

An offer of personal budgets by September 2014

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An offer of personal budgets by September 2014

Introduction

A family or young person will be able to request a personal budget at the point where the local authority is drafting an Education health and Care Plan. This toolkit sets out the key actions which need to be completed to enable local authorities to make an offer of personal budgets across SEN, health and social care from September 2014. There is a clear expectation that the offer of personal budgets and funding available will increase over the transitional period of three and a half years. This toolkit is focused on having an offer in place for September 2014; further work, examples and tools will be published to support the longer term development of personal budgets.

This toolkit describes what needs to be included in the Local Offer as referenced in the [Special educational needs \(SEN\) and disability Code of Practice: 0 to 25 years](#)ⁱ. It provides links and examples in support of the work, key to this are two sources of information

1. The SEND pathfinder webpages and Personal Budget Information Pack www.sendpathfinder.co.uk/infopacks/pb/ⁱⁱ, including a [stock take exercise in Appendix 3.1](#).
2. [Support and Aspiration, Introducing Personal Budgets](#)ⁱⁱⁱ. Written by In Control and SQW with the support of the DfE and sets out all key information about personal budgets, definitions, examples and a structure for the long term planning of work to introduce and scale up the offer of personal budgets in line with the wider SEND Reforms.

The toolkit includes:

- a set of Frequently Asked Questions (coming soon)
- examples of work which add to the answers offered
- a growing bank of examples, case studies and documents
- links to work by DfE funded delivery partners, work being undertaken by In Control with NHS England and many children's services across the country and evaluation reports from SQW covering the DfE funded Individual Budget Pilotsiv and the work of the SEND Pathfinders.

This summer will see a new publication from SQW - a study of personal budgets and the SEND reforms.

Co-production

Co-production is at the centre of the new approach to supporting children, young people and families. Personal budgets should model co-production; not just in terms of the planning around an individual but also in the development and taking forward of this approach. Developing an offer of personal budgets will mean genuinely working with all partners; families, young people, parent carer forums and local providers.

Thinking about implementing Personal Budgets – implications for the Local Offer

As with the wider development of the Local Offer it will be a combination of information about rights, expectations, regulation and excerpts from the [0 - 25 SEND Code of Practice](#)^{viii} alongside locally specific information.

Key information in the [0 - 25 SEND Code of Practice](#)^{ix} comes in Section 4 pages 65 – 66 and Section 9 pages 167-173.

Your Local Offershould include,

1. General information about:

What a personal budget is and what different options there are for managing a personal budget including an explanation of direct payments.

- *Drawing direct from the Code of Practice and associated materials to offer clear concise definitions consistent across the country along with information about how a personal budget can be managed as set out in the Code of Practice.*
- *Example: Draft Information for Parents and Carers of Children with Special Needs and Disabilities in Middlesbrough and Redcar and Cleveland April 2014^x. [Personal Budget Information Pack, Appendix 5.](#)*

Who may be eligible for a personal budget across education, health and care.

- *Explain the thresholds for accessing support from education, social care and health; this will be a combination of local eligibility for an EHC Plan and arrangements for accessing short breaks, more substantial support from social care and the [decision support tool \(DST\) for Continuing health care](#)^{xi}.*

How parents and young people will be supported to consider their options and decide whether or not to request a PB and when they can do this (which should include information about any differences in the education element if a mainstream or a special school is chosen).

- *The duties to provide information advice and guidance to children, young people and families are clearly set out in the Code of Practice; how local services choose to do this will be based upon a number of factors.*
 - *Existing arrangements to support families managing direct payments and the approach taken by adult social care locally.*
 - *Current commissioning arrangements to support information advice and guidance which vary greatly across the country.*
 - *The current roles of the Parent Partnership, Family Information Service, Parent Carer Forum, Healthwatch and local advocacy services.*

How joint commissioning will seek to increase choice and control over time through a wider range of budget areas being available for personal budgets.

