

SEN Personal Budgets Statement

Personal Budgets for children and young people with Special educational needs (SEN) and disabilities

This is the London Borough of Waltham Forest's Personal Budget Statement for Children, Young People and Young Adults with Special Educational Needs and Disabilities (SEN). This document was created in co-production with Waltham Forest Parent Forum, local schools and professionals as well as the Waltham Forest NHS Clinical Commissioning Group (CCG).

1. Introduction

Part 3 of the Children and Families Act 2014, sets out changes to the way in which children, young people and young adults with Special Educational Needs and Disabilities (SEND) and their families are supported. These changes are known as the SEND reforms.

This aims to improve achievements for children, young people and young adults (referred to as the 'individual' in this document) by making sure that support services work more closely together so that parents / carers and individuals are much more involved in the decisions that affect their lives.

One of these changes includes the offer of Personal Budgets for parents / carers with a child or young person who has an Education, Health and Care Plan (EHC Plan). Personal Budgets are also available to young adults between the ages of 18 and 25 with an EHC Plan.

The aim of these changes is to give individuals greater choice and more control over the support that is available to them. This document will give details about the Council's offer of Personal Budgets, how to get one and what they can be used for.

2. Waltham Forest Disability Enablement Services (DES) and EHC Plans

The Council established the Disability Enablement Service (DES) in September 2016 in order to provide joined up services for all children and young people aged 0-25 years with an EHC Plan.

An EHC plan describes a child, young person or young adults educational, health and social care needs and is produced by staff in the DES, in partnership with children, young people and their families and other professionals involved in their school and home lives following an EHC assessment. The plan is reviewed at least once a year.

An individual can begin the process of having an EHC plan at any age from 0 to 25, with the process taking up to 20 weeks (5 months). The individual will be invited to take part in an EHC assessment, which will help the DES understand how the individual's wishes and hopes can be met. The process will help describe what they want to achieve and the support they need to make this happen, including the use of personal budgets.

The Disability Enablement Service brings together different services from education, health and social care. The service ensures that the support available to children, young people, young adults and their families is well planned, meets their needs and supports families to make the decisions

that will benefit them and their child or young person. The DES will have a strong focus on improving the development of a child or young person so that they can achieve their hopes and ambitions.

The DES will be responsible for managing and monitoring the EHC plan and Personal Budget. The lead professional will be the Assessment, Planning and Review Officer (APRO)

For further information on the DES, please visit the following link:
www.walthamforest.gov.uk/localoffer

3. What is a Personal Budget?

The SEN Code of Practice says that Local Authorities must:

“...provide information on Personal Budgets as part of the Local Offer. This should include a policy on Personal Budgets that sets out a description of the services across education, health and social care that currently lend themselves to the use of Personal Budgets, how that funding will be made available, and clear and simple statements of eligibility criteria and the decision-making processes.”

For information on the SEN Code of Practice, please visit:
www.gov.uk/government/publications/send-code-of-practice-0-to-25

A Personal Budget is a sum of money made available for individuals who require additional support over and above what is available through local services. For example, some children with EHC plans will be given an additional sum of money / funding in order to help them with additional support or services so that they can develop further or get more help where they need it the most – this is known as a Personal Budget.

Having a Personal Budget provides an additional or alternative choice for parents / carers and individuals, allowing them to be more involved in planning the way in which their agreed budget is spent. Young people and young adults between the ages 16 to 25 will be able to make some decisions on how their budget is spent.

Having a personal budget in this way gives the individual greater control over the money which is provided to them, choosing and deciding on the way in which this money is spent.

This information on the availability of Personal Budgets is part of the Local Offer, which is a guide to services that are available for children and young people with special educational needs and/or disabilities from birth to 25.

In Waltham Forest, individuals will be offered the option of having a Personal Budget during the “My Budget” stage of EHC planning (Stage 5). Please see Appendix 2 for a diagram of the London Borough of Waltham Forest’s EHC pathway for information on the stages of EHC planning. There will be further opportunities to request a Personal Budget during an individual’s EHC Review meeting.

Please note that there is no obligation to have a Personal Budget and the Council respects that parents / carers and individuals may not want to have this.

