

sendiass NORTH YORKSHIRE

Leaflets and Factsheets

Personal Budgets for
SEN

www.sendiassnorthyorkshire.co.uk

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 is an amount of money identified by the local authority to deliver provision set out in an EHC plan where the parent or young person is involved in securing that provision.

Personal Budgets are optional for the child's parent or the young person but local authorities are under a duty to prepare a budget when requested.

Local authorities **must** provide information about organisations that may be able to provide advice and assistance to help parents and young people to make informed decisions about Personal Budgets.

See Local Offer: [Money and financial support for SEND children and young people | North Yorkshire County Council](#)

Mechanisms for delivery of a Personal Budget

There are four ways in which the child's parent and/or the young person can be involved in securing provision:

- Direct payments – where individuals receive the cash to contract, purchase and manage services themselves
- An arrangement – whereby the local authority, school or college holds the funds and commissions the support specified in the plan (these are sometimes called notional budgets)
- Third party arrangements – where funds (direct payments) are paid to and managed by an individual or organisation on behalf of the child's parent or the young person
- A combination of the above

Who can have a Personal Budget?

1.

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.

As part of a person-centred approach to the development of the EHC plan, the local authority should agree the provision to be made in the plan and help the parent or young person to decide whether they want to take up a Personal Budget. Personal Budgets are optional for the child's parent or the young person but local authorities are under a duty to prepare a budget when requested.

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

2.

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. NYCCs webpage: [Money and financial support for SEND children and young people | North Yorkshire County Council](#)

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.

Personal Budgets should reflect the holistic nature of an EHC plan and can include funding for special educational, health and social care provision. They should be focused to secure the provision agreed in the EHC plan and should be designed to secure the outcomes specified in the EHC plan.

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

A Personal Budget is an amount identified by the local authority to secure the provision within the plan. 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 to contract, purchase and manage services themselves.

The parent or young person is therefore 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 educational setting agree.

It is also possible to have a Third-Party Arrangement to manage a Direct Payment (as mention above in 'mechanisms for delivery')

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.

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.

Useful links to more information:

[Personal budgets and direct payments | \(IPSEA\) Independent Provider of Special Education Advice](#)

[Personal budgets and direct payments | Contact \[www.sendiassnorthyorkshire.co.uk\]\(http://www.sendiassnorthyorkshire.co.uk\)](#)

[SEND code of practice: 0 to 25 years - GOV.UK \(\[www.gov.uk\]\(http://www.gov.uk\)\)](#)

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
- **Collis Mediation Ltd** (mediation and disagreement resolution service) www.collismediationltd.com
- **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
- **IASSN** (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.sendiassnorthyorkshire.co.uk
- **SEND Code of Practice** (explains the statutory duties of schools and local authorities) www.gov.uk/government/publications/send-code-ofpractice-0-to-25
- **SEND Tribunals Service** (organisation responsible for handling claims) www.justice.gov.uk/tribunals/send

sendiass NORTH YORKSHIRE

Special Educational Needs and Disabilities
Information, Advice and Support Service

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

Alternatively, if you would like some extra support for your child/young person you can call or email our

Advice Line service on 01609 536923 or

info@sendiassnorthyorks.org.uk

Our Advice Line is open 9:30-1pm Monday to Friday during Term-Time and 9:30-1pm Tuesday and Thursday during School Holidays.



Information



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www.sendiassnorthyorkshire.co.uk



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