

Policy

0-25 SEND Personal Budgets (Full Policy)

Policy Summary

A description of the services across education, health and social care that can be included in a Personal Budget. Details of how that funding is made available and managed, eligibility criteria, and the decision-making and review processes.

Statutory Basis for the Guidance

The Special Educational Needs (Personal Budgets and Direct Payments) Regulations 2014.

Special Educational Needs and Disability Code of Practice:
0 to 25 years (Section 9).



<u>Version History</u>				
Version Number	Summary Of Change	Approved By	Author Initials	Date
1.0	Final version agreed	SMT/0-25 Board/CCG	CM/AW	28.04.16
1.0	Updated budgets in Appendix I for 2016.17	CL/JW	AW	25.05.16
1.0	Updated contact details in decisions and appeals section.	CL/JW	AW	02.06.16
1.0	Section 1.2.3 took out reference to occupational therapy and added sentence re: DPs not funding school places. Section 3.2.1 para 2 – minor grammar changes, para 6 changed funding agreement ‘panel’ to ‘is issued’. Section 6.2 updated link to SMBC local offer page.	CL/JW	AW	08.09.16
1.0	Updated care leavers in section 3.2.3 to access leaving care services up to age 25. Contacts section updated for Short Breaks/Disability team. Updated key contacts.	JW	AW	15.09.16
2.0	Section 3.2.2 – took out reference to pilot for travel direct payments. Added sentence to advise transport direct payments are available for some eligible travellers. Also added link to local offer/transport PTBs.	CL	AW	17.05.17
2.0	Section 4.2.1 - took out reference to pilot for travel direct payments. Added sentence to advise transport direct payments are available for some eligible travellers.	CL	AW	17.05.17
2.0	Section 3.2.3 – took out link to care leavers’ guide.	CL	AW	17.05.17
2.0	Section 3.3.1 – updated contacts details for IASS for KIDs, and Dispute Resolution and Mediation amended to Essential Mediation.	CL	AW	17.05.17
2.0	Section 6.2 took out web link for Children & Young People (inc. Education and Social Care) SMBC. Updated web link for NHS Continuing & Complex Healthcare Team.	CL	AW	17.05.17
2.0	Appendix I – updated budget figures for 2017.18. Removed comment re: SEN Transport pilot and added line regarding availability of Transport DPs for certain eligible travellers.	CL	AW	17.05.17
2.1	Appendix I – added Continuing	CL	AW	17.05.17

	Health Care – joint funded budget figure for 2017.18			
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1. Introduction

1.1 Personal Budgets

A Personal Budget is an amount of money identified by the Local Authority (LA) and in respect of health needs, the Clinical Commissioning Group (CCG) to deliver provision set out in an Education, Health and Care (EHC) plan where the parent or young person is more involved in agreeing that provision. This Personal Budget Policy document 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, clear and simple statements of eligibility criteria and the decision-making processes.

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.

Some services, support and funding detailed in the EHC plan will not be available for families to control, and therefore will not be included in a Personal Budget. However, this does not mean that families cannot work with these services to provide the desired outcomes. The EHC plan makes it clear what the total amount of funding available is and which elements of this can be included in a Personal Budget.

The aim of Personal Budgets is to put children and their families more in control of the support they receive, giving them more choice on how this can be managed. Where appropriate a Direct Payment can be arranged, where a proportion of the Personal Budget is paid directly to the family to purchase services outlined on the EHC plan. This will ensure families will have a greater sense of involvement in the decision-making process and choices in accessing the best and appropriate support to meet identified needs.

1.2 Types of Personal Budget & Funding Sources

The EHC plan determines a child's or young person's needs and provides a set of outcomes to meet those needs. A Personal Budget is the funding assigned to deliver the outcomes detailed in the EHC plan following assessments. Depending on the agreed EHC plan there may be some children or young people entitled to a Personal Budget from more than one source.

There are different types of Personal Budget as follows:

1.2.1 Social Care Personal Budget

Available to a child or young person who is eligible for social care support and is assessed as needing additional and individual support at home and in the community. This can help the child or young person access social

activities or provide families and carers with respite to meet needs identified in the EHC plan. Funding is made available through disabled children social care short breaks budgets.

1.2.2 Health Personal Budget

Available to a child or young person who is eligible for continuing care and has complex, long-term and/or life-limiting condition/s and may require a package of continuing care. Funding may be provided by the CCG in the form of a Personal Budget for elements of a child or young person's care package that would normally be provided by the NHS once they become eligible for continuing care.

1.2.3 Education Personal Budget

Available to a child or young person who has special educational needs and requires additional learning support which is more complex than that already provided by the school or college from their delegated funding and is therefore eligible for an EHC plan. Funding is made available from the High Needs Block (HNB) of the dedicated schools grant. Although delegated funding is not readily in scope for Personal Budgets some schools or colleges may choose to offer some of this up towards one. The HNB includes both top-up funding that can be used to commission bespoke support directly and access to a range of support services such as learning and sensory support or commissioned support covering speech and language therapy, tutoring out of school through agencies and payments for extra hours specialist support in the early years' sector. The Local Authority funding for SEN transport is also in-scope.

LAs must not make direct payments for the purpose of funding a school place or post 16 institution.

2. Who can request a Personal Budget

If a child or young person is eligible for an EHC plan they are entitled to request a Personal Budget. A child's parents/carer or young person can request a Personal Budget at any time in which an EHC plan is being prepared or reviewed. In some circumstances a child or young person may be offered a Personal Budget for social care or health support without having an EHC plan.

3. How a Personal Budget is agreed

3.1 EHC Plan/Support Plan

An EHC plan is an overarching plan which brings together the outcomes and support a child or young person requires across Education, Social Care and Health following on from relevant assessments. Joining up the support given will provide children, young people and their families with a more personalised and holistic approach to planning their care and support.

A child's parent/carer, a young person over the age of 16 (but under the age of 25) or a person acting on behalf of a school or post-16 institution (with consent) has the right to request an EHC assessment from the LA.

The whole process of EHC needs assessment and EHC plan development, from the point when an assessment is requested (or a child or young person is brought to the LA's attention) until the final EHC plan is issued, must take no more than 20 weeks (subject to exemptions). The flow chart in **Appendix A** shows the process and timescales from request to publication of the EHC plan.

Once an EHC plan is in progress a Personal Budget can be requested. Where possible, an indicative amount of funding will be stated relating to the relevant education, care and/or health areas, this is called an Indicative Budget. This may be more or less than the final value of the Personal Budget. The final value of a Personal Budget will be agreed once the assessment is complete and suitable support is arranged. If the management arrangements include direct payments, the child's parent/carer or young person will complete a Support Plan with their identified support worker to outline how the direct payment will be spent to meet the needs and outcomes identified in the EHC plan. This will also detail how the support will be arranged and by who and the cost. All outcomes in the Support Plan will mirror the outcomes detailed in the EHC plan. Before a Personal Budget can be agreed and any direct payment released the LA must agree and sign off the Support Plan via the multi-agency sign off panel.

3.2 Eligibility Criteria for a Personal Budget

Before any final decision regarding funding is made a case will be presented to the LA (for education and social care element) or CCG (for the health element) via the relevant panels and these decisions will be brought together to sign off via the multi-agency resource panel to ensure all elements of Personal Budgets are aligned.

In the short term, Stockport retains existing criteria when determining eligibility for an EHC plan.

