

Joint Policy Statement by Wandsworth Council and Wandsworth Clinical Commissioning Group (CCG) on personal budgets for children and young people with SEN and Disabilities (SEND) aged 0 to 25 years

The legislation in relation to personal budgets is set out in, Section 49 of the Children and Families Act, the Special Educational Needs (Personal Budgets) Regulations 2014, Sections 31 to 33 of the Care Act 2014 – with the Care and Support (Direct Payments) Regulations 2014 (SI 2014/2871) providing the details of policy implementation for local authorities and the National Health Service (Direct Payments) Regulations 2013.

This policy statement explains how the Council and CCG intend to implement that legislation and develop the use of personal budgets in the future.

(1) What is a personal budget?

Personal budgets are available for support which is individual to a child or young person. They allow parents and young people more choice and control over the support they receive. By having a say in the way this budget is used a parent or young person can control elements of their own or their child's support. A personal budget may be made available to meet individual support needs which are over and above those available to a child or young person through local universal or targeted services.

There is no additional money for personal budgets. They are an alternative to using provision that a family has been assessed as needing which might otherwise be made by the Council or CCG, to give families more choice and control over how the extra support that they need is delivered.

(2) What is personalisation?

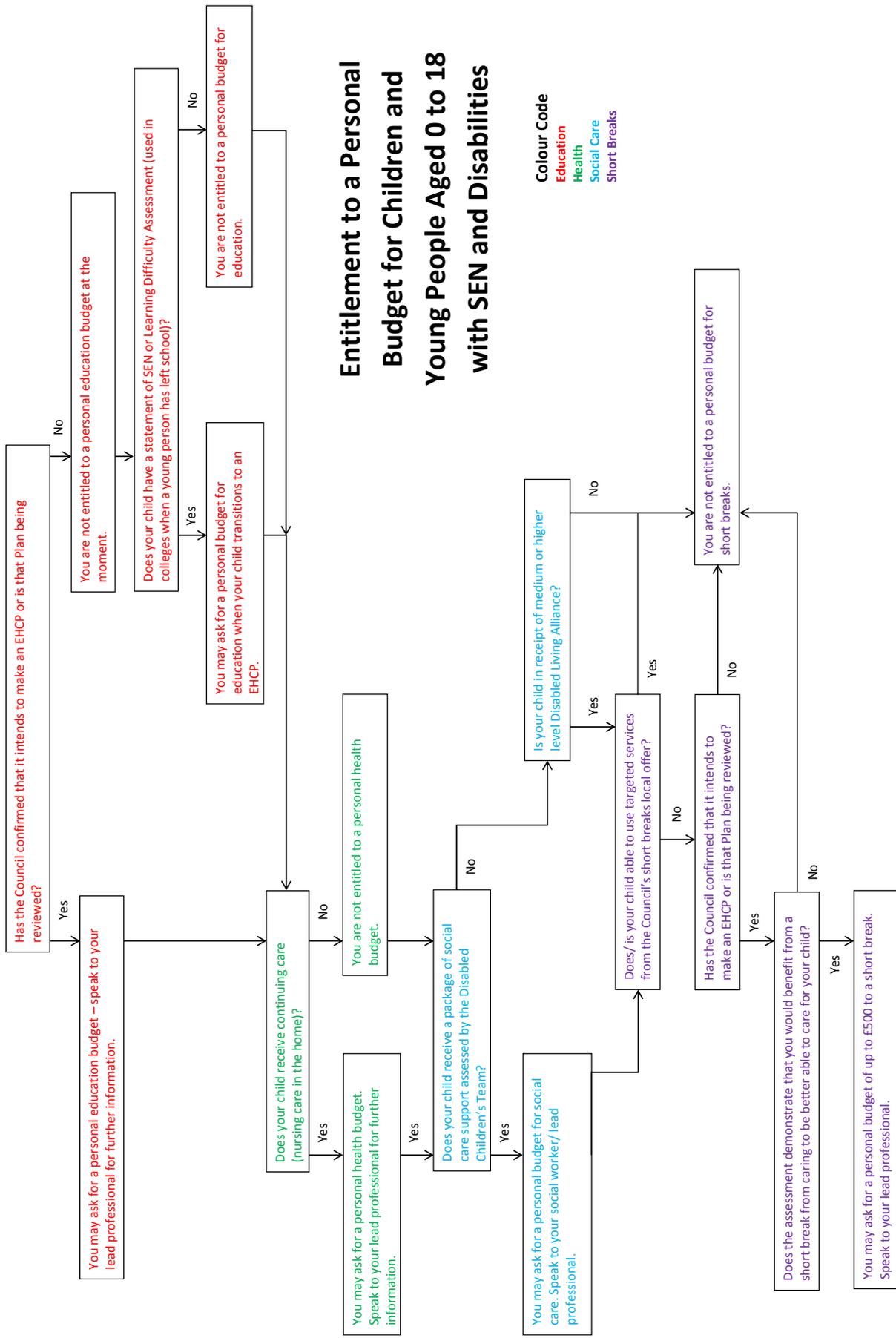
Personalisation is a term used to describe a way of planning and delivering services that is focused on the individual child or young person and their family, taking into account their strengths, needs, and aspirations. The aim of personalisation is to agree with children, young people and their families the outcomes that they wish to achieve and then to tailor support to meet those outcomes rather than families fitting around a standard offer. The aim of the reforms for children and young people with SEND is to increase personalisation of services and tailor them to meet individual outcomes regardless of whether families or young people choose to have a personal budget.

