

Personal Budgets for SEN

This information is about personal budgets for children and young people with special educational needs.

You can access the **SEND Code of Practice** online at www.gov.uk and search 'SEND Code of Practice'.

What is a Personal Budget?

A Personal Budget for SEN is money set aside to fund support as part of an Education, Health and Care plan (EHC plan) for a child or young person with special educational needs. It can include funds from Education, Health and Social Care.

Parents or the young person must **always** be involved in planning the Personal Budget.

Sometimes the local authority, school or college will look after the Personal Budget for the parents or young person. This is called an **Arrangement or a Notional Budget**.

Sometimes the parents or the young person may manage all or part of the Personal Budget themselves. The money to do this will come from a **Direct Payment**.

Sometimes someone else will manage the Personal Budget for the parents or young person. This is called a **Third-Party Arrangement**.

Sometimes the parent or young person will have a mixture of some or all of these arrangements.

Who can have a Personal Budget?

Parents of a child with an EHC plan, or a young person with an EHC plan, can request a Personal Budget during the drafting of an EHC plan, or when a plan has been issued and it is under review. However, you do not have to have a Personal Budget. A young person with an EHC plan can ask for their own Personal Budget after the end of the school year in which they become 16.

Sometimes the local authority may not agree to a Personal Budget. If that happens the local authority should tell you why.

The SEND Code of Practice says: 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. 9.96

What can a Personal Budget be used for?

A Personal Budget can be used only on the support set out in an EHC plan. This can include funding for the special educational, health and social care support that will help to achieve the outcomes set out in the Plan.

You can find out what can be included as a personal budget in the Local Authority's personal budget policy. You can also ask SENDIASS for more information about this.

A Personal Budget does not cover payment for a place at the school or college, or the general provision for children or young people, including those who need SEN Support. A Personal Budget does include any top up funding (known as Element 3 funding) that is for provision specified in an EHC plan. It can also include support that is managed by the school or college – but only if the Head teacher agrees.

What is the difference between a Personal Budget and a Direct Payment?

A Personal Budget shows you what money there is to make some of the provision specified in an EHC plan, and who provides it. The parent or young person does not actually manage the funds directly.

With a Direct Payment, the parent or young person is given the money for some services and manages the funds themselves. The parent or young person is responsible for buying the service and paying for it. A Personal Budget can include a Direct Payment if it is agreed that this is the best way to manage part of the Personal Budget. Direct payments can be used for special educational provision only if the school or college agree.

It is also possible to have a Third-Party Arrangement to manage a Direct Payment.



How much will I get if I have Direct Payments?

How much you get will depend on what has been set out in the EHC plan. So, it will vary from one person to another.

If the local authority has agreed to make a Direct Payment, it must be enough to pay for the service or services specified in the EHC plan.

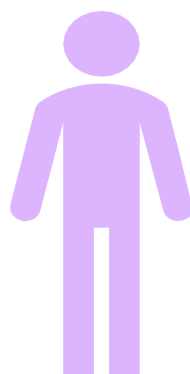
Are there other kinds of Personal Budgets?

Yes – some people have had Personal Budgets for health provision (a Personal Health Budget) and for social care provision (e.g. Fair Access to Short Breaks). They may have managed some or all of the provision using a Direct Payment. However, this is the first time that Personal Budgets have become available for SEN provision.

Where can I get further information, advice, and support?

SENDIASS can give you:

- More information about Personal Budgets, including Direct Payments
- Advice on whether you may be able to get a Personal Budget and how you can apply for it
- Information and advice on local services, organisations, and resources that may be able to help
- Information, advice, and support on what you can do if you are unhappy with the local authority's decision on your Personal Budget.



Further Information



Information: You may find it helpful to look at our other leaflets and information on our website, social media channels and through our workshops and courses. We have some downloadable resources. If you can't find the answers to your questions, you can get in touch by phone, text or email – **you choose** which works best for you.



Advice: We provide unbiased information and advice about what the law says, the local authority's policies and procedures, and about the policy and practice in local schools or other settings. We do not take sides or tell you what to do, we will help you get the information you need to make your **own choices**.



Support: We can help you by **listening** to your views and concerns, whilst working with you to explore your options. We can help you with preparation for meetings, with letters, forms and reports and support you to have the confidence to **express your views**.

Useful Links

Ace Education (independent advice and information on state education in England).

Child Law Advice (education law advice for families)
www.childlawadvice.org.uk

Contact (for families with disabled children) www.contact.org.uk

Council for Disabled Children (umbrella body for the disabled children's sector)
www.councilfordisabledchildren.org.uk

IASS (information, advice and support services network)
www.cyp.iassnetwork.org.uk

IPSEA (national charity providing legally based information advice and support) www.ipsea.org.uk

Our Website www.cornwallsendiass.org.uk

SEND Code of Practice (explains the statutory duties of schools and local authorities)
www.gov.uk/government/publications/send-code-of-practice-0-to-25

SEND Tribunals Service (organisation responsible for handling claims)
www.justice.gov.uk/tribunals/send

If you would like any further information, please see the links below to our website and social mediapages.

Alternatively, if you would like some extra support for your child/young person you can call or email our Advice Line service on 01326 331633 or info@cornwallsendiass.org.uk

Our Advice Line is open
10:00-15:00 Monday to
Friday