

North Lincolnshire SEND Personal Budgets Policy

1. About this policy

Personal budgets are a critical part of the policy reform relating to Part 3 of the Children's and Families Act 2014 and associated regulations. The vision is to ensure a clearer focus on the participation of children, young people and parents/carers in decision making and a stronger focus on high aspirations and improving outcomes for children and young people.

This policy sets out how Education, Health and Social Care will mainstream personal budgets to assist people to have real choice and control by shifting the balance of power from professionals to people who use services.

2. Introduction

Personal SEND budgets are an integral part of the Education, Health and Care (EHC) Plan process. They are not standalone and should not be viewed as such. SEND personal budgets in North Lincolnshire will encompass all resources within the EHC Plan and outline how the budgets will be used to deliver agreed provision. Once a child / young person has been identified as requiring an EHC plan, discussions will start to take place about the additional resource that is required to meet identified outcomes and ways in which these services can be delivered, funded and commissioned. Personal Budgets are not just about direct payments but about how resources aligned with services can be adapted and delivered to best meet the outcomes for the child / young person.

3. What is a personal SEND budget in North Lincolnshire?

A Personal SEND budget in North Lincolnshire provides a clear and transparent picture of the resource required to meet the assessed outcomes for a child / young person with special educational needs and / or a disability including health and social care. The EHC plan will clearly identify where services are being funded from and how these budgets will be managed.

Children/young people and parents/carers will be at the centre of these discussions and involved in how they would like to see services delivered and where applicable how they would like the funding to be managed.

4. Who can request a personal budget:

Young people and parents/carers of children have the right to ask the local authority to prepare a personal budget once the authority has completed an EHC assessment and confirmed that it will prepare an EHC Plan. A request for a personal budget can

also be made during an EHC plan review. Personal budgets will only be considered at the initial and review stages unless due to exceptional circumstances.

Parents/carers, children and young people will only be eligible for personal budgets which directly relate to the identified outcomes within their EHC plan. Parents/carers, children and young people will not be able to make a request for any services which lend themselves to personal budgets to be paid via a direct payment method which are not directly related to the identified outcomes.

5. **Managing a personal budget:**

Personal budgets can be managed in the following different ways;

5.1 Direct payment. Parent/carers/young person are given funding to buy and manage the services themselves to meet the outcomes identified in their EHC Plan. Spend and accountability will be monitored by the local authority through contract monitoring meetings.

5.2 An organisational arrangement. No money changes hands.

Parent/carers find out what additional support is identified through the EHC Plan process to meet the outcome needs of the child/young person. The relevant services/support agreed is then arranged on the family's behalf by the local authority or health service.

5.3 Third party arrangement/nominees. A third party organisation, trust or nominated person holds the money and supports parent/carers/young person to purchase the service/support from the agreed outcome needs of the child/young person identified in their EHC Plan.

5.4 A combination of the above.

6. **What is a Direct Payment?**

A direct payment is where individuals receive the cash to contract, purchase and manage services themselves, or it is agreed that the local authority will pay a direct payment to a nominated third party on the individual's behalf.

7. **Requesting a Personal Budget**

A parent/carer or young person can make a request for a personal budget for consideration during the assessment stage of an EHC Plan, or, at the review meeting of an existing EHC Plan.

There may be reasons why it is not possible for parents/carers or young people to receive direct payments, such as, releasing funding has an adverse effect on other services which the Local Authority or Health provides or arranges for other children / young people.

For a full list of exceptions please refer to 'The Special Educational Needs (Personal Budgets) Regulations

2014' <http://www.legislation.gov.uk/ukdsi/2014/9780111114056>

8. **Support for managing personal budgets**

Deciding on how a personal budget can be managed especially if you are considering a direct payment is not easy. Often the use of a direct payment may mean you are considering becoming an employer yourself, which will mean you managing payroll, DBS checks and other associated functions. Independent support and advice is available for families from Penderels Trust who are contracted by North Lincolnshire Council for people who receive direct payments. If you want to consider these options then your case worker will refer you to Penderels. Further information is also available at <http://www.penderelstrust.org.uk/>

For further information:

The Special Education Needs (Personal Budgets) Regulations 2014)

<http://www.legislation.gov.uk/ukdsi/2014/9780111114056>

The Special educational needs and disability code of practice: 0 to 25 years

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

Approved – September 2021

Review Date – September 2023

Approved by – Julie Frost (Education Inclusion Lead Officer, SEND)