These are based on three guiding principles:

- **Process**

This means the evidence that a school or educational setting has met needs through a graduated response of best SEN practice, provision, resource, methodology, support and intervention over time. Appropriate multi-agency working and close engagement and partnership with parents/carers, children and young people are evidenced.

- **Severity**
This means that severity of need or disability is exceptional, complex, long term and/or meets assessment criteria (where appropriate) that would place the child or young person's functioning within the well below average (1-2%) population.
- **Complexity**
This recognises that needs are very individual. Complexity recognises the unique combinations of difficulties and disabilities and the context of family and social environment that impact on children and young people.

3.2.1 Education

Maintained Schools and Academies

The Special Educational Needs (SEN) panel is made up of representatives from the LA, schools, health (Consultant Paediatrician) & parent partnership and meets 2-weekly during term time. All requests for additional support for a child or young person whether this be learning support assistant, midday assistant or learning support service, for example, is decided at this panel. A tariff system as outlined in **Appendix B** is currently used to allocate support and funding.

Special Schools, Resourced Provision & Pupil Referral Units (PRUS)

Special school placements are agreed via the SEN panel as mentioned above. Selection criteria for a special school is based on category of need as detailed in **Appendix C**. Placements at Highfields Inclusion Partnership and The Pendlebury Centre PRU are managed through the Secondary Panel for Inclusion (SPI), which is a multi-agency panel that meets fortnightly in term time. Referrals are accepted from schools, but also from other services such as the SEN Team, Virtual School Team, YOS etc. Referrals are not accepted from parents. Moat House PRU manage their own referrals directly.

Criteria for Highfields Inclusion Partnership - secondary-aged pupils who are permanently excluded or at risk of permanent exclusion from school. Highfields also caters for pupils who are new to the area with a similar profile where it's felt that a placement at mainstream school would not be appropriate. Highfields also has a provision on a different site called ACE (Alternative Curriculum Experience), which provides for Year 11 pupils with very challenging behaviours and/or complex backgrounds, for example young offenders, young people returning from custody, excluded or at risk of exclusion from special school/PRU.

Criteria for Pendlebury Centre PRU - Pendlebury caters for secondary-aged pupils who are displaying social, emotional and behaviour difficulties such as anxiety, long-term non-attendance, health related problems, emotional difficulties and mental health issues, which impact on their ability to maintain their mainstream school place. The Pendlebury Centre also has a provision called Cedars which supports children with significant Tier 3 or 4 mental health problems who require a smaller provision/higher level of support.

Criteria for Moat House PRU – Moat House is a PRU for pregnant teenagers and mothers of statutory school age or aged 17 and wishing to re-sit all or part of Year 11. It accepts referrals from schools, health professionals and other agencies, via a referral form/liaison with Moat House. The pupil should be at least 12 weeks pregnant at the time of their admission, have made a firm decision to continue with the pregnancy and be intending to keep the baby after the birth.

Post 16

The EHCP replaces the Learning Difficulty Assessment (LDA) and will be carried out for any pupil with a Statement of Special Educational Needs (SEN); who will be leaving school aged 16 -19 and is going on to further education, higher education or training and is likely to need additional learning support to access education or training opportunities.

LAs are responsible for making decisions about education provision offered to young people aged 16-25 with special educational needs. Learners with special educational needs may be met through local further education provision and in some instances through Independent Service Providers (ISPs) which sometimes involve residential accommodation. ISPs operate outside normal mainstream provision so strict eligibility rules apply and funding is limited. Applications are assessed and funding approved by meeting one or more of the following criteria:

Criteria 1 - There is no local mainstream provision (Stockport College, Aquinas College or Cheadle & Marple Sixth Form College) that is sufficient in quantity and adequate in quality that can meet the learner's education or training needs.

Criteria 2 - The assessment of the learner's education or training needs demonstrates that an essential element can only be provided in a residential setting.

Criteria 3 - There is evidence that the learner has medical or care needs that cannot be addressed by local providers and that would prevent the learner from accessing education or training that was sufficient in quantity and adequate in quality to meet his or her needs.

Applications from local further education colleges and independent specialist colleges (providers) for funding to provide additional learning support as detailed in the EHCP are firstly assessed by the Post 16 Education Funding Panel within the council, whose membership comprises of staff from 14-19 Services (education). Following this panel meeting, a Funding Agreement is issued between the provider and 14-19 Services (education) whereby an education budget comprising of element 3 is allocated to the provider. This enables the educational support specified in the EHC plan to be commissioned.

3.2.2 SEN Transport

Home to School Transport (Age 5 to 16 Years)

- A child or young person with an EHC plan and/or complex medical/physical disabilities may be entitled to travel support to help them attend school if they meet specific criteria. Where appropriate Independent Travel Training will be provided with the aim to ensure students are able to travel independently before they finish their compulsory schooling. A child may be eligible for free home to school transport if: they live more than walking distance from their nearest suitable school/college, or
- they are unable to walk in safety to and from their nearest school/college because of the route.

Walking distance

A child/young person will be eligible for free home to school transport if:

- the child/young person lives in the Stockport local authority area and
- the child/young person is attending their agreed named school (or PRU) or nearest suitable school/college and
- the child is aged under 8 years and lives more than two miles from the agreed or nearest suitable school; or the child is aged 8 years or over at the start of the school year and lives more than three miles from the agreed or nearest suitable school/college.

If a parent/carer is in receipt of certain benefits their child may also be eligible for free home to school transport.

Unsafe walking route

A child/young person will be eligible for free home to school transport if:

- the child/young person lives in the Stockport local authority area and
- the child/young person is attending their agreed named school (PRU) or nearest suitable school / college and
- the route to school is such that the child/young person could not walk it (accompanied as necessary) in reasonable safety

All requests for travel assistance are made through the LAs Travel Coordination Service. On completion of the relevant application form an eligibility assessment is conducted by the LA using the criteria above. Each case is reviewed on an individual basis and once eligibility has been determined an award of travel support is confirmed. The LA will decide which method of support best meets the child or young person's needs. The current methods of support are as follows:

- Local bus services
- Contracted coaches, mini buses, taxis and private hire cars
- Pick up and drop off points
- Passenger assistants
- Walking buses
- Cycling support
- Independent Travel Training

Note – transport direct payments are available for certain types of eligible travellers. Further information on transport personal budgets can be found on the local offer under school transport team - www.sensupportstockport.uk

3.2.2 Home to Further Education Transport (Post 16)

Students aged 16 to 25 with an EHC plan may be entitled to travel support for help to attend a further education setting. The assessment process is similar to that of Home to School transport. However, as this is a different age range other factors are taken into consideration. Encouraging travel independence is a key objective and the travel solutions here will often involve the student taking part in the Travel Training scheme, which helps them learn how to use public transport and build confidence in doing so.

3.2.3 Social Care

The social care Short Breaks panel is made up of representatives from the LA's social care team, social care short breaks service and transition workers, where relevant. The panel consider all new requests for respite support and any amendments to current agreements, where there has been a significant change in circumstances. The allocation table as seen in **Appendix D** is used to give an indicative level of support known as an Indicative Budget and is only a guide to what an individual may receive. Using the allocation table alongside the support plan as discussed in 3.1, the panel decide the best level of support to meet the child or young person's needs, this will then determine the final allocation of support which is the Personal Budget.

