



Hartlepool Personal Budgets Policy



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This Policy provides information on Personal Budgets (SEN) funding and complies with statutory requirements outlined in the Special Education Needs and Disability Code of Practice 0-25 Years July 2014 and links to the Hartlepool Local Offer for SEND.

1. Hartlepool's Vision for Children and Young People with Special Educational Needs

Children and Young People with Special Educational Needs in Hartlepool should enjoy a happy and healthy childhood, be socially included and grow up to achieve their full potential.

2. Legal Background

From the 1st September 2014 The Children and Families Act 2014 and associated regulations in relation to children and young people came into force and a new co-ordinated Education, Health and Care plan (EHC Plan) will replace the historic system for Statements of Special Educational Need.

The Act extends the SEN system from birth to the age of 25, giving children, young people and their parents' greater control and choice in decisions and ensuring needs are properly met. In summary it will:

- Replace statements and Learning Difficulty assessments with a new birth – 25 Education, Health and Care plan which will offer families the option of a personal budget;
- Improve co-operation between all services that support children, young people and their families;
- Require Local Authorities to involve children, young people and parents in reviewing and developing provision and to publish a local offer of support.

In Hartlepool the EHC Plan is known as the **One Plan**. In Part 3 of the Children and Families Act 2014 it is referenced that Local Authorities have a duty to ensure that services and support are 'personalised' to meet the needs of the young person and their families, providing greater choice and control over support and services available.

3. What is a Personal Budget?

A personal budget is an amount of funding, identified by the Local Authority to deliver provision and outcomes which have been identified and set out in a child or young person's One Plan. For an educational personal budget the Local Authority have a duty to provide information and prepare a personal budget when requested to by a young person or their family when the child or young person is deemed as being eligible for a One Plan.

A personal budget is an option for consideration, however there is no expectation that one should be in place, particularly if the services already provided by Hartlepool Local Authority Education, Health and Social Care Services meet the requirements and fulfil the needs of the young person and their family.

Where Hartlepool Local Authority existing universal, targeted and support services do not meet a child or young person's needs, or the family require more control and greater flexibility of their delivery, they may choose to request a personal budget, the details of the personal budget will be outlined in the Draft One Plan. This budget will be an indicative amount of funding and for education will be based upon the 'banding system' for education used by Hartlepool Local Authority. The banding system used assesses a child or young person's learning needs and allocates an amount of 'top up' funding to support a nursery, school or college place to meet these identified needs. Upon completion of the One Plan for education, or based on an individual's assessed needs for social care or health, a final personal budget will be allocated, this maybe for education, health or social care or a combination of all three areas.

Hartlepool Local Authority has been an SEN Pathfinder Authority since 2011 and as such have a small number of personal budgets for education running successfully across the town. Each personal budget request is reviewed

individually and in collaboration with colleagues from Social Care and Health when appropriate, new flexibilities around education budgets will allow a bespoke package to be put in place to meet individual needs when universal and targeted services cannot provide the appropriate options or solutions.

Social Care and Health personal budgets are well established across Hartlepool Local Authority and have been in place for a number of years, with families accessing direct payments providing them with greater flexibility and control when and where appropriate.

4. Requesting a Personal Budget

A young person or their family is able to request a personal budget for education when Hartlepool Local Authority has carried out an Education, Health and Care needs assessment and confirmed it will prepare a One Plan or at annual review of an existing statement of educational need in the process of transferring it to a One Plan. Hartlepool SEN Officers and lead professionals will make young people and their families aware of potential scope for personal budgets.

Hartlepool Local Authority will work with young people and their families to secure agreement for the delivery of education provision in the nursery, school or college named in the child or young person's One Plan. Any person employed by the young person or their family must conform to the policies and procedures in place at the named institution. If an agreement cannot be reached with the nursery, school or college with regard to delivering provision linked to the personal budget on their premises, the Local Authority cannot proceed with a direct payment, however we will continue to explore other options for personalisation of the provision and services outlined in the One Plan.

For health personal budgets, a young person or their family can request assessment at any time. All assessments for health will be carried out by the Clinical Commissioning Group in Hartlepool. All applications are assessed using the 'continuing health care' national framework criteria, this focuses on those children or young people who meet the eligibility criteria for funding to meet their health needs.