4. Who is eligible?

To be able to be considered for a Personal Budget, a child, young person or young adult must:

- Be a resident of the London Borough of Waltham Forest
- Have an EHC Plan OR is in the process of getting an EHC plan

Parents / carers and individuals will be told if they are entitled to a Personal Budget and this depends on them meeting the criteria above. A young person/young adult over the age of 16 will also be able to request a Personal Budget themselves. This will usually be discussed by the APRO who is helping to write or review the EHC plan.

Personal Budget funding must be spent on what has been agreed in the EHC Plan and be linked to supporting needs and outcomes as well as helping to make improvements which will have a positive result on the individual.

If you would like to appeal against the decision you have received on Personal Budgets, please see page 9 of this policy document for more information.

5. What does a Personal Budget cover?

Personal Budgets will allow parents / carers and individuals to have more control over the arrangements or services they receive or purchase in the following areas:

Education

In Education, a Personal Budget will be available where support provided by the school or college (including any special education provision set out in the local offer) cannot meet the individual's support needs. The Council sets aside funding for this part of the Personal Budget from a separate budget called the Dedicated Schools Budget (DSB) Higher Needs Block.

It is difficult to disaggregate this type of funding for an individual because schools will utilise all of their funding to provide specialist support as a package. The provision in schools can be considered in agreement with the school Governing Body where parents / carers can request that schools spend funding on different resources in order to achieve greater benefits for the individual.

Transport for Education

The London Borough of Waltham Forest has separate arrangements for Assistance with Travel and this is **NOT** currently provided as part of the Personal Budgets offer.

If parents / carers and individuals are interested in applying for help with travel costs to and from school, please visit [Assistance with Travel](#) for further information. This process is currently separate from Personal Budgets and is available regardless of whether an individual has a personal budget or not.

Health

Personal Health Budgets (PHB) by the NHS help people manage their care in a way that suits them. It is an amount of money given to support a person's health and wellbeing, and it is agreed and

planned between the person and their local NHS team. The aim is to give them more control and choice over the support services and care they receive and help them maintain their independence.

Personal health budgets for Continuing Care will ensure families have greater control in how, and who, provides health care for the individual by enabling them to 'employ' their own health staff and manage the hours of care which suits the needs of the individual and family.

For more information, please see the Waltham Forest CCG contact details below:

General enquiries

Telephone: 020 3688 2604

Email: wfccg.enquiries@nhs.net

Address:

NHS Waltham Forest Clinical Commissioning Group
Kirkdale House
7 Kirkdale Road
E11 1HP

Website: www.walthamforestccg.nhs.uk

Social Care

A Personal social care Budget can only be used for things that a young person or their family have been assessed as needing. For example a social work assessment might say that a child needs support to get out during weekends. A sum of money will be allocated by Waltham Forest to meet that need, for example to pay for someone to help the young person to catch the bus in order to take part in activities which they enjoy. This is called a short break. More information about short breaks can be found at;

<https://www.walthamforest.gov.uk/content/short-breaks-children-and-young-people-disability-0>

A Personal Budget can also be used for help that a young person may need in order to be cared for within their home; for example assistance with being moved (manual handling) or for help with personal care. This is generally called Domiciliary Care and is recognised as a need following an assessment by a Social Worker.

If Domiciliary Care and Short Breaks have been assessed as a need, they can be included in the social care section of a young person's EHC Plan. Your Assessment, Planning and Review Officer will provide you with further information or visit

<https://www.walthamforest.gov.uk/content/short-breaks-children-and-young-people-disability-0>

What a Personal Budget does not cover

It is important for parents / carers and individuals to understand the areas which are not covered by a Personal Budget. These are:

- Services that the Council provides as part of a block contract for example transport?

- Areas where it is difficult to separate out costs from an overall amount, e.g. a place in a specialist school setting.
- The cost of activities – e.g. swimming – the Personal budget can pay for a support worker to take a child / young person to swimming at the local swimming pool – but cannot be used to pay for the entry to the pool or payments for a particular session.