Where a young person is 18 or over, and meets Care Act eligibility, the adult social care team will initially work with the person to maximise their independence through a range of options including referrals to stability services, signposting to relevant third sector organisations and other short term intensive support services. If the person has eligible needs following this approach their assessed social care support will be provided through an indicative Personal Budget and direct payment. The amount of this budget will be calculated through a resource allocation system (RAS) where an amount of money will be determined in line with the identified needs of that young person. Transition workers will support young people as they move across into adult service and provide advice as to the support plan that needs to be developed to outline how this budget will be spent.

Personal Budgets for Care Leavers'

Care leavers aged 18 to 25 can access leaving care services. A personal budget of £315 per annum is available for care leavers up to the age of 21 for corporate costs to agree spend with their personal adviser, Leaving Care Team, this is reviewed annually. Any financial assistance required above age 21 is assessed by their personal adviser as part of the pathway plan.

3.2.4 Health

The Stockport Children and Young People's Continuing Care Panel is responsible for making the decisions in relation to continuing care packages for children and

young people who require intensive support and whose health needs cannot be met by existing services. The Continuing Care Assessment is coordinated by nurse assessors from the CCG, usually on referral from a social worker or other professional working with the child or young person. The Continuing Care Coordinator will work with the child, young person, family and any other associates and will then make recommendations regarding eligibility for continuing care and the desired package of care to the Continuing Care Panel. The panel, made up of representatives from the CCG and LA, jointly reach a decision on the support package required and work together to commission the appropriate services. The eligibility criteria are detailed in **Appendix E**. If the family want a Personal Budget in place of a commissioned service, the CCG and the LA can provide a budget to cover either or both health and social care elements.

3.3 Decisions and Appeals

All requests for Personal Budgets where a child or young person is eligible to receive one will be considered. As detailed above, most decisions are made via a panel process and eligibility criteria. Those responsible for making the decision on the amount of Personal Budget and management arrangement in line with the EHC plan are as follows:

Education Personal Budget - The SEN Panel

Education Personal Budget (PRUs) - The Secondary Panel for Inclusion (Moat House manage own referrals directly).

Education Personal Budget (Post 16) - The Post 16 Funding Agreement Panel

Social Care Personal Budget - The Social Care Short Breaks Panel

Health Personal Budget – Stockport Children & Young People’s Continuing Care Panel.

3.3.1 Local Authority Appeals Process

When a decision has been made, a letter will be sent to the child’s parent/carer or young person as confirmation. This must set out any reasons for refusing a direct payment and inform the parent/carer or young person of their right to request a formal review. If a family or young person is not satisfied with a decision they have the right to appeal.

In the first instance the case should be referred back to the relevant panel or decision maker with any additional supporting evidence. If the panel or decision maker upholds their original decision they must again provide written notification. If the family or young person still disagree with the decision the following steps should be taken:

Step 1 - Information, Advice and Support Service (IASS)

IASS provide advice and information to children with SEN or disabilities, their parents, and young people with SEN or disabilities. They provide neutral and factual support on the special educational needs system to help the children, their parents and young people to play an active and informed role in their education and care.

These services should provide information to children with SEN or disabilities for whom they are responsible, and their parents, and young people with SEN or disabilities about matters relating to:

- their SEN or disabilities, including matters relating to health and social care
- the take-up of and management of Personal budgets

This should also include:

- Local policy and practice
- The Local Offer
- Personalisation and Personal Budgets
- Law on SEN and disability, health and social care understanding and interpreting information and applying to their own situation
- Information on the local authority's processes for resolving disagreements, its complaints procedures and means of redress

Although funded by local authorities, the IASS in Stockport is provided by KIDS and can be contacted at KIDS – Woodbank Youth Centre, Turncroft Lane, Offerton, Stockport, Cheshire, SK1 4BN. Telephone 0161 480 3189, email stockport@kids.org.uk, website www.kids.org.uk/.

Step 2 – Dispute Resolution & Mediation

Disagreement resolution services are available to parents and young people. Use of the service is voluntary and has to be with the agreement of all parties. Disagreement resolution arrangements are available for all children and young people with SEND, not just those who are being assessed for, or have an EHC plan. They are available to all parents and young people to help resolve disagreements about any aspect of SEND provision, and health and social care disagreements during the processes related to EHC needs assessments and EHC plans. They can provide a quick and non-adversarial way of resolving disagreements.

Mediation – can take place following decisions by the local authority:

- Not to carry out an EHC Needs assessment,
- Not to draw up an EHC Plan or amended Plan,
- After they receive a final EHC Plan or amended Plan
- Following a decision not to amend a Plan or a decision to cease a Plan

Mediation is distinct from Disagreement Resolution in that DR arrangements are designed to resolve disagreements about the performance of duties, SEN provision, disagreements over health and social care provision and disagreements between health commissioners and the local authority. DR is voluntary and can be used at any time if both parties agree.

The disagreement resolution & mediation service is called Essential Mediation and can be contacted by; Telephone 01908 889 080, email admin@essentialmediation.co.uk, website www.essentialmediation.co.uk.

Step 3 - First-tier Tribunal (SEN and Disability)

If the dispute cannot be resolved via the disagreement resolution service or mediation a family or young person can make an appeal to the First-tier Tribunal (SEN and Disability) within two months of receiving the decision notification. The tribunal will receive appeals in respect of the education provision included within a personal budget, but will not hear appeals regarding personal budgets exclusively. The tribunal will require a certificate from the mediation service in order to process an appeal. It is an LAs responsibility to try to avoid appeals getting to this stage.

3.3.2 Continuing Care Appeals Process

If the young person or their parents/carers wish to pursue a complaint about the continuing care process they should contact Stockport CCG customer services at the address below.

NHS Stockport, Clinical Commissioning Group, Customer Services, Floor 7, regent House, Heaton Lane, Stockport, SK4 1BS tel: 0161 426 5204 email: stoccg.customerservices@nhs.net

If the young person or their parents/carers wish to appeal the decision regarding eligibility for continuing care or the support package agreed by the CC Panel they have a right of appeal to Stockport CCG. Appeals should be addressed to Stockport CCG, Complex and Continuing Healthcare Services at the address below. In the first instance the Continuing Care Panel will review the process to ensure the assessment was comprehensive and the decision was fair and supported by the evidence. If a resolution is not reached there is a right of appeal to the Stockport CCG Continuing Care Review Panel.

NHS Stockport, Clinical Commissioning Group, Complex and Continuing Healthcare Services , Floor 3, Regent House, Heaton Lane, Stockport, SK4 1BS tel: 0161 426 9585 e-mail: fnc@nhsstockport.nhs.uk

3.4 Reviews and Updates

Once agreed, the EHC plan, Support Plan and method of management will be reviewed after the first 3 months by a designated support worker. If on review, the LA and family are satisfied the outcomes set out in the EHC plan are being met

there will be no changes. Further reviews will then be carried out every 6 months, unless there are substantial changes within that timeframe that requires a review of the plan. The reviews are to ensure the plan is working for the child, young person and family and to highlight any changes that are needed to improve it.

If a child's parents/carers or young person wish to make a change to their plan they must inform their support worker of the reasons for this. The support worker will help update the plans as necessary which must again go through the decision process detailed above. Updates to a plan will only be considered if there has been a significant change in the child or young person's needs.

4. Managing a Personal Budget

4.1 Who manages it?

A Personal Budget can be managed in four different ways:

4.1.1 Direct Payment

The parents/carers of a child or young person (over 16) can choose to be paid their Personal Budget by direct payment. This means they will be responsible for the day to day management of this and ensuring it is spent as agreed in the EHC plan and support plan. They will be responsible for providing evidence of spend to the LA as outlined in the monitoring requirement in section 5.