(3) Who can have a personal budget?

Personal budgets may be available in respect of education, health or social care support. Not all families will be entitled to a personal budget in respect of all these areas but some families will be eligible for a personal budget from more than one agency.

- (a) Young people or parents of a child with SEND have the right to request a personal budget in respect of their educational needs when the Council has completed an Education Health and Care needs assessment and confirmed that it will prepare an [Education Health and Care Plan \(EHCP\)](#). They can also ask for a personal budget when the EHCP is reviewed. Children and young people with a statement of SEN will be able to ask for a personal budget when they transfer to an EHCP. All children and young people with a statement of SEN must transfer to an EHCP by March 2018. The Council has written to families telling them the date when the transfer to an EHCP will take place.
- (b) Children and young people receiving NHS continuing care are entitled to have a personal health budget if they wish. This applies whether or not the child has an EHCP.
- (c) Children and young people who have been assessed as requiring social care services by the [Disabled Children's Social Work Team](#), or via Adult Social Services may already have a direct payment and organise the services themselves. Some of these children and young people may not have an EHCP.

The diagram below shows eligibility for different types of personal budget.



Entitlement to a Personal Budget for Children and Young People Aged 0 to 18 with SEN and Disabilities

Colour Code
 Education
 Health
 Social Care
 Short Breaks

Families and young people do not have to have a personal budget. Often they prefer to use provision that is made by the Council or CCG. The option of whether to have or to cease a personal budget can be considered each year at the annual review of the EHCP.

How are personal budgets managed?

There are 4 ways that a personal budget can be managed:

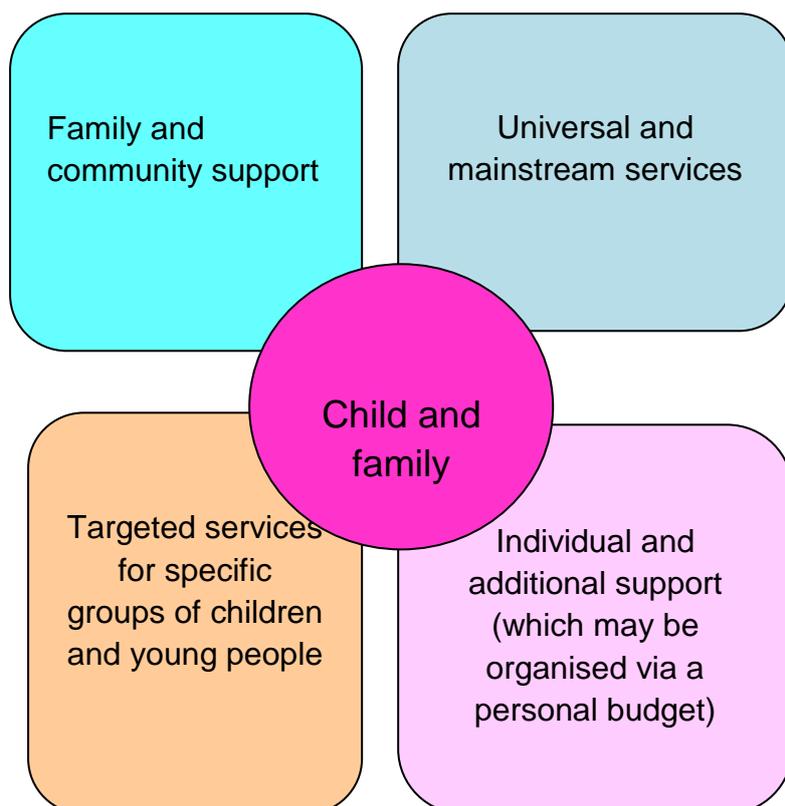
- (a) Direct payment – the young person or their family receives the money directly to buy the support that they have decided they need as set out in their EHCP or Care Plan. They have to show what the money has been spent on but buy and manage the services themselves. For example they may use the payments to employ staff direct, or purchase support from different providers
- (b) An organised or notional arrangement. No money changes hands. Parents or young people are told how much money is available and talk about different ways to spend the money to meet their needs. The Council keeps the money and arranges the support agreed.
- (c) Third party arrangements/nominees – funds are paid to an individual or other organisation on behalf of the parent/young person and they manage the funds. For example a young person might choose a relative or an agency to manage their direct payment but would keep control of how it was spent.
- (d) A combination of the above.

Six examples of how a personal budget could work

https://search3.openobjects.com/mediamanager/wandsworth/fsd/docs/personal_budgets_exemplars_23_06_15.pdf

What types of services can be included in a personal budget?

Personal budgets are intended for children and young people who need individual and additional provision to meet their complex needs over and above that which can be provided by their family and community and universal services as well as services that may be targeted for specific groups of children and young people. The diagram below shows the range of services and support a child or young person and their family might use:



When looking at the support that a child or young person might need it is important to look at the support available from family, the community and universal and mainstream services before considering what additional support is needed from targeted services or on an individual basis.

Family and community support is the informal support that a child or family can use. It might include family members, local clubs or community groups, neighbours or faith groups. This informal support network can make a real difference – a family that has just moved to a new area and lives a long way from family and friends may need different services to a family with local contacts.

Universal services are mainstream services provided by the Council or CCG that everyone might use – for example it could include the local mainstream school or college or the family doctor.

Targeted services and support are services that are provided for specific groups of children and young people – for example special schools, speech and language therapy, specialist youth clubs, or funded short breaks (which used to be called respite care).

Individual and Additional Support

Some children and young people have complex needs that require individual and additional support over and above that available from family and community resources, universal and targeted provision to enable them to achieve and enjoy their lives like everyone else. For example the family may need extra support to care for their child at home, or additional staffing may be needed to enable a child to attend a specialist youth club. Personal budgets can be available for those children and young people and their families who need this type of individual support. Families should be fully involved in deciding what that support should be and in some cases may choose to have a personal budget.

Which areas of support have been identified for possible personal budgets?

The Council and CCG have been considering the range of provisions that may be offered as personal budgets in the first instance:

(a) Personal Health Budgets – NHS continuing care

Children and young people aged 0 to 18 years

Personal Health Budgets (PHBs) are available to children and young people eligible for NHS Continuing Care. The CCG is currently considering options for making PHBs available to a broader cohort of children and young people.

A small group of children with assessed complex health care needs require a continuing care package. Children's continuing care is determined by the assessment of needs using the Decision Support Tool as set out in the National Framework for Children and Young People's Continuing Care (2010). In Wandsworth, the children's continuing care service is provided by the [Children's Continuing Care Team](#) commissioned by the CCG.

A PHB is an amount of money to support a young person's health and wellbeing needs, planned and agreed between the young person/parent and their local NHS Team. The vision for PHBs is to enable people with long term conditions and disabilities to have greater choice, flexibility and control over the health care and support they receive.

The essential elements of the PHB are that the young person or their parent will:

- be able to choose the health and wellbeing outcomes they want to achieve in agreement with a healthcare professional;
- know how much money they have for their health care and support;
- be enabled to create their own Care Plan, with support if they want it;

- be able to choose how their budget is held and managed, including the right to ask for a direct payment;
- be able to spend the money in ways and at times that make sense to them, as agreed in their Plan.

