased for use within a school or a college, the Department has stated that their consent must first be sought (via the Head teacher).**
- **The Department have also stated that personal budgets cannot be used to purchase a place at a particular school.**
- **The draft Code states that local authorities should set out what services currently “lend themselves” to the use of personal budgets.**

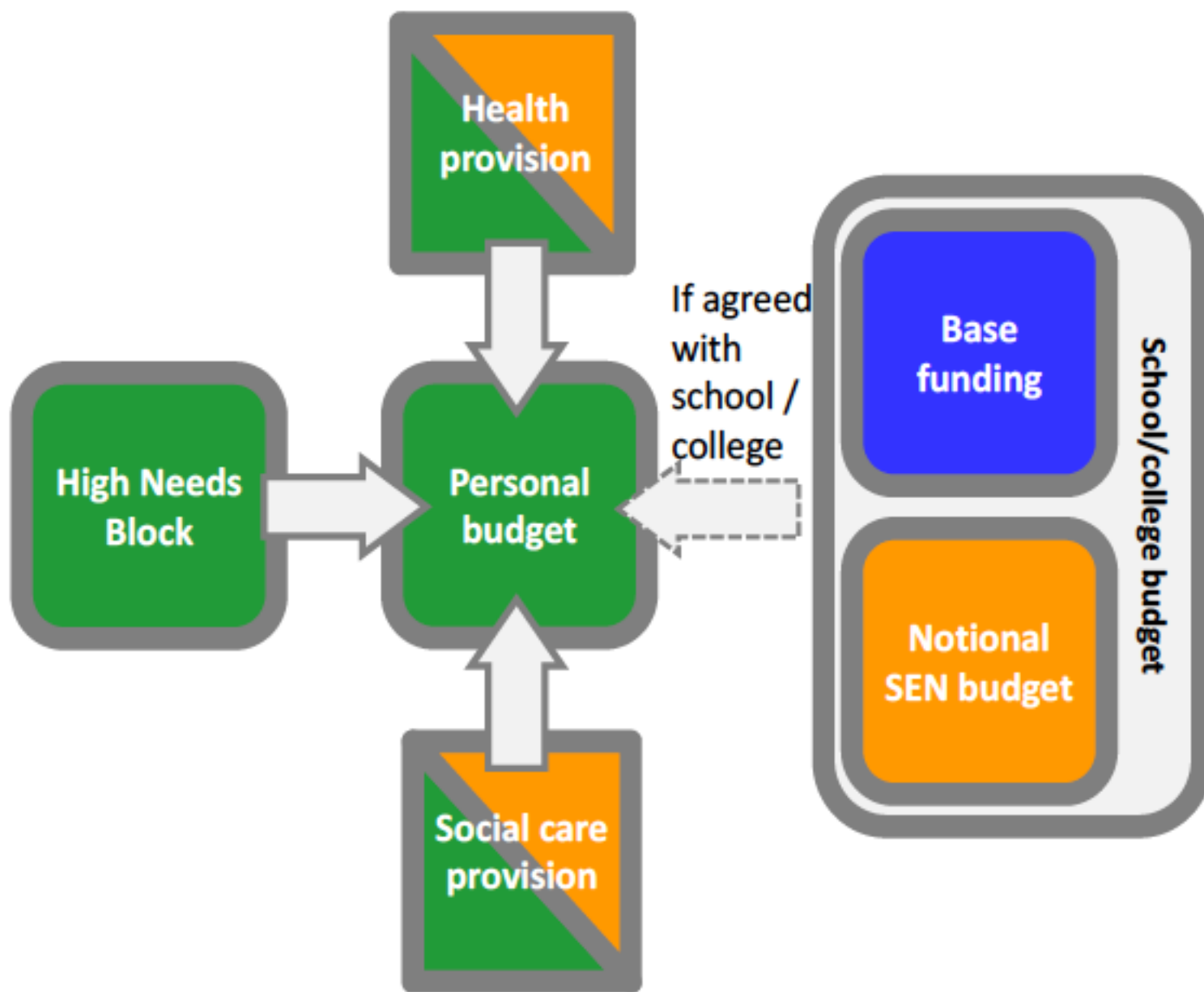
What will I be able to buy with a personal budget cont?