Before making a direct payment the LA and/or CCG must be satisfied of the following;

- There is a clear plan of how any provision will be secured and managed.
- Those receiving the payment on behalf of a child or young person act in the child or young person's best interests when securing any provision.
- The recipient is capable of managing a direct payment. (see Mental Capacity Act 2005 via <http://www.legislation.gov.uk/ukpga/2005/9/contents>).
- The recipient is not a person described in the Schedule. (Refer to The Special Educational Needs (Personal Budget) Regulations 2014 <http://www.legislation.gov.uk/ukdsi/2014/9780111114056>)
- There will be no adverse impact on other LA and/or NHS services and resources.
- There is a separate bank account to house the direct payment.

If the LA and/or CCG agree to make a direct payment they must confirm in writing to the child's parent/carer or young person using the guidance in **Appendix F**. The parent/carer or young person must then respond to accept the terms of the direct payment using the guidance in **Appendix F**. As payments can only be made direct to a bank account a BACs request form will also need to be completed as per the guidance in **Appendix G**.

Direct payments cannot be made for goods or services which are to be used in a school, post 16 setting or early years setting without the written consent of the head teacher, principal or relevant early years provider. LAs must not make direct payments for the purpose of funding a school place or post 16 institution.

The LA and the CCG has the right to refuse a direct payment and should inform the child's parents or young person of this decision in writing, stating the reasons for the decision and their right to request a review if not satisfied.

In respect of SEN, there will be limited funding available for Direct Payments as at September 2014 and management arrangements will in most instances be notional. The LA will over time review arrangements and look to change existing commissioning arrangements and structures to allow more funding to be available for direct payments.

4.1.2 Notional Arrangement

The LA and/or CCG will manage the agreed funding. A Personal Budget can still be requested, however the LA or CCG will hold the funds and be responsible for commissioning services to deliver the outcomes of the EHC and support plan (this is known as a notional arrangement). Some elements of funding are not suitable to be paid as a direct payment as they affect economies of scale and thus value for money (VfM). The LA and the CCG has the right to refuse a direct payment and opt for a notional arrangement if it is more appropriate. The LA and/or CCG will notify the family of the reasons why.

4.1.3 Third Party

A family may want to instruct a third party such as a broker to manage the funding and commission services on their behalf. The broker will then be responsible for ensuring the funding is used appropriately to meet the needs identified in the EHC plan. The broker will also be required to provide evidence of expenditure to the LA and/or CCG as requested. This option still gives the child's parents or young person some control over the choices of care without the responsibility of accounting for the funds. The child's parents or young person must notify the LA and/or CCG in writing if they wish for a third party to act on their behalf as per **Appendix H**.

4.1.4 Combination

It is possible for a Personal Budget to be managed as a combination of the above. Part may be direct payment, part LA and/or CCG commissioned and part managed by a third party.

4.2 Funding Streams

The table in **Appendix I** details the funding streams included within the Personal Budgets Framework (PBF) and restrictions on management arrangements. The LA has the right to retain management (notional arrangement) of the budgets if offering them as direct payment could affect VfM. Also where the budget is deployed within an education setting such as a school, the LA must secure the agreement of the setting before a direct payment can be introduced, and without such, the management arrangements would default to a notional arrangement.

SEN funding delegated through the local formula or in the case of further education, their formula funding, has been excluded from the funding table in **Appendix I**. This is because such funding does not have to be included in the PBF but can be at the discretion of the setting.

4.2.1 Education Funding

SEN Transport

This funding is included within the PBF but is currently restricted to notional arrangements. When pupils are transported in groups, agreeing a direct payment for one individual would create diseconomies of scale. A direct payment may be negotiated for pupils currently transported in a solo taxi.

Transport direct payments are currently available for certain types of eligible solo travellers. This offer may be made available to shared taxi/minibuses users in the future.

High Needs Block (HNB)

The HNB is made up of top-up funding and other support services.

Top Up Funding for Maintained Schools and Academies

This is included in the PBF with no restrictions on management arrangements. The EHC plan process, however, contains an in-built control as mentioned at the start of section 4.2, where, if funding is deployed in an educational setting the LA must secure the agreement of the setting before a direct payment can be agreed. Without such agreement the management arrangement would default to notional.

Other Top-up Funding

The remaining HNB top-up budgets including special schools, resourced provision and PRUs are included in the PBF but management arrangements will be restricted to notional. The post 16 top up budget is also included in the PBF but the setting would have to agree a direct payment otherwise the management arrangement would be a notional one.

Support Services

These budgets include in-house services such as learning and sensory support and a range of commissioned support covering speech and language and occupational therapy, tutoring out of school through agencies and payments for extra hours

specialist support in the early years sector. These areas have in-house establishment structures in place, contractual arrangements or clear joint commissioning/VfM considerations. Management arrangements are therefore restricted to notional at September 2014.

Specialist Provision in other LAs, Independent & Non-maintained Special Schools

Where the LA is holding and funding the top-up element, funding is included in the PBF, however the top-up follows the delegated funding therefore can only be included as a notional arrangement.

4.2.2 Social Care Funding

LAs must offer direct payments for social care services. The respite, Aiming High one-to-one support and transport budget is therefore included in the PBF with no restrictions on management method.

4.2.3 Health Funding

From October 2014 families of children/young people who are assessed as, or who are already, eligible for Continuing Care (as defined by the *National Framework for Children and Young People's Continuing Care*) will have a 'right to have' a personal health budget. This refers to the element of their care package that would normally be provided by the NHS once they become eligible for Continuing Care and not the elements for their package provided by social care or education. In principle, the amount of money that would have normally been spend on NHS services as part of the child/young person's continuing care package could be available to use as a personal health budget.

The CCG will aim to include as much as possible in a personal health budget, however in the short term it may not be possible to release funding from services such as speech and language therapy or physiotherapy which are currently commissioned by the CCG through block contracts with healthcare providers. It may not be cost effective for the CCG to disaggregate the costs for an individual from an overall service. In these circumstances, the CCG will work with parents, children and young people to tailor the support provided for their assessed needs.

The NHS mandate commits to a further roll out of personal health budgets for people of all ages with long-term conditions from April 2015.

4.3 What it can and can't be spent on

A Personal Budget can be spent on a variety of things which support the child or young persons' EHC and support plan. The idea of Personal Budgets is to allow funding to be used more imaginatively and give parents, children and young people the opportunity to access support that would suit their own individual needs. Allowing families to be more involved in the decision making processes will create a

unique package of care for each individual child or young person's needs as outlined in the EHC plan.

4.3.1 What it can be spent on

A Personal Budget can be spent on anything agreed in the EHC and Support Plan which may include:

- A range of social care, education support & health services
- Access to local community and groups
- Access to a variety of short breaks
- Training
- Personal Care
- Transport
- Accommodation
- Day Trips/activities
- Small aids or adaptations
- Personal Assistants – (further advice about employing a PA can be found at the following link - <http://www.skillsforcare.org.uk/Employing-your-own-care-and-support/Being-an-employer/Being-an-employer.aspx>).
- Counselling

4.3.2 What it can't be spent on

The EHC and Support Plan detail how a Personal Budget will be spent. It cannot be spent on anything other than goods or services which reinforce the outcomes of the plan. A parent or young person must always discuss a change in their support needs with their designated support officer before making any decisions to reallocate funds. The expenditure must not be spent on anything which does not benefit the child or young person it is meant for. It should not be used to purchase anything illegal or adult activities such as alcohol and gambling. It cannot be used to pay household bills or purchase household items which do not directly benefit the child or young person as outlined in the EHC plan. It cannot be used to pay any person providing support who lives in the same household as the child or young person. It cannot be used to pay for LAC placements or long term residential or nursing care. It cannot be used to fund activities or services for anyone else unless it is agreed it will have a direct benefit to the child or young person it is intended for.