- *Clear expectations are set out in the Code of Practice about joint commissioning and personal budgets including a requirement for joint commissioners to agree a common approach to personal budgets and their allocation. Local arrangements will be built upon these but should be clear about what is happening and will happen over the coming years to increase flexibility and funding available.*

2. Information about the personal budget process:

How funding from different agencies will be integrated into a personal budget.

- *At this early stage the exact process in local areas for delivering this expectation, as set out in the Code of Practice, is unlikely to be fully developed. What is important is to be clear about how funding from different streams can be used to deliver more holistic support which is focused on outcomes and the provision identified in a child or young person's EHC Plan. Work being taken forward by a small number of children's services with In Control can be found on the SEND Pathfinder Information pack pages^{xii}.*

How parents and young people will know how much indicative funding would be in their Personal Budget and at what point in the coordinated assessment and planning process.

- *Some services have well established approaches to this when it comes to social care funding, many will have banding systems when it comes to the allocation of additional SEN funding and the [Continuing health care Decision Support Tool \(DST\)](#)^{xiii} all make allocations which can be shared with families. Work on resource allocations system is covered in the SEND pathfinder information pack pages^{xiv}, including Top Tips shared by Pathfinders and examples. Over time and with a focus on delivering the Code of Practice these current approaches across services will need to be brought closer together and made both transparent and participative.*
- *Example: [Newcastle Children's Services publish all their resource allocation questions, a table of allocations and access statements for social care support on their web pages](#)^{xv}.*

How the amount of the PB is agreed, how this links to the agreement of the content of the Education Health and Care Plans (EHC Plans).

- *Most current arrangements for the agreement of support packages use a panel based system, in the short term this is likely to continue however it will be necessary to both ensure that this is supportive of families and young people's involvement and how efficient this may be in the long term as people become more confident with agreeing and using personal budgets. Whatever the short or long term approach it must be transparent and include families and young people as much as is possible in all decisions being made about how their son or daughter is to be supported.*
- *Example: Cambridgeshire have delegated responsibility for agreeing social care personal budgets to front line workers up to a certain amount and then to team managers, services leads with only the most complex and high costs support packages needing the sign off of the Joint Agency panel.*

How parents and young people can challenge the amount of a personal budget or the refusal to provide one.

- *This will form part of any 'challenge' approach outlined in the Local offer. Families and young people may challenge at an early stage the amount of funding available, however it will be difficult to see if the funding available will suffice until it has been added to all the available provision and a person centred support plan has been drawn up. The personal budget / self-directed support pathway used by many children's services provides a basis for open and honest discussion throughout the process hence mitigating and hopefully minimising the challenges that have historically happened at the end / agreement stage.*

How a PB will provide families and young people with the chance to make choices and have control over provision set out in their son or daughters EHC plan.

- *A collection of case studies collected by In Control and others as part of the DfE funded [Making it Personal](#)^{xvi} project led by KIDS provides families with many ideas about personal budgets can be used to support their child. Local information can add to this with stories and input from*

families and professionals involved. These stories should be backed up with simple and clear guidelines about use and how it needs to be linked to delivering the outcomes set out in the child's EHC Plan.

3. Information about managing and using a personal budget:

Clear information on the services and provision that are available in the area for parents and young people to access through a personal budget/direct payment; and information about outcomes and the flexible and personalised use of a personal budget.

- *A key part of the Local Offer this information will cover all sorts of activities, opportunities and sources of support. Referencing stories from families and young people it will be important to both evidence and provide options for personal budgets to be used to deliver outcomes and to be used in a variety of practical ways to support disabled children and young people to participate in activities alongside their non-disabled peers, i.e. in universal services.*

How parents and young people will be supported to plan for and manage their PB; by the local authority, by a provider service or VCS organisation and direct payments (including information about bank accounts, being an employer and keeping accounts)

- *Local arrangements to support families and young people think about personal budgets how one may work for their child or young person, how they can be managed and what support is available to help them use direct payments. This will include offers of support around pay roll, bank accounts and employing personal assistants. Much of this will already be in place for social care and hence a clear opportunity to add to this commissioned service to support families and young people with education and/or health personal budgets.*

How the spend will be monitored and what the arrangements are for auditing and reviewing direct payments and how this links to the reviews of the Education Health and Care Plans (EHC Plans)^{xvii}.