Young people or their families who receive continuing care can ask for a PHB by discussing this with the Children's Continuing Care Nursing Team. The CCG are working with parents who are interested in PHBs to set up a family friendly process that will cover:

- making contact and getting clear information;
- understanding the young person's health and wellbeing needs;
- working out the amount of money available;
- making a Care Plan;
- organising care and support;
- monitoring and reviewing the PHB.

More information about PHBs can be found here:

<http://www.nhs.uk/choiceintheNHS/Yourchoices/personal-health-budgets/Pages/about-personal-health-budgets.aspx>

Young people aged 18 to 25 years

Legislation and the respective responsibility of the NHS, social services and other services are different in child and adult services. The term 'Continuing Care' also has different meanings in child and adult services. Young people and their families will be offered help and support to understand this and the implications from the start of the transition planning from the age of 14-17 years.

Eligibility for adults NHS Continuing Healthcare is based on the National Framework for NHS Continuing Healthcare and NHS Funded Nursing Care 2012 (Revised). The framework sets out the principles and processes to be followed by health and local authorities in determining eligibility for adults NHS continuing healthcare.

Adults continuing healthcare is determined following a comprehensive assessment by health and social care staff (multidisciplinary team).

Continuing healthcare is described as where a person has been assessed to have a 'primary health need'. Deciding whether this is the case involves looking at the totality of the relevant needs by using the Decision Support Tool.

By the time a young person reaches 18 years, an assessment to determine eligibility for NHS Continuing healthcare (adults) should have been completed. If the young person is eligible for NHS Continuing healthcare, it means the care package for ongoing care is arranged and funded solely by the NHS including health and social care needs.

(b) Social care services

The Council **must offer** a direct payment where a child or young person has been assessed as needing social care support.

Children and young people aged 0 to 18 years

Where a family has been assessed as requiring social care support by the Disabled Children's Social Work Team they may choose either to take that support as a personal budget including a direct payment or to use services funded directly by the Council. The arrangements will be agreed and are currently set out in the Care Plan. In future the Council will explore how to integrate care planning into a child's EHCP where appropriate. The referral eligibility criteria for the Disabled Children's Team can be found at <http://goo.gl/9CVkto>

Young people aged 18 to 25 years

Young people who have been receiving a service from children's services social care and are moving to adult services are entitled to an assessment for adult social care. The criteria for receiving a service as an adult are different to those in children's services. These arrangements are explained in the Council's factsheet "Who qualifies for help from adult social services?". <http://goo.gl/eRbkXW>

If a young person qualifies for help from Adult Social Services the Council will agree a support plan with the young person and the young person would usually be able to arrange their support themselves via a personal budget. Full information is set out in the Council's factsheet "Care and support from Adult Social Services". <http://goo.gl/px9Dax>

(c) Short breaks

There are many children with disabilities who do not meet the criteria for an assessed social work service but whose families will nevertheless benefit from a break from caring. The Council and CCG support a wide variety of after school, weekend and holiday short break activities as part of a targeted offer for children with disabilities. There are a small group of children and young people where the targeted offer may not be appropriate to their needs. In these cases the Council will make available a personal budget of up to £500 per annum for an agreed package of alternative short breaks activities. To receive the budget a child or young person must meet the criteria set out below.

- Be in receipt of middle or higher level [Disability Living Allowance](#) or [Personal Independence Payments](#)
- The Council must have confirmed that it intends to make an EHCP or the EHCP is being reviewed.

- The assessment/review must confirm that the child is unable to access or gain benefit from short breaks activities that are funded as part of the Council's targeted local offer.
- The assessment/review must confirm that the child's disability means that their parents/carers would benefit from a short break from caring in order to be better able to care for their child in the longer term.

The Council's targeted offer includes services which it funds but which are run by other agencies (such as [after school and holiday schemes run by specialist providers, or additional support at mainstream play schemes](#)). The [Family Information Service](#) (020 8871 7789) can provide advice on which services are included and are available to support both families and lead professionals.

If families make use of the targeted offer the short breaks personal budget will cease.