Personal health budgets are not appropriate for all types of healthcare. A Personal health budget cannot be used to buy emergency care or to buy primary care services such as seeing a GP or dental treatment. (A full list of exclusions can be found in the National Health Service (Direct Payments) regulations 2013.

5. Audit & Financial Monitoring

5.1 Monitoring and Review of Direct Payments

All direct payments will be reviewed 3 months after first being agreed along with the EHC plan and support plan, then 6 monthly going forwards, unless there are substantial changes. Each time an EHC plan or support plan is updated the method of management will also be reviewed. The reviews are to ensure the funds are being used as agreed and whether they are sufficient to meet the needs of the child or young person.

Social Care Direct Payment or Joint Funded Direct Payment with Health -

Parents and young people in receipt of a direct payment for social care are asked to submit records to the Choosing and Purchasing Team on a 4 monthly basis. This expenditure is checked against the agreed support plan to ensure the funds are being spent appropriately.

Education Direct Payment - Monthly confirmation of services delivered will be required. This could be in the form of receipts and /or a provision map. A member of the CSS HUB based at Beckwith House will check the expenditure matches the support plan to ensure the funds are being spent as planned.

Transport Direct Payment - the Travel Co-ordination Team are responsible for regularly checking attendance records with the school to ensure transport funds are being spent in line with the support plan. The team will require details of any frequent absence. Where applicable the team will ask parents to submit records direct to them.

A parent or young person may decide that receiving a direct payment is not working for them and in this case the LA must consider with parent or young person what other method of management most appropriate. This may result in a third party managing the Personal Budget or the LA may decide to stop payment and take back the management. If payments are stopped or reduced the LA must notify the recipient in writing with reasons and provide reasonable notice.

What evidence is required?

- EHC Plan & Support Plan.
- Spending Records.
- Bank statements – a separate bank account must be opened in which only the Personal Budget can be used (one individual bank account is required for each child or young person in a household who receives a direct payment). The LA will require full statements with details/evidence of all activity.
- Receipts for all expenditure. Where receipts are not available for transport to school (as this is provided by the parent, family member or friend) attendance records with the school will be checked.
- Wage slip, Inland Revenue payment details, employee liability insurance, payroll invoices and up-to-date CRB/DBS checks for any employees paid by a Personal Budget. (A direct payment cannot be paid unless a valid CRB/DBS is in place, evidence of this will be required).
- Agency invoices if paid by a Personal Budget.

Failure to provide the requested information for review within the specified time may result in suspension of a direct payment.

5.2 Contingency and Rolling Funds Forward

If a direct payment is issued it is recommended that 5-10% is held back as a contingency to allow for any changes in support needs which may occur throughout the year. If the contingency is not used it can then be spent later in the year. If there are any surplus funds at the financial year end the LA will request these funds are paid back. In exceptional circumstances the LA may allow a small percentage to be carried forward.

5.3 Repayment and Recovery

If after the review it is evident that there has been a change in the child or young person's circumstances which would reduce entitlement, or funds have been held back, or not spent as agreed in the support plan, or have been used in connection with theft, fraud or any other offence the LA may require the recipient to pay all or part of the direct payment. If this is the case the LA must inform the recipient in writing with reasons for the decision and offer a reasonable timescale for the amount to be repaid.

5.4 Stopping Direct Payments

The LA can stop payments if:

- They have been asked to do so by the parent/ carer or young person.
- The recipient is no longer entitled to a Direct Payment.
- The payment has not been used as agreed.
- It has an adverse effect on other LA children services.
- It is no longer an efficient use of resources.
- A child becomes a young person and no longer wishes for a direct payment to be made to a parent/carer.

The LA must inform the recipient of the Direct Payment of the decision in writing and reconsider if asked to so.

5.5 Transition to Adulthood

As an eligible young person approaches their 18th birthday they will already be known to Adult Social Care and the Transition workers located within the adult Community Learning Disability Team. Planning will have taken place to consider outcomes and an EHC plan in place to ensure a smooth move from child to adult services. The assessments undertaken prior to 18 will have highlighted if the young person is likely to be eligible for Adult Social Care financial support post 18 and in

line with the Care Act eligibility framework. The direct payment paid by children services will end once the child turns 18 on the basis the EHC outcomes have been finalised. The adult approach is based upon achieving outcomes and a Resource Allocation system will have resulted in an indicative budget being generated by the time the person reaches 18. The person then uses this indicative budget to develop a Support Plan which will evidence how the eligible outcomes can be achieved. The relevant adult social care team will then continue to work with the young adult to ensure they can maximize their independence and agree a final budget based on eligibility outcomes. The person can then choose how they would like to receive their personal budget for example in the form of Direct Payment.

6. Support for Parents and Young People

6.1 Pros & Cons of Management Method

To enable parents/carer's to make the right decision for them on how their Personal Budget should be managed the below table highlights the pros and cons depending on the management method.

Management Type	Pros	Cons
Direct Payment	<ul style="list-style-type: none"> More control for families Bespoke packages of care More opportunities for child/young person Access to more services Choice and flexibility 	<ul style="list-style-type: none"> Financial responsibility Keep evidence for audit purposes Limited access to providers Lack of competition in the market place may make costs high No economies of scale to drive costs down
Local Authority	<ul style="list-style-type: none"> Services/commissioning already in place No financial responsibilities for parent/young person 	<ul style="list-style-type: none"> No control over services provided Limited choice of services No flexibility

	<p>Experience in providing support</p> <p>No need to provide evidence for audits</p> <p>Economies of scale</p>	<p>Less individual opportunities for the child or young person</p> <p>LA decide on the care package</p>
Third Party	<p>Families have some control</p> <p>Services/commissioning already in place</p> <p>No financial responsibilities for parent/young person</p> <p>Experience in providing support</p> <p>Third party will provide evidence for audits</p> <p>Access to more services</p> <p>Economies of scale</p>	<p>No control over some services provided.</p> <p>Little flexibility</p> <p>Relying on third party judgements</p> <p>Less individual opportunities for the child or young person</p> <p>Will require a payment for third party services.</p>
Combination...	...of the above	...of the above