- *Building on information above and setting out clearly arrangements and support for using, managing and the auditing / review of EHC Plans and personal budgets.*

A statement about 'rolling over funding in the next year; what money can be taken forward and what money would be claimed back by the local authority

- *There are many examples of these, the focus being upfront not only about allocations but about local guidelines to how budgets, can be managed in a family centred, reactive and flexible way including the opportunity to accrue funding for specific activities and/or equipment.*

4. Information about changes:

What would happen if the family/young person's circumstances change?

- *There is no need for any new personal budgets systems here, it is simply an opportunity to repeat and state existing arrangements for reacting to change. This will centre on stabilising support and situation in the short term and then as things settle or new circumstances become clear longer term planning can take place with a revised offer of provision including a personal budget.*

What happens if there is a sudden change in the child or young person's support needs

- *Emergency support might be offered and put in place, this could be informed by all the person centred information in the child's EHC Plan and will focus on stabilising support and their child's life and can then move to looking more long term at changes to current support in light of the new situation.*

- *How parents and young people can use part of their personal budget as a contingency if there are 'fluctuating' support needs, and what happens to this contingency at the end of the year / at review*
- *In some areas where a child's or young needs fluctuate over a year families can manage a contingency fund which enables them to react to these changes and purchase additional support as and when needed, this would be explained in the EHC Plan and agreed by all.*

A stake take exercise in [Appendix 3.1 of the Personal Budgets Information Pack](#), provides a chance for a local partnership of services and families and young people to work through what they already have in place, for example a commissioned direct payment support services for families, and what work is then needed. In undertaking the exercise it is clear the scale of work needed to successfully deliver an offer of personal budgets by September 2014; this briefing, using the structure of the [Common Delivery Model \(CDM\)](#)^{xviii} provides a guide to work which is a 'must' in that it delivers the 'musts' in the Code of Practice, and bases work on co-production, transparency, participation and clear concise information.

Risk

There is a very clear risk for local authorities who do not invest in such work, who then leave themselves open to legal challenge and dispute and who hence disenfranchise families locally. The frequently asked questions section (*coming soon*) which accompanies this briefing covers many of the barriers, misunderstandings and confusion we have all encountered across the country.

Taking forward work over the next three and a half years

Further publications using the structure explained in 'Support and Aspiration, Introducing personal budgets'^{xix}(In Control and SQW 2013) the Common Delivery Model (CDM)^{xx} will be available later in 2014. The CDM was developed by SQW to support the DfE funded Individual Budget Pilots in 2009 and continues to offer a useful way of planning and monitoring work to offer personal budgets.

The CDM is set out in four areas of work:

- **Organisational engagement and cultural change**
- **Engaging and involving families**
- **Setting up and scaling up the infrastructure**
- **Safeguarding and risk management**

In the full guide each section has been further broken down in to more detailed areas of work.

Summary

To successfully deliver an offer of personal budgets by September 2014 it will be important to maintain a co-production approach and to focus on what is achievable. This early work will be followed with the setting in place of a clear jointly owned plan to deliver an integrated and increased offer over the 3 ½ years of work in transitioning from current to the new approach.

Evidenced in SQW's work on evaluation maintaining a focus on 'family centred, holistic and outcomes focused' will be essential although challenging; this is a challenging area of work, beset with challenging historical and cultural approaches to supporting disabled children, young people and their families.

This document is a very brief summary and tool kit of work, it has set out not to duplicate any existing information all of which is clearly referenced on the SEND Pathfinder information pages.