Examples

Parents of a child attending a Special school, who has an EHC Plan, wish to arrange for their son to receive Speech and language Therapy from a therapist they have identified themselves. The school do not object to this proposal.

A child's EHC Plan identifies specialist input from a Dyslexia trained specialist. The school have not been able to recruit staff to provide this service. The parents are aware of a Dyslexia specialist who is willing to work with their daughter.

A Social worker has recommended social activities as a need following the completion of a Child and Family Assessment for a 15 year old young person with a diagnosis of Autistic Spectrum Disorder. The Short Breaks Panel agrees for 100 hrs of short breaks to meet this need.

Examples can also be found at

<http://www.kids.org.uk/making-it-personal-case-studies-2>

6. Personal Budgets for Young Adults

When a young person reaches the age of 18 and becomes a young adult, the Council must ask if they want to be considered for a Personal Budget or if they already have this, if they want to continue to receive this.

The Disability Enablement Service will provide the right level of advice and focussed support to help young people as they move into adulthood. The aim is to help to develop confidence towards meeting goals in family life, local community and to develop skills to live, work, study and make a positive contribution.

The young adult can request that the Personal Budget payments:

- are made to his/her parents/carers or nominee,
- are made directly to him/her,
- Or that they no longer wish to receive a personal budget.

If the young adult between the ages of 18 and 25 continues to be in education and has an EHC Plan, they will remain eligible for a Personal Budget. However, please note that when a young person reaches 18, he or she will be covered by different acts of legislation and therefore will require different assessments with regards to access to the health and social care element of the personal budget. The Disability Enablement Service will advise on this.

If the individual is not in education or no longer has an EHC Plan, the Personal Budget could transfer into Adult Social Care and continue to be delivered through Adult Services if they are entitled to

receive this. The individual will have to go through a separate assessment process for this and this will be dealt with by Adult services.

Please click on the following link to find out more about Personal Budgets in Adult Social Care [Adult Personal Budgets](#)

The Assessment, Planning and Review Officer (APRO) will be able to offer further advice on the options available during EHC Plan and review meetings or they can be contacted and asked about this when needed.

7. How to apply for a personal budget?

In order to apply for a Personal Budget, parents / carers and individuals must first speak to the Assessment, Planning and Review Officer (APRO) who is responsible for writing the EHC plan, or the Social Worker completing a child and family assessment.

The APRO or Social Worker will provide advice and an information sheet which will explain how to apply for and get a personal budget. Requests for Personal Budgets should be discussed with the APRO or Social Worker undertaking the assessment. When the assessment is complete and has been agreed by those involved, it will be taken forward by the APRO or Social Worker to a decision making process for Personal Budgets.

The Panel for Short Breaks and Personal Budgets considers funding provision for children, young people and families known to the DES clarity of process. The Panel for Short Breaks and Personal Budgets is made up of representatives of parents, specialist workers and managers from Waltham Forest who know about families of children with SEND, as well as managers and finance officers. The panel can only make a decision on the information which they are given, which is usually the information presented by the APRO or Social Worker to the panel as well as their assessment and recommendation. Families can expect to be informed of the result of the decision by the panel within 4 weeks. This will be in writing as well as through direct contact with a Social Worker or APRO.

If approved, parents / carers and individuals will be given more information on all the options available to them, which will be specific to their needs.

Parents / carers and individuals can appeal against the decision made by the panel by firstly speaking with the Social Worker or APRO as well as a manager within the DES. If parents / carers and individuals are still not happy with the decision, they can make a complaint.

For more details on how to appeal against a decision on Personal Budgets, please see the 'What can I do if I am unhappy about the decision or process?' section of this document on page 9.

8. Calculating the Personal Budget Funding

At the EHC planning meeting, the Assessment, Planning and Review Officer (APRO) will discuss how much money may be available for Personal Budget. The discussion will include how the Personal Budget funding will support the individual to meet their needs and development, and how it will benefit them and fit in with their EHC Plan.

The amount of the Personal Budget funding which will be made available to the individual will be agreed based upon the EHC plan. This funding can be given to parents / carers and the individual through the Direct Payments service. Some parts of Personal Budget funding may be organised by the School , the Council or Health service and decisions around how this money is to be spent will have to be discussed with everyone involved.