6.2 Contacts & Advice

Name	Details	Contact
Special Educational Needs Team SMBC	For further advice on education elements of the Personal Budget and support planning.	Tel: 0161 474 2525 Email: specialeducation@stockport.gov.uk
Travel Coordination Service SMBC	For advice regarding travel support.	Tel: 0161 474 - 2504/2505/2508 Email: travelco-ordination@stockport.gov.uk
Parents in Partnership	Independent information and advice around education, health and social care.	Website: www.pipstockport.org
National Autistic Society	Offers impartial advice and support for families and carers dealing with autism.	Helpline: 0808 800 4104 Website: www.autism.org.uk
National Autistic Society Social Groups	Supporting children and young people with autism to meet up and try out activities and events in the community	NAS Manchester Social Group Contact Lesley Martin National Autistic Society Tel: 0161 945 3341 Email: lesley.martin@nas.org.uk
The Local Offer	A bank of information for	Website: www.sensupportstockport.uk

	families and young people with special education needs and disabilities.	
Adult Social Care SMBC	Information and advice to support adult social care needs.	Tel: 0161 217 6029 Website: www.mycaremychoice.org.uk
Carer's Centre Flag	Provides links to social care and health services	Tel: 0161 474 1042 Website: www.stockportflag.org.uk
Children & Young People (inc. Education and Social Care) SMBC	Useful information and advice on children's services in Stockport as well as details of education, training and employment within the borough.	Tel: 0161 217 6028
Social Workers Short Breaks & Children's Disability Team	For advice and support regarding social care for children and groups/individual short breaks available.	Tel: 0161 474 2599 Email: cyp.dissocialcare@stockport.gov.uk
NHS Continuing & Complex Healthcare Team	For advice and support regarding continuing and complex healthcare	Tel: 0161 426 9585 Email: stoccg.fnc@nhs.net Website: www.stockportccg.nhs.uk
Think Local Act Personal (TLAP)	Useful resources hub for professionals	Website: www.thinklocalactpersonal.org.uk

	regarding personalisation and community based support in the health and care sector	
KIDS	The resources section provides support for providers and families on personal budgets and direct payments.	Website: www.kids.org.uk/mip2
SEN Direct	Personalisation service helping families and professionals access different support services	Website: www.sendirect.org.uk/
SMBC Choosing and Purchasing Team	Choosing and purchasing provide support planning, advice and guidance on Personal Budgets	Tel: 0161 218 1953 Email: choosing&purchasing@stockport.gov.uk
Stockport Direct Contact Centre	Provides general information and advice.	Email: stockportdirect@stockport.gov.uk

7. Safeguarding and Risk Management

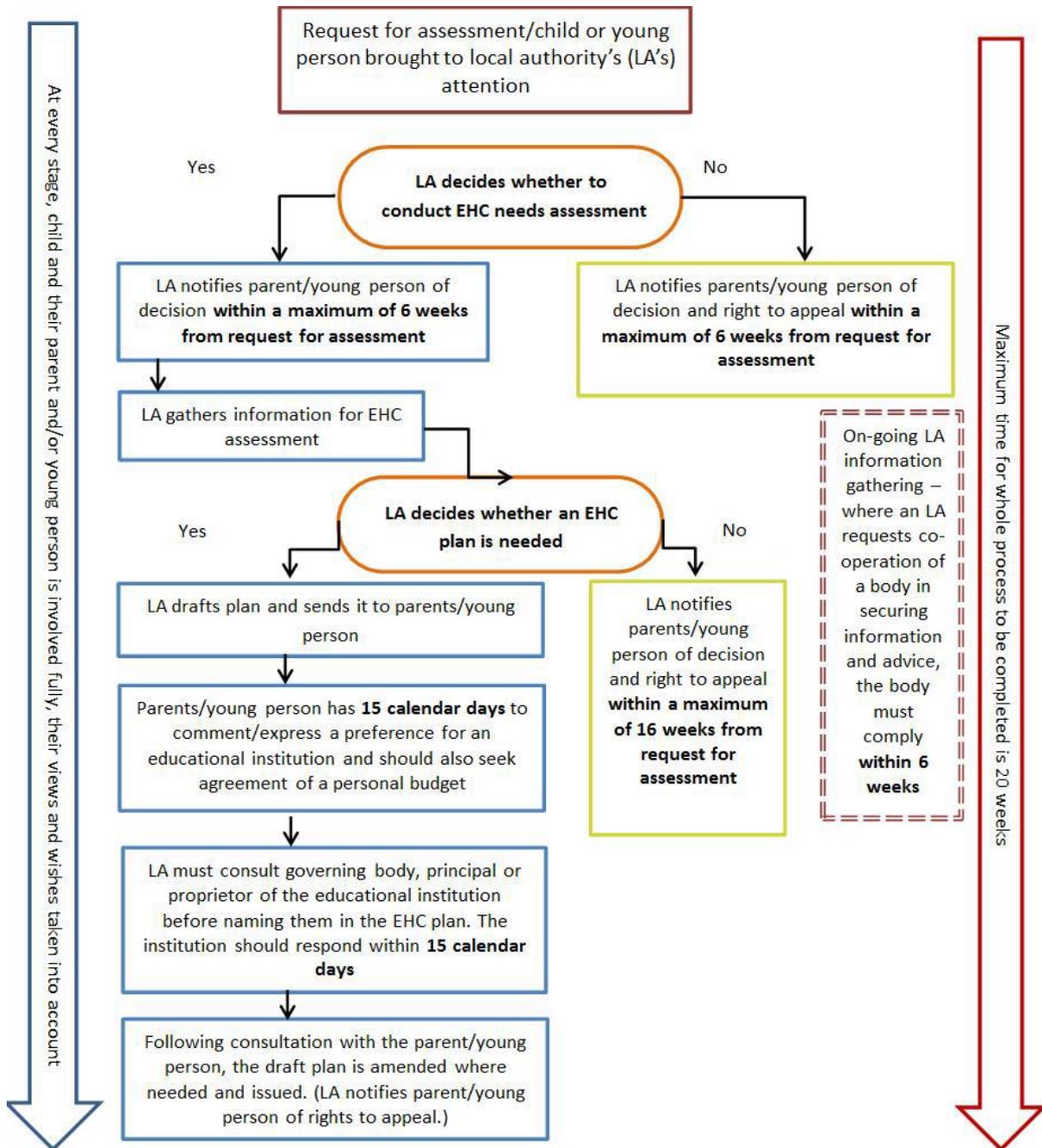
Safeguarding and risk management is a key component of Personal Budgets. Allowing families to have the freedom to plan their own child's care minimises the number of professionals a child need come in contact with. Giving them the opportunity to take part in community activities gives the child or young person an identity. There is concern that 'unsafe' people may become involved in supporting a child or young person. By providing families with clear guidance on CRB/DBS

checks and good assessments and support planning ensures safeguarding and risk are at the forefront of any decisions made. Staff are always available to offer support in this area.

8. Key Contacts

General Enquiries:	Children with Disabilities Partnership Email: cypdisp@nhs.net Tel: 0161 426 5216
SEN:	Special Educational Needs Team Email: specialeducation@stockport.gov.uk Tel: 0161 474 2525
Children's Social Care:	Children's Disability Team Email: cyp.dissocialcare@stockport.gov.uk Tel: 0161 474 2599
Health:	NHS Continuing & Complex Healthcare Team Email: stoccg.fnc@nhs.net Tel: 0161 426 9585
Adult's Social Care:	Adult Social Care Team Email: asc.referrals@stockport.gov.uk Tel: 0161 217 6029

Appendix A – Statutory timescales for EHC needs assessment and EHC plan development



