

Requesting a Personal Budget for Special Educational Needs – a Parent/Carer Guide

This information explains how, and when, a personal budget for children and young people with special educational needs (SEN) can be requested.

What is a Personal Budget?

A Personal Budget for SEN is money identified to pay for support specified in an Education, Health and Care plan (EHC plan) for a child or young person with special educational needs. It can include funds from the local authority for education and social care and from the Clinical Commissioning Group (CCG) for health.

There are four ways you can use a personal budget:

1. Sometimes the local authority, school or college will look after the Personal Budget for you. This is called an Arrangement or a Notional Budget.
2. Sometimes you can receive money directly to manage all or part of the Personal Budget yourself. This is called a Direct Payment.
3. Sometimes you can opt to have someone else to manage the Personal Budget for you. This is called a Third Party Arrangement.
4. Sometimes you can have a mixture of some or all of these arrangements.

Who can have a Personal Budget?

Parents of a child or young person with an EHC plan can request a Personal Budget either during the process of drafting a new EHC plan or during a Transfer Review from a Statement to an EHC plan or once the plan has been issued and is under review.

You do not need to have an EHC plan to get Personal Budgets for social and health care, but once you have an EHC plan, or one is being prepared, you can request budgets for all three areas of support. You must have an EHC plan to get a Personal Budget for special educational provision.

However, you do not have to have a Personal Budget if you choose not to.

The **SEND Code of Practice, Chapter 9.96**, says that local authorities **must** provide information on Personal Budgets as part of the Local Offer. For further information you can see the East Riding of Yorkshire Council's Personal Budgets policy and information page, on the Local Offer, at: <http://www.eastridinglocaloffer.org.uk/money-matters/personal-budgets>

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.

What can a Personal Budget be used for?

Personal Budgets can be used only to fund the support set out in an EHC plan. This must be agreed by the local authority for education and care support, and by the health authority for the health provision.

You can find out what can be included in a Personal Budget on the East Riding of Yorkshire Council's Local Offer. You can also ask the Information Advice & Support Service, SENDIAS, for more information about this. Telephone: 01482 396469

A Personal Budget for special educational provision cannot cover payment for a place at the school or college named in the plan. A Personal Budget can include any top up funding (known as Element 3 funding). It can also include support that is managed by the school or college – but only if the Head teacher or Principal agree.

You can also find out more about what can be included in a Personal Budget in Sections 9.110 to 9.118 of the **SEND Code of Practice**.

When can I ask for a Personal Budget?

EHC Plans have to be reviewed at least once per year and must focus on your child's progress towards achieving the outcomes written in their Education, Health and Care Plan (EHCP).

Reviews should also:

- Be combined with social care plan reviews, where applicable
- Gather information that will support your child's learning and progress
- Review any interim targets set by the school
- Make sure that the support being provided is effective across all services
- Look at whether any changes are needed to the outcomes or the support provided and how this is put into practice i.e through a Personal Budget?
- Agree new outcomes for the coming year, and how these will be achieved

As part of the review process, a young person (if 16 years or above) or their parent/carer can request that a Personal Budget is considered as part of this overall process.

Can I request a Personal Budget at any other time?

Yes, but only if the children or young person's needs have significantly changed, and the young person or their parent/carer(s) feel the existing provision is not meeting the needs or specified educational outcomes for the individual. This type of review is called an Interim Review, and can be requested in order to highlight those changes, review existing provision and agree new outcomes and/or how support is provided.

Interim/Early Reviews

There are times when ‘interim or early reviews’ may need to be called. These are reviews that will take place outside of the annual review cycle; they may take the same format, however, they do not need to follow the procedure that is set out in the regulations. These reviews can be instigated by schools, parents or any professional involved with the child or young person.

Interim or early reviews may be needed:

- if a child has needs that are known to change rapidly,
- if it was the recommendation from a previous review,
- to reassure parents and professionals particularly when there was a disagreement at a previous review meeting on a particular course of action.

My child’s needs have changed, how can I apply for a Personal Budget?

All children and young people with SEN, who have a Statement or an EHC Plan will have an allocated EHCP Co-ordinator. The EHCP Co-ordinator is the first point of contact for requests for a Personal Budget to support the achievement of outcomes for special education needs.

Initial discussions can be via the telephone, but all formal requests should be made in writing by completing the attached template, ‘Requests for a Personal Budget to the SEN Panel’ available at Appendix 1.

The EHCP Co-ordinator will need to gather, and verify, the information provided. This will be by communicating with the young person (if 16 years or older), or their parent/carer(s), and any other professional that support, or are involved in providing/co-ordinating the existing provision or support for the child or young person.

The EHCP Co-ordinator will then be responsible for ensuring that the request is submitted to the SEN Panel and that the panel outcome is fed back to the young person (if 16 years or older) or their parent/carer(s) within 2 weeks of the date that the request was presented at the SEN Panel.

What happens if I am refused a Personal Budget?

Sometimes the local authority or the health authority may not agree to a Personal Budget. If the local authority refuses a personal budget for special educational provision it must tell you why.

You cannot appeal to the Special Educational Needs and Disability Tribunal over this refusal but you could appeal the decision by following the Refusal and Appeals process for children and young people (0-25 years) with special educational needs with an EHCP – review of decision.

This process can be found on the Local Offer at:

<http://www.eastridinglocaloffer.org.uk/money-matters/personal-budgets/>

Please find enclosed the template for Parental Requests to the SEN Panel for a Personal Budget to achieve Educational Outcomes, below.

Parental Requests to the SEN Panel for a Personal Budget to achieve Educational Outcomes

Request from (name):	
Relationship to child/young person:	
Child/young person's name:	
Child / young person's DOB:	
Child/ young person's address (main):	
Does the child/ young person have either a:	Statement Draft EHC Plan Final EHC Plan <i>(please circle/delete)</i>
Why is a Personal Budget being requested? <i>(please include what the previous provision was/is and why this doesn't meet the child/young person's needs, as identified and outlined in the Statement or EHC Plan)</i>	
Has the EHC Co-Ordinator been informed of your concerns:	Yes No <i>(please delete/circle)</i> If yes, date:
Has an Annual/Interim Review been held:	Yes No <i>(please circle/delete)</i> If yes, date:
If No, a Personal Budget request is refused until after an Annual/Interim Review has been held.	
If Yes, please list who was present at the meeting:	
If the Personal Budget is approved, what are the specific educational outcomes that it will be required to meet:	
OFFICE USE ONLY: Date of SEN Panel the request will be presented at:	

*If approved, the EHCP Co-ordinator needs to inform the Parent/Carer of the outcome and complete the PB request template and send to CCQMT for action.