9. How can I manage my Personal Budget?

A Personal Budget is normally the amount of funding given to an individual with an EHC Plan for the family or individual to manage. This can be managed in different ways as below:

Form	Example	Note
Direct Payment Mechanism	Part of the Personal Budget can be paid to Parents / Carers or the Individual through a bank transfer, giving individuals the freedom to manage the funding themselves.	PB funding held by Schools may not be available as Direct Payments.
Notional Budget	The Council or the Clinical Commissioning Group can be asked to manage the Personal Budget, with the Parents / Carers or Individuals having agreement on who will provide the service.	This option will not make use of the Direct Payment element of Personal Budgets, with no transfer of money to parents / carers or the individual.
Managed Budget	A third party can be asked to manage funding from Personal Budgets.	PB funding held by Schools may not be available as Direct Payments. In this case, the school will organise provisions on request.
Mixed Option	An agreed amount of the Personal Budget can be given through Direct Payments and organisations such as the Council, Schools, the CCG or a third party can also handle some of the money or arrange for the service to be provided.	

10. Personal Budget through Direct Payments

The aim of a Direct Payment is to give more flexibility and control in how services are provided to parents / carers and the individual who needs the support. A Direct Payment is a sum of money that is paid to the parent / carer and/or individual to enable them to consider which services they wish to purchase. It is an alternative to using the service providers that the Council has a contract with to provide services (commissioned services).

If part of the Personal Budget is requested through the Direct Payment mechanism, the amount for this will be agreed with parents / carers or the individual at EHC meetings, depending on what the need is and what has been agreed to be provided. The amount of the Direct Payment could go up or down as long as the Council is satisfied that the amount is enough to get the help or service that is needed. If the Direct Payment is not used, the Council can reduce the amount of the next payment if it thinks that it is reasonable to use any money which has not previously been used

Direct Payments can be made to parents / carers and individuals through bank transfers or a pre-paid cash card. Pre-paid cards give parents / carers and individuals control over how their direct payment is spent whilst giving the Council information regarding how much is spent and what has been spent.

The Council is responsible for monitoring the use of the Personal Budget. The Council must review how Direct Payments are being used at least once in the first three months, and then during a review or a re-assessment of an EHC Plan which normally takes place at least once a year or earlier if necessary.

Any misuse or abuse of Direct Payments could result in the Council requesting the money to be paid back. This includes using money for anything which was not agreed with APROs or Social Workers. The Council will take appropriate action to deal with this on a case by case basis.

Before deciding to approve a Personal Budget through Direct Payments, the Council must also be satisfied:

- That the funding received from Direct Payments will be spent on what has been agreed.
- That the person receiving Direct Payments funding will act in the best interests of the individual in order to meet their needs
- That having Direct Payments will not have a negative impact on other services which the Council, CCG and Schools provide or arrange for the individual.
- That by receiving any support or service through Direct Payments is a good use of Council money and resources.

11. Organising Direct Payments and Reaching Out East

Reaching out East provides support to residents in Waltham Forest on Direct Payments. The organisation has a contract with the Council to help parents / carers or individuals with having more control over the care which they receive.

Reaching Out East is not run by the Council, but will work closely with the Council to put in place arrangements to organise direct payments in the community.

Once a package of support has been agreed by the DES, parents / carers and individuals will be referred to Reaching Out East, where a meeting will be arranged in order to fill out a **Financial Claim Form and Referral Support Plan**.

Staff from Reaching Out East will provide further information and explain the process of managing the money, providing support for recruitment, public liability insurance and employer responsibilities. Specifically on recruitment, the organisation will help with providing CVs or agencies for potential carers, DBS applications, contracts of employment, job descriptions, payroll, timesheets and payslips.

It is important that individuals who receive payments understand the employer responsibilities for Personal Budgets. For more information, please visit www.reachingouteast.org.uk/direct-payments/

Please note that Personal Budget payments are not considered as 'income' and are not taxed as such. Personal Budget payments will also not impact on other benefits which you may receive.