*Diagram from SEN Code of Practice - June 14

Appendix B – SEN Panel Existing Arrangements

Teaching Assistance (TA) Hours	CL / CI Typical Descriptor
3	Needs opportunities for daily repetition of task(s) relating to (learning) targets (which will usually be overseen by LSS / SLT)
5	and ... concerns about progress over time, scores well below Statement criteria
7 ½	and ... possible additional complexity factor(s) (e.g., OT, relatively mild – moderate S/L, recording as well as reading diffs)
10	and ... needs some individual support to facilitate access to differentiated curriculum – often related to moderate - severe S/L issues Typically needs a high level of over-learning
12 ½ - 15 n.b., all support preferably delivered in am and pm, (if in excess of 10 hours) depending upon availability of staff	and ... significant (usually) multiple complexities, often potential emotional difficulties and / or severe S/L issues
17 ½ - 20 (20 hours is regarded as being full time support for the taught curriculum, in conjunction with resources available in most schools)	and ... needs full time support because access to curriculum is not possible without adult to deliver differentiated work / facilitate responses. Needs small steps for every part of the curriculum / high level of over-learning
25 (available only in exceptional circumstances)	and ... safety issues are usually involved (i.e., in addition to C/L, C/I)

- the table will be used as a starting point for decision-making; it will not be used as a means of constraining or restricting provision when a case is made in an appropriate way
- it will be possible to give amounts of support which are not specified in the table (for specific purposes)
- where a child / young person has a high level of support, it is understood that there will be benefits for other children / this will be taken into account when allocating other support within the school
- the planning table and a timetable (att.) will be required, as specified, in order to inform the Panel's decision-making (re additional hours).

Planning Table for TA Hours

A school will need to complete this to inform any request for support above a typical allocation for a child and / or any request for 10 hours and over

Factor	How incorporated into plans for child / young person
<p>Contextual issues: support already in school is used flexibly when possible / appropriate to work with child / young person concerned</p> <p>school resources are used proportionately for the child / young person concerned</p>	
<p>support is used for groups of children / young people, including the child / young person concerned</p>	
<p>the child / young person's views regarding what helps them most will be sought / recorded / shared with relevant adults</p>	
<p>the parent(s') / carer(s') views / role are sought / recorded / shared with relevant adults</p>	
<p>ways of using additional TA hours to promote a child / young person's independence are built into their IEP, increasing in emphasis as they become older</p>	
<p>it is regarded as a sign of success for a child / young person to be able to function in school with a decreasing amount of support, and how to achieve this is considered at Annual Review</p>	
<p>how support allocated to the child / young person will be used, if it is not necessary at a particular time, such as during assembly, or during a part of the curriculum when it is not needed</p>	
<p>Appropriate curriculum differentiation is made by the class teacher, in conjunction with SENCO, support agencies (LSS, P/SIC, EPS, SLT)</p>	
<p>a timetable is produced, detailing subject(s), support available (school and LEA), how it will be used to work towards planned targets (e.g., att)</p>	

Appendix C - Additionally Resourced Provision / Special Schools Criteria

<p>Profound and multiple learning difficulties (PMLD)</p>	<p>CYP with profound and multiple learning difficulties (PMLD) have:</p> <ul style="list-style-type: none"> • severe and complex learning difficulties as well as significant other difficulties such as a physical disability or a sensory impairment. • They are likely to need sensory stimulation and a curriculum broken down into very small steps. • These children and young people require a high level of adult support, both for their educational needs and for their personal care. • Attain P levels 1-4.
<p>Severe learning difficulties (SLD)</p>	<p>CYP with severe learning difficulties (SLD):</p> <ul style="list-style-type: none"> • have significant intellectual or cognitive impairments and are likely to need support in all areas of the curriculum. • They may have difficulties in mobility and co-ordination, communication and perception, and the acquisition of self-help skills. • are likely to need support to be independent. • Attain P levels 4-8 or possibly just below level 1 with additional complexities.
<p>General Learning Difficulties (GLD)</p>	<p>CYP with GLD may show themselves in the following ways:</p> <ul style="list-style-type: none"> • low levels of attainment across the board in all forms of

	<p>assessment (usually at least two levels below their peers);</p> <ul style="list-style-type: none"> • difficulty in acquiring skills (notably literacy and numeracy) on which much other learning in school depends; • difficulty in dealing with abstract ideas and generalising from experience; • a range of associated difficulties, notably in speech and Language (particularly for younger children) and in social and emotional development.
Autistic Spectrum Disorder (ASD)	<p>CYP with ASD may have difficulties with:</p> <ul style="list-style-type: none"> • understand and use non-verbal and verbal communication • understand social behaviour, which affects their ability to interact with children and adults • think and behave flexibly, which may be shown in restricted, obsessional or repetitive activities.
Social, Emotional, Behaviour Difficulties (SEBD) to be replaced by Social, Emotional, Mental, Health (SEMH)	<p>CYP with SEBD:</p> <ul style="list-style-type: none"> • behaviour may be evident at the personal level (for example through low self-image, anxiety, depression or withdrawal; or through resentment, vindictiveness or defiance); • at the verbal level (for example the child may be silent or may threaten, or interrupt, argue or swear a great deal); • at the non-verbal level (for example through truancy, failure to observe rules, disruptiveness, destructiveness, aggression or violence. • They also have difficulty in trusting or forming relationships with peers or adults

Name	Category
Valley	PMLD
Lisburne	SLD/PMLD
Heaton	SLD/PMLD
Castle Hill	GLD
Windelhurst	SEBD
Oakgrove	SEBD
Brookside Additionally Resourced Provision	SLD/ASD
Etchells Additionally Resourced Provision	SLD/ASD
Ladybridge Additionally Resourced Provision	SLD/ASD
Meadowbank Additionally Resourced Provision	SLD/ASD
Moorfield Additionally Resourced Provision	SLD/ASD
Queensgate Additionally Resourced Provision	SLD/ASD
Rose Hill Additionally Resourced Provision	SLD/ASD
Vale View Additionally Resourced Provision	SLD/ASD
Hazel Grove Additionally Resourced Provision	SLD/ASD
Kingsway Additionally Resourced Provision	SLD/ASD

Appendix D – Health & Social Care ‘Indicative Budget’ Allocation Table

	None	Some Additional Support			Standard Level of Support			Significant Level of Support		
Level of support – no of criteria met	0	1	3	4	2	6	7	1	5	7
Indicative level of support score for the child or young person	0	1	2	3	4	5	6	7	8	9
Level of hours service per week	0	2	3	5	6	9	12	12	21	38
Indicative Personal Budget per week	0	28.00	42.00	70.00	84.00	126.00	168.00	276.00	483.00	874.00
Services available that may provide the outcomes identified in the support plan	Information on carer support. Family information Service. Signpost to Universal Services e.g. playscheme, extended school and children centre activities	All services in previous level plus: Brokerage support to access community based services. Individual Budget payment.			All services in previous levels plus: Activity breaks. Personal assistant support. Family fun days. Specialist sports sessions. Sitting service. Outreach service. Inclusive playscheme. Family short breaks. Standard direct payment.			All services in previous levels plus: Bespoke packages with high levels of support. Family based overnight breaks. Residential overnight breaks. Specialist outreach services. Standard/enhanced direct payment. Continuing care funding.		

*Note: Banding System is currently being piloted for introduction in May 2016.

The table above provides an indicative allocation based on level of need. The final allocation of a Personal Budget may be more or less than the ‘Indicative Budget’. The support plan will determine what is required to meet the individual’s need and the final value of a Personal Budget can then be agreed.

Explanation of Levels of Support

SIGNIFICANT Level of Support

- 1a. Child or young person needs specialist services which may include hospital, hospice or residential care.
- 1b. Child or young person receives overnight respite care.
- 1c. Child or young person needs very high levels of expertise in terms of staff responding to their needs.
- 1d. Child or young person needs continuing healthcare.
- 1e. No support networks or parent is sole carer.
- 1f. Concerns around well-being of child or young person. The family need significant support to ensure a nurturing environment.
- 1g. Disabled sibling/s with different or high needs.
- 1h. Family in crisis and have reached breaking point.