Appendices

Appendix 1: Frequently Asked Questions (*Coming Soon*)

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- ⁱ [Special educational needs and disability Code of Practice: 0 to 25 years, July 2014](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338195/Code_of_Practice_approved_by_Parliament_290714.pdf)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338195/Code_of_Practice_approved_by_Parliament_290714.pdf
- ⁱⁱ [Personal Budgets Information Pack version 4, Mott MacDonald](#) April 2014
- ⁱⁱⁱ Support and Aspiration: Introducing Personal Budgets, [In Control](#) and [SQW](#) April 2014
http://www.sendpathfinder.co.uk/files/page/556903/Appendix_2_PB_v4.pdf
- ^{iv} Individual budget pilot programme for families with disabled children, Evaluation reports, SWQ
www.gov.uk/government/publications/evaluation-of-the-extended-individual-budget-pilot-programme-for-families-with-disabled-children-the-extended-packages
- ^v Implementing a new 0 to 25 special needs system: LAs and partners, Duties and timescales - what you must do and when, DfE July 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/328221/SEND_implementation_update_-_June_update_version_15.1.pdf
- ^{vi} [Personal Budgets Information Pack version 4, Mott MacDonald](#) April 2014
- ^{vii} Making it Personal ([Supportive guidance for commissioners, appendix A](#)), [KIDS](#) with [In Control](#), [OPM](#) September 2012 <http://www.kids.org.uk/Handlers/Download.ashx?IDMF=6fcdd832-4faa-400c-adf5-28d0d1d73421>
- ^{viii} Special educational needs and disability code of practice: 0 to 25 years, July 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338195/Code_of_Practice_approved_by_Parliament_290714.pdf
- ^{ix} Special educational needs and disability code of practice: 0 to 25 years, July 2014
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338195/Code_of_Practice_approved_by_Parliament_290714.pdf
- ^x Draft Information for Parents and Carers of Children with Special Needs and Disabilities in Middlesbrough and Redcar and Cleveland April 2014 <http://www.sendpathfinder.co.uk/infopacks/pb/>
- ^{xi} Decision Support Tool for NHS Continuing Healthcare November 2012 (Revised)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/213139/Decision-Support-Tool-for-NHS-Continuing-Healthcare.pdf
- ^{xii} [Personal Budgets Information Pack version 4, Mott MacDonald](#) April 2014 INSERT EXAMPLES
- ^{xiii} Decision Support Tool for NHS Continuing Healthcare November 2012 (Revised)
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/213139/Decision-Support-Tool-for-NHS-Continuing-Healthcare.pdf
- ^{xiv} [Personal Budgets Information Pack version 4, Mott MacDonald](#) April 2014
- ^{xv} Newcastle Children Services Resource Allocation System www.newcastle.gov.uk/health-and-social-care/disabilities/children-with-disabilities/individual-budgets
- ^{xvi} Making it Personal, [KIDS](#) with [In Control](#), [OPM](#) September 2012
<http://www.kids.org.uk/Handlers/Download.ashx?IDMF=6fcdd832-4faa-400c-adf5-28d0d1d73421>
- ^{xvii} Special educational needs and disability Code of Practice: 0 to 25 years, July 2014 Section 9
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/338195/Code_of_Practice_approved_by_Parliament_290714.pdf
- ^{xviii} The Common Delivery Model was developed by [SQW](#) as part of a scoping study to inform the development of the individual budget (IB) pilot programme in 2008-2009
- ^{xix} Support and Aspiration: Introducing Personal Budgets, [In Control](#) and [SQW](#) April 2014
<http://www.in-control.org.uk/media/161498/support%20and%20aspiration%20personal%20budgets%20oct13.pdf>
- ^{xx} The Common Delivery Model was developed by [SQW](#) as part of a scoping study to inform the development of the individual budget (IB) pilot programme in 2008-2009