For social care personal budgets, a young person or their family can request assessment at any time, a Resource Allocation System (RAS) will be completed, this is a simple set of rules which explains what budget maybe available, which children or young people will be supported and what outcomes are set against the use of the budget. A RAS generally includes 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 if the criteria is met.

Hartlepool has published further information about our Education, Health and Care assessment (One Plan) assessment process on the Local Offer web page [SEND Local Offer - Family Hubs in Hartlepool](#) this provides further information on the One Plan assessment process and eligibility criteria, including how to request statutory assessment.

5. How Are Personal Budgets Paid?

The ways in which parents/carers or young people can access a Personal Budget and how they can be paid are as follows:

- The family or young person can choose to take a Direct Payment – this is where individuals receive cash to contract, purchase and manage services themselves to meet the outcomes identified in their One Plan, this is monitored by the Local Authority to meet financial and audit requirements.
- The family can have a Service Managed Arrangement – this is where the local authority, school or college holds the funds and commissions the support identified in the One Plan.

- The family can have a Third Party Arrangement – this is where funds are paid to and managed by an independent organisation, trust or nominated person and supports the child's parents or the young person to purchase the services/ support identified in the One Plan.
- The family can choose to have mixture of the 3 options identified above.

6. How Are Personal Budgets Managed?

Any personal budgets agreed with a young person or their family will need to ensure that the funding is used to secure the provision and outcomes agreed in the One Plan. All parties will sign a Direct Payment Agreement which will allow the Local Authority to make payments via its in-house payment system. All direct payment agreements adhere to the regulations outlined below:

Direct Payments for special education provision, health care and social care provision are subject to separate regulations. These are:

- The Community Care, Services for Carers and Children's Services, Care Act 2014
- The National Health Service (Direct Payments) Regulations 2013
- The Special Educational Needs (Personal Budgets) Regulations 2014

The agreement will clearly outline what a young person, their family or a suitable person must do in agreeing to receive a direct payment from Hartlepool Local Authority, support to ensure that direct requirement payment contractual requirements are met can be provided if necessary.

As of the 1st October 2014 Hartlepool Local Authority have in place Penderels Trust who are there to provide support to young people and their families who need assistance to manage direct payments, this service may incur a cost, however, this can be included as part of the amount of funding allocated to a child or young person in their One Plan. Further information can be provided on this at any stage in the request for a personal budget.

Contact Information

Further information on personal budgets is available in the following ways, you can contact us as follows:

For Education email us at: SEN@hartlepool.gov.uk

For Health email us at: Ruth.kimmins@nhs.net

For Social Care email us at: Karmen.testo@hartlepool.gov.uk

The Hartlepool SEND Information, Advice and Support Services are available to provide support to families and can be emailed at:

SENDIAS@hartlepool.gov.uk

Further information on personal budgets can be found via the following links:

Hartlepool Local Offer web-site [SEND Local Offer - Family Hubs in Hartlepool](#)

SEND Code of Practice

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

Personal Budget Information Pack (Mott MacDonald)

<https://www.sendpathfinder.co.uk/infopacks/pb>

Personal Health Budgets

<https://www.personalhealthbudgets.england.nhs.uk>

Fact Sheet - Personal Budgets Explained

Education Budgets

Hartlepool Local Authority SEN Officers will work with young people and their families to ensure that the outcomes identified in the One Plan are relevant, achievable and are reviewed annually if requested. The One Plan will contain financial information relating to the packages of support young people access in mainstream or special school to support them whilst in school. Elements of this funding known as 'top Up funding' maybe available as a personal budget if requested and upon consideration decided that they would not impact on other service users and still provide value for money. Children or young people who are in Special Schools within Hartlepool are less likely to be able to access their top up funding as a personal budget, as this may de stabilise the services already provided in a specialist setting.