STANDARD Level of Support

- 2a. Child or young person requires significant levels of support either 1:1 or 2:1.
- 2b. Child or young person for whom the move to independence represents significant risk to themselves or others.
- 2c. Child or young person with high level of dependency who requires help with all aspects of their personal care.
- 2d. Family need a regular respite to avoid reaching breaking point.
- 2e. The family want to provide a nurturing environment but need support to do this.
- 2f. Limited support networks or parent is sole carer.
- 2g. Child or young person needs continuing healthcare.

SOME Additional Support

- 3a. Child or young person at risk of not fulfilling their full potential and/or of not having experiences typical of children or young people their age.
- 3b. Family are able to cope but may need occasional support.
- 3c. Limited support networks.
- 3d. Child or young person requires some level of 1:1 support.

No Additional Support

- 4a. Child or young person has no additional support needs in this area and can access community resources within existing requirements of Disability Discrimination Act (2005).

Appendix E – Children and Young People’s Continuing Care Assessment Process

The assessment and decision making process in Stockport follows Department of Health national guidance (Department of Health National Framework for Children and Young People’s Continuing Care, 2010)

Children and young people needing continuing care will in most cases be already known to local services. A referral for continuing care can be made by any health, social care or educational professional working with the child/young person

In order to complete the assessment process the health assessor will convene a multi-disciplinary team (MDT) meeting for professionals involved with the child/young person to which parents/ carers are invited, and the child/young person can attend. The purpose of the meeting is to consider the assessments and to complete a Decision Support Tool (DST) and decide whether a child/ young person has continuing care needs.

The DST is used to ensure that all relevant needs are assessed and to describe and record an overall picture to inform decisions about the care needed. The DST brings together needs from across 10 care domains; as follows:

- ~ Challenging behaviour
- ~ Communication
- ~ Mobility
- ~ Nutrition, food and drink
- ~ Continence and elimination
- ~ Skin and tissue viability
- ~ Breathing
- ~ Drug therapies and medicines
- ~ Psychological and emotional
- ~ Seizures

Each care domain has up to five levels of need (low, medium, high, severe, priority) based on a mixture of complexity, intensity, unpredictability and risk to the child/young person. The National Framework sets out an indicative threshold for children’s continuing care to be needs of 3 highs, or 1 severe or 1 priority across the domains in the DST.

The DST is used to help decide whether a child/young person is eligible for NHS continuing care (i.e. have needs which meet the threshold) and whether their health needs can be met by existing health services in partnership with other agencies, or whether the local NHS (Stockport CCG) needs to commission additional services to meet the child/young person’s needs either arranged and funded by the NHS, or jointly funded and arranged with the Local Authority.

Appendix F – Direct Payment Agreement Letter

The Special Educational Needs (Personal Budgets) Regulations 2014 state that an LA may not make direct payments unless the requirements set out in section 8 paragraphs (2) to (4) of the regs have been satisfied;

(2) The local authority must provide written notice to the recipient, specifying the following -

- (a) the name of the child or young person in respect of whom direct payments are to be made;
- (b) the goods or services which are to be secured by direct payments;
- (c) the proposed amount of direct payments;
- (d) any conditions on how direct payments may be spent;
- (e) the dates for payments into the bank account approved by the local authority.

(3) Upon receipt of a notice under paragraph (2), the recipient must notify the local authority in writing that they agree to -

- (a) receive the direct payments;
- (b) use the direct payments only to secure the agreed provision;
- (c) comply with any conditions specified in the notice under paragraph (2)(d);
- (d) notify the local authority of any changes in circumstances which might affect the need for the agreed provision;
- (e) use the bank account approved by the local authority solely for the purposes of one or more of the following -
 - (i) these direct payments;
 - (ii) direct payments made pursuant to the Community Care, Services for Carers and Children's Services (Direct Payments) (England) Regulations 2009(3);
 - (iii) direct payments made pursuant to the National Health Service (Direct Payment) Regulations 2013(4);
- (f) ensure that the bank account approved by the local authority is only accessible by the recipient or any other person approved in writing by the local authority; and
- (g) keep a record of money paid in and withdrawn from the bank account approved by the local authority and, on request, or at intervals specified by the local authority, provide the local authority with information or evidence relating to -

- (i) the account; and
- (ii) the agreed provision.

(4) Where the recipient is a nominee -

- (a) the child's parent or young person must provide written consent to the local authority to direct payments being used to secure the agreed provision; and
- (b) the nominee must provide written confirmation to the local authority that he or she is responsible as a principal for all contractual arrangements entered into for the benefit of the child or young person and secured by means of direct payments.

For guidance regarding direct payments for personal health budgets please see the National Health Service (Direct Payments) Regulations 2013.

Appendix G – BACs payment request

If all conditions of a direct payment have been met a BACS payment can be requested. The following details will be required;

- Name of Account:
- Account Number:
- Sort Code:
- B.Soc Roll Number:
- Bank Name
- Branch

The following should also be considered:

- A separate bank account must be held to be used solely for the purpose of the direct payment.
- A Current account that has a cheque book should be opened and the name of the account must have the words 'Direct Payments' in the title. For example 'A N Other – Direct Payments'.
- Evidence of all transactions in the account will need to be provided on request. Funds should not be transferred to a private account. Payments to Personal Assistants should be through cheque or credit transfer.
- Where the bank account becomes overdrawn the account holder will meet any costs unless such charges were unavoidable.
- Original evidence of the account should be witnessed by the support officer and the BACS request signed.
- The recipient must sign the BACS request to confirm the details are correct and they have agreed the conditions of the direct payment.

Appendix H – Third Party Payment Request

A parent/carer or young person may nominate a third party to receive and manage the direct payment on their behalf. They must do this in writing. The third party then becomes responsible for ensuring the conditions of the direct payment are met. They will also be expected to provide evidence of any spend when reviewed. Please refer to **Appendix F** and **G**.

It is recommended that the relevant case-worker and a DPSS Officer meet with the individual third party and explain these responsibilities. The case-worker also needs to be satisfied that the individual third party agrees to and is able to manage the direct payment.

Details required:

- Name & Date of Birth of child/young person direct payment is for
- Name of Third Party
- Relationship to child or young person
- Address
- Postcode
- Telephone
- Date of Birth
- BACS details as per **Appendix G**

All third party payments will need the approval of the appropriate Service Manager.

Appendix I – Personal Budget Funding and Management – Apr 17

	2017/18 £'m	Management Arrangement Restrictions
Education HNB Top Up Budget – Maintained Schools and Academies	2.091	None
Education HNB Top Up Budget – Other	7.571	Notional Arrangements
HNB Support Services	3.397	Notional Arrangements
Specialist provision in other local authorities, independent and non- maintained special schools	3.128	Notional Arrangements
SEN Transport	2.048	*Notional Arrangements
Social care Disability Partnership – respite, transport & Aiming High (one to one)	1.012	None
Social care Leaving Care – Personal Budgets for care leavers	0.050	None
Health – Continuing Health Care – joint funded arrangements	0.379	None
Health – Continuing Health Care – CCG 100% funded	n/a	None
Total	19.297	

*SEN Transport – transport direct payments are available for certain types of eligible travellers.