



## **Information about Personal Budgets for children and young people with special education needs and /or disabilities.**

### **What is a Personal Budget?**

If your child or young person has had an assessment and it has been agreed that additional help or support is needed, then some or all of that additional help may be provided through a personal budget. This is the sum of money that you and your young person can have some control over how it is spent.

### **What is included in a Personal Budget?**

A personal budget may include money from Education, Health or Social Care or a combination. It's not all of the money that is spent on a child or young person, just the element that you can have greater control over. The 'Local Offer' will show the different services in Education, Health and Social Care in Solihull that can be paid for using personal budgets. You can find the Local Offer at <http://socialsolihull.org.uk/localoffer/>

### **What is the benefit of having a Personal Budget?**

A personal budget gives parents and young people greater choice and control over the support they have.

This means so long as the use of the personal budget supports the outcomes agreed, children and their families can use their personal budgets to arrange their support in a very individual way. This could be very different from the traditional services and support offered by the council or health services. A personal budget can enable support to be provided, to meet specific, identified needs, in the way that a parent or young person thinks would make the best impact for them. This might be when they are, at home, when out and about in the community, or sometimes when they are in school.

### **How is a Personal Budget managed?**

There are 3 ways you can use your personal budget. You can have:

- direct payments made onto a pre-paid card or into a bank account - you buy and manage services yourself. Advice and practical support is available to help you with this, especially if you need to employ people to assist your child.
- a third party arrangement – you arrange for another organisation or an individual (this could be a family friend) to hold and manage the money for you. You still decide how to spend the money.
- A notional or “virtual” personal budget. The council or Clinical Commissioning Group (NHS) continue to hold the funds, and arrange the services for you.

March 2019

You can also have a combination of all 3 options.

### **What can a personal budget be used for?**

A personal budget can only be used to support a child or young person to achieve outcomes that have been agreed. If a child or young person has an Education, Health and Care Plan (EHC Plan) or Support Plan, the personal budget must be used to ensure the targets/outcomes in the plan are met. The plan will include where there is flexibility in how the personal budget can be used.

### **Who can have a personal budget?**

Children and young people with an EHC Plan or Support Plan can ask for a personal budget. This is an option, families can carry on and ask professionals to arrange services for them, if they prefer.

Parents can ask the Local Authority (i.e. the Council) to prepare a personal budget, so they can see the amount that is being spent on their child or young person. Local Authorities have to prepare a budget when requested.

A parent or young person can request a personal budget when

- The Local Authority have confirmed that they will prepare an Education, Health and Care (EHC) Plan
- They are undergoing a statutory review of an existing EHC plan

In addition the law sets out who can have a direct payment or personal budget for their social care and who can have a personal health budget; this may or may not be as part of their EHC plan.

### *Social Care*

For children and young people under 18, Local Authorities have a duty to offer direct payments for services which they may provide to children with disabilities, or their families, under section 17 of the Children Act 1989.

For people over 18 with eligible care and support needs, the Local Authority must, under the Care Act 2014, work with the person to prepare a care and support plan, which will include a personal budget. The Act also clarifies people's right to request a direct payment to meet some or all of their care and support needs, and covers people with and without capacity to request a direct payment.

### *Health*

A personal health budget is an amount of money to support a person's identified health and wellbeing needs, planned and agreed between the person and their local NHS team.

Personal health budgets can enable people with long term conditions and disabilities to have greater choice, flexibility and control over the health care and support they receive.

March 2019

Personal Health Budgets for healthcare are not appropriate for all of the aspects of NHS care an individual may require, for example emergency services and GP services.

If you want to know more about Personal Health Budgets please look on the Local Offer “website address” or follow this link <https://www.birminghamandsolihullccg.nhs.uk/your-health/personal-health-budgets?highlight=WyJwZXJzb25hbCIsImJ1ZGldCjJd> or you could speak to a health professional who works with your child or young person.

### **Who cannot have a personal budget?**

Personal budgets are not available to children and young people with EHC plans who are in custody.

If the Local Authority refuses a request for a direct payment for special educational provision on the grounds set out in regulations, they **must** set out their reasons in writing and provide an opportunity for the parent or young person to request a formal review of the decision.

Decisions in relation to the health element (personal health budget) remain the responsibility of the Clinical Commissioning Group (CCG) or other health commissioning bodies and where they decline a request for a direct payment; they **must** set out the reasons in writing and provide the opportunity for a formal review.

### **How do I get support to plan how to use a personal budget?**

Solihull Council will provide information about organisations that may be able to provide advice and assistance to help parents and young people to make informed decisions about Personal Budgets; this information will be included in the “Local Offer”

Parents and young people will be able to choose who supports them to plan how to make the best use of a personal budget.

There are rules that must be followed about how Direct Payments are used and managed; more information is available about this. Solihull Council has a guide for people using direct payments. This can be found at <https://socialsolihull.org.uk/localoffer/education/personal-education-budget/> Solihull has a Direct Payments Information, Advice and Support Service; they can be contacted on 0121 709 7591 and their website is at <https://www.ageuk.org.uk/solihull/services/direct-payments-support-service/>.

### **How have personal budgets or direct payments helped families in Solihull?**

#### **This is what one parent in Solihull says about the difference having a direct payment has made for their son and for their family...**

“I used to have an agency carer for Henry who came in and sat with him every Saturday, whether this was convenient for the family or not. If we cancelled we lost these hours. I did not want direct payments as I was worried about being an employer, and all the responsibility that goes with this. But then the agency kept letting me down, so I decided to bite the bullet

March 2019

and opt for a direct payment. This is the best thing I have ever done. There is support available to help me with paying my carers and working out their tax. I can have carers when I need them, and not at regimented times. I can save hours for school holidays so I have more support when I need it. I can plan events around the family. The freedom direct payments have given me far outweighs any paperwork I have to complete. It is well worth it.”

**Recent examples of Solihull families choosing to receive social care support as a personal budget** include 2 families who have arranged for their young people to receive very personalised overnight breaks rather than their previous stays at local residential short break units. One young person goes away several times a year to “ordinary” holiday locations, with support from their regular personal assistant. The other has more frequent short stays with a family friend.

You can see some stories of how families in other parts of the country have used personal budgets at <http://www.in-control.org.uk/support/support-for-individuals,-family-members-carers/personal-stories.aspx> and at [www.kids.org.uk](http://www.kids.org.uk), enter “personal budgets” in the search box.

#### **How do I request a personal budget?**

You (or your young person if over 16) will need to speak to the appropriate professional, depending on what type of personal budget you are interested in:

- If you want to request a personal budget as part of an EHC Plan, you should ask the Plan Co-ordinator;
- If you already have a social care service, you should speak with your social worker or SEND Family Co-ordinator;
- If you want to request a social care personal budget but don’t already have a social care service, you should phone 0121 788 4300 to request an assessment of your child’s needs.
- If you want to request a health personal budget, you should speak with one of the health professionals already involved with your child.

#### **What can I do if I am unhappy about how my request is dealt with?**

If your request was for a personal budget for education or social care, and you are not able to resolve this with the social worker or EHC Plan Co-ordinator, or their manager, you can put in a complaint to Solihull MBC. You can find out more about this at <http://www.solihull.gov.uk/About-the-Council/Complaints/childrenscomplaints>, or you can telephone on 0121 704 8296.

If your request was for a personal budget for health care, you should initially discuss this with the clinician involved with your child, or the leader for that service. If you are not able to resolve this with the clinicians then you can formally complain to the relevant NHS organisation.