All personal budget requests will be assessed on an individual basis by the SEN Local Authority Team. Requests in the first instance will be reviewed by Kelly Armstrong, SEN Finance Manager and Louise Allen, Inclusion Co-ordinator at SEN Team, Hartlepool Local Authority, Child and Adult Services, Hartlepool CETL, Brierton Lane, Hartlepool, TS15 4BY. As outlined above not all requests for personal budgets can be approved and the Local Authority will provide specific details in writing on an individual case by case basis for any personal budget requests which are turned down. In the first instance any appeals should be made in writing to Zoe Westley, Head of Social and Education Inclusion, Hartlepool Local Authority, Child and Adult Services, Hartlepool CETL, Brierton Lane, Hartlepool, TS15 4BY.

Currently the Schools Notional Budget commonly known as 'Element 2' funding will only be available as part of a personal budget following discussion and full agreement of the Head Teacher. Any agreement for a personal budget for 'top up funding' which subsequently results in a direct payment, must have agreement from the Headteacher for any of the services to be delivered on their premises.

Examples of how a personal budget for education could be used are as follows:

A young person in Hartlepool required a Personal Assistant (PA) to support their personal care needs whilst in mainstream education. The young person already had in place a PA who was employed to support her needs within the home and outside of school through her personal budget for social care. To maintain continuity the Local Authority approved an educational personal budget to allow this person to be funded directly through the existing contract in place, rather than providing the school with funds to employ someone else to provide this care. This proved successful in that it allowed the family to extend the hours of the existing PA who they felt was doing an excellent job in meeting the young person's needs, it also provided the young person and school with a level of consistency in both home and school life which helped improve the overall learning experience and had a positive impact on achieving the outcomes identified in the One Plan.

A young person in Hartlepool in Year 5 was in receipt of Teaching Assistant support for Dyslexia in a mainstream school, this was funded through the Local Authority high needs top up funding. Parents requested via the Local Authority the possibility of purchasing specialist ICT software which could be used both in the school and at home, this was further discussed with school who were in agreement that they would give up an element of their top up funding to support this personal budget request. For school this meant less Teaching Assistant time was required for support in lessons and freed up the member of staff's time within the school, the young person had greater ownership of his learning and benefited from a piece of equipment they could use both at school and home.

Transport Services

If a child or young person is eligible for a One Plan or has Statement of Educational Need, part of the process will consider whether they require support with transport between home and school. The Local Authority SEN Team will work with Transport colleagues applying the rules and regulations stipulated in the Hartlepool Transport Policy 2014 when making initial assessment. The Hartlepool Transport Team will try to ensure all young people are prepared for adulthood by providing Independent Travel Training wherever possible. Further information can be found by following the attached link:

http://www.hartlepool.gov.uk/a_to_z/service/1185/school_transport

Health Budgets

A personal health budget may be made available should a child or young person have complex, long-term and/or a life limiting condition/s. A personal health budget may also be made available to help with equipment costs or other health services if agreed.

The Clinical Commissioning Group in Hartlepool have in place a framework for delivering personal health budgets for under 18's in line with national framework for continuing health care, which is currently focussed on those children/young people who meet the eligibility criteria for funding. For over 18's continuing health care funding is used to meet their needs.

However, the Hartlepool Clinical Commissioning Group are willing to be flexible and are prepared to test greater opportunities for personal budgets where possible. Requests for consideration for a personal budget for health elements of a One Plan should in the first instance be made to:

Ruth Kimmins, Locality Manager Continuing Care Children – 01642 666700

Social Care Budgets

Within the children and young people's social care services in Hartlepool the system of allocating direct payments is well established.

Any identified needs following the completion of a children and families assessment can be met through a direct payment if the family chooses this option. Families are encouraged to use a direct payment to maximise choice and control. For those who choose not to access a direct payment commissioned services are available.

For young people aged between 18 - 25 years old a community care assessment is completed which includes a simple assessment which will identify if a young person is eligible for a personal budget, currently levels of eligibility are built around risk to an individual's independence. Risks are categorised as critical, substantial, moderate and low.

Hartlepool currently meets the needs of children and young people that are identified as being critical or substantial. An individual's needs and circumstances are translated into a potential or indicative cash budget. An individual can then begin to develop a plan with their Social Worker that sets out how their identified needs will be met using the indicative cash amount. An individual can develop a plan that allocates the resources available using a menu of support services e.g. domiciliary support or day services, or they can choose to take the budget as a direct payment and commission their own support or directly employ staff to meet their needs.