For more information, please see Reaching Out East contact details below:

58 Hall Lane,
London
E4 8EU

Tel: 020 8519 6369

Email: reachingout@reachingouteast.org.uk

What if my circumstances change?

We understand that family circumstances can change suddenly or urgent new needs arise. If this happens parents / carers or individuals are advised to tell us as soon as possible as we may need to review the Personal Budget and present it to the Panel for Personal Budgets for a decision.

To do this you will need to contact:

- Your allocated Assessment, Planning Review Officer dealing with your case/child.
- The Disability Enablement Service team on 0208 496 6503

12. What can I do if I am unhappy with the decision or the process?

The decisions around the way in which a Personal Budget is used/spent is to be taken together with parents / carers, the individual, Schools, the Council and in some cases the CCG.

Parents / carers and individuals should first speak to the Assessment, Planning and Review Officer (APRO) who is responsible for writing the EHC plan if they are not satisfied with either:

- A decision by the Council not to approve the use of Personal Budgets
- A decision by the Council, the CCG or Schools not to provide a service or help requested
- The final EHC plan and / or the way in which the assessment was carried out

The APRO will be able to offer further advice and guidance on any issues in these areas.

If the issue remains unresolved, parents / carers and individuals can make an appeal by submitting a complaint through the Council's complaints process.

Please visit www.walthamforest.gov.uk/complaints for more information on how to submit a complaint.

Complaints will be investigated by a Group Manager for the Disability Enablement Service (DES).

Parents / carers or the individual will be informed of the outcome of their complaint in writing normally within 15 working days. If a parent / carer requests it, a meeting can be arranged to discuss the result of the appeal.

13. Parental Support

Citizens Advice Bureau (CAB)

Waltham Forest's Special Educational Needs and Disability (SEND) Information, Advice and Support Service (SENDIASS) is provided by the CAB. This information service should be contacted in the first instance for support and advice on SEND. Common issues dealt with by the CAB include Personal Budget appeals, criteria, and examples of use as well as other general information. Please see contact details below for the CAB:

Waltham Forest Citizens Advice Bureau,
220 Hoe St, Walthamstow,
London, E17 3AY,
Tel: 0300 330 1175
Website: www.citizensadvice.org.uk/waltham-forest/

Waltham Forest Parent Forum

Waltham Forest Parent Forum is a voluntary organisation providing support to parents and carers of disabled children, young people and young adults aged from 0 to 25.

They aim to provide feedback on the development and direction of services for disabled children, young people and young adults in the borough to key policy makers in the borough and to support families through sharing experiences and building networks. Please see the contact details below:

Carol Prideaux and Vanessa Moore – Parent Participation Directors
92 Leyton Green Road, Leyton,
London E10 6DA
Tel: 07528 433640 or 07794 298496
Email: walthamforestparentforum@live.co.uk
Website: www.walthamforestparentforum.com

Barnardo's

Working in partnership with a number of young people, Barnardo's offers a Disability Advocacy Service: engaging and including those with disabilities in community activities and decisions about themselves. There are also opportunities for carers to increase their confidence and develop the skills needed to ensure that individual voices are heard.

For advice and information, please see the contact details below

12 Church Hill
Walthamstow,
E17 3AG
Phone: 020 8509 3432

Mediation and Advice

The Council and its new Disability Enablement Service will provide advice and mediation services for parents / carers and individuals to help deal with queries, confusion and disagreements on how the funding for Personal Budgets is spent. Please see the contact details for the DES at the end of this document, and speak to an APRO or Social Worker for further advice.

The Disability Enablement Service

A service for children and young people with special educational needs and disabilities aged 0 – 25.

Waltham Forest's Disability Enablement Service is available to help with any questions or queries. Please see contact details below:

Wood Street Health Centre
6 Linford Road,
Walthamstow,
E17 3LA
Tel: 0208 496 6503

Appendix 1 - Examples of Personal Budget use

<http://www.kids.org.uk/making-it-personal-case-studies-2>

Appendix 2 – EHC Pathway

<https://www.rixwiki.org/walthamforestpilot/home/waltham-forest-0-25-education-health-and-care-pathway/>

DRAFT

Personalised Education, Health and Care Planning Pathway