- Add to existing learning support - providing a more consistent offer of support to the child or young person
- Fund time to bring all key parties together to bridge the gap between home and school / other learning provision and to build a team of dedicated support people (including family).
- Fund some specialist input
- Fund a work experience or work-based learning opportunity
- Add to the technology available to promote a pupil or students individual style of learning.
- Fund Transport to and from School or activities

What funding will be available for a personal budget?

- Funding for personal budgets may come from three sources:
 1. Education
 2. Social Care
 3. Health

- The diagram on the next page sets out the DfE view funding to support personal SEN budgets:
- *Can* definitely come from funding provided by the local authority from their high-needs block
- Can possibly come from funding managed by an education provider, where the head or principal is in agreement.
- There is no expectation that the school will release funding from its own budget, but there is the opportunity for a school to choose to do this if it is clear it is the best way to improve outcomes



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How much money will I be able to get through my personal budget?

- The draft SEN Code of Practice states that local authorities must ensure that families who choose the option of direct payments actually have enough money to purchase what has been agreed.
- Beyond this, the amount of money that a family will get will depend on the individual case and what has been set out in the Education, Health and Care Plan.
- Local authorities can give indicative figures when a personal budget is being considered but the total amount of money should only be finalised when the Plan is being agreed.
- Indicative figures for a personal budget will be allocated via a Resource Allocation System (RAS)

What is the RAS?

- **RAS or Resource Allocation System - a simple set of rules which explain what budget is available, which children or young people will be supported by this budget and what outcomes are set against the use of the budget.**
- **RAS may include a simple set of questions which will be completed by the family and linked professional; this set of questions will result in an indicative allocation of a personal budget.**

How will we use the RAS?

- **As part of this assessment, something called a RAS – Resource Allocation System is used to support the assessment and helps Cheshire East Children’s Services understand how much funding it will allocate.**
- **Resource allocation will be completed with the family or young person, resulting in an indicative budget being allocated to help draw up the EHC Plan. The indicative budget will be known in the early stages on the EHC plan.**
- **The conclusion of the assessment and RAS, will be taken to the assessment Panel. An amount of funding will then be offered to the child, young person & family that relates to the level of need identified.**
- **The amount of funding offered is the council’s view after assessing the child and family, of how much funding should be provided to meet the child’s needs and is a fair share of the money available to spend on social care for children with disabilities.**

How will we use the RAS cont.?

- If a family are unhappy with the amount of funding offered, they will be given the opportunity to discuss this with their social worker & the decision maker. Together they will look at the assessment and identified needs again to try and decide what the right level of funding needs to be. The assessment may be taken back to panel for further review. If at the end of this process the family are still unhappy with the decision, they will be supported to use the complaints process.
- The funding for Personal budgets is not an additional resource, but is a new way of allocating Cheshire East Children's Services money fairly. The Council's legal duties have not changed. The key responsibility is to meet eligible children's assessed needs and provide the support they need.

How will the Personal Budget Process Work?

- **Stage 1: CYP identified as having multiple needs across Education and/ or Health and/ or Social Care.**
- **Stage 2: Combined RAS used to assess level of need**
- **Stage 3: Professionals and family work together to agree joint outcomes**
- **Stage 4: Separate resource agreement based on each stream having an indicative budget If the combined / pooled budget is not sufficient to cover the support needs, discussions are held to assess whether additional funding should be awarded.**

How will the Personal Budget Process Work (cont)?

- **Stage 5: At the approval panel, Education, Health and Social Care representatives all have their own delegated authority and budget to make decisions.**
- **Stage 6: CYP and family given a choice of receiving money through a Direct Payment, Organised Arrangement or Third Party Arrangement. If Direct Payment is chosen, the Social Care Direct Payment System is used as a mechanism for monthly payment to family, from a pooled budget**

Will I receive any help in spending a personal budget?

- **Local authorities must provide information about organisations that can provide you with advice and assistance on personal budgets.**
- **Parents or young people will have to sign an agreement with the local authority over the use of direct payments.**
- **It will be important to be aware that the local authority can ask the parent or young person to pay back any money that has been:**
 - **unspent**
 - **not been spent as intended or if it suspects fraud has taken place.**

What else do we need to know?

- Cheshire East is currently drafting a fact sheet to be support parents/ young people with decisions around person budgets.
- The fact sheet will outline the process, funding available, and support available throughout the assessment and decision making process.
- If there are specific points you would like included in the fact sheet or if you have any further questions to ask please email:

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