(d) [Travel Assistance Budgets](#)

Where a child is entitled to transport to school or college the Council will offer a [Travel Assistance Budget](#) (TAB) as an alternative to using transport provided by the Council. The Council will not agree a TAB that exceeds the cost of the Council providing the service.

TABs will be reviewed annually. 80% of a TAB will be paid in instalments and the remaining 20% paid at the end of the academic year, providing the child or young person's attendance and punctuality at school meets an agreed level.

Options for use of a TAB may include (but will not be limited to):

- purchasing a travel pass for a parent or trusted adult to accompany the child on public transport;
- paying for an escort for the child to walk to school;
- covering the cost of driving or cycling the child to school;
- arranging shared travel arrangements with other parents;
- overcoming barriers that might prevent parents accompanying a child to school, for example travel or childcare arrangements for siblings.

The Council is also investing in Independent Travel Training to support children and young people to travel independently.

(e) ["Top-up" funding in a mainstream school or college](#)

If a child/young person with an EHCP attends a mainstream school or college the cost of the child/young person's place at the school/college and the cost of the first £6,000 of the provision in the EHCP are met by the school/college. This money is delegated to the school or college and is not available for a personal budget unless the school or college agrees.

The remainder of the cost of implementing the Plan will be met via a “top-up”. In mainstream schools this is sometimes known as the “banding amount”. This would normally be paid to the school or college which uses it to make up the balance of the provision set out in the child’s Plan, as agreed with the parents or carers.

Parents/carers may ask if the “top-up” can be offered as a personal budget. This can only be agreed where:

- the school/college and the Council agree that arrangements will enable the educational outcomes in the EHCP to be met;
- any arrangements made using a personal budget are not detrimental to the efficient education of other children or young people;
- if a direct payment is used to secure services or employ staff on school or college premises the school or college must agree to the arrangements;
- any arrangements must not cost more than if the provision had been made by the school/college or Council (they must be an “efficient use of resources”).

(f) “Top-up” funding in a special school or specialist resource base or a specialist college placement

Specialist schools and colleges and special resource bases in mainstream schools or colleges are funded to offer a specific number of places and then receive a “top-up” for every child or young person on roll. If a child or young person is placed in a specialist school, college or base the additional specialist facilities that they require will be part of the institution’s targeted offer and the “top-up” is used to pay for these. Therefore, if a parent/carer chooses to place a child in a specialist provision they will not usually be eligible for a personal budget for the educational element of the EHCP.

The only exception to this might be where a child is assessed as needing individual support over and above that normally provided by the specialist institution to meet their educational outcomes. For example children with highly complex needs might need a higher staff to pupil ratio than that available in a special school. In this case a parent may request a personal budget. The criteria set out in (e) above would apply.

(g) Using personal budgets in academies, out-borough, independent mainstream and independent and non-maintained special schools

The Council is not allowed to make personal budgets available for the payment of school fees. If a child or young person’s needs cannot be met in-borough the Council may seek a placement in provision in other Local Authorities or on the Secretary of State’s approved list.

Where the Council has agreed the placement in an academy or an out-borough mainstream or special school, Wandsworth Council would apply the same

arrangements for personal budgets as for those schools that it maintains itself. However different Councils and academies may have slightly different procedures in relation to the use of personal budgets and, as with placement in schools maintained by Wandsworth Council, it will be important to discuss any proposed arrangement with the school at the earliest possible stage.

How can parents and young people find out about personal budgets?

Once an EHC needs assessment has been agreed by the Council the lead professional for the family will set up the first EHC Team around the Child (TAC) meeting. Before the meeting the lead professional will meet with the parents/young person to ensure that they have the information that they need and understand their entitlement to request a personal budget. The Council, CCG and parents have produced an [information leaflet about personal budgets](#) which will be given to the parents/young person by the lead professional.

The first TAC meeting will have a focus on identifying the outcomes for the child or young person. During this meeting parents or the young person will be given the option of requesting a personal budget. If a personal budget is requested the meeting will discuss an indicative budget, with estimated costs that will be needed to fund the additional resources required to achieve those outcomes.

A personal budget remains indicative or proposed until the support and funding set out in the EHCP has been agreed by the Council and CCG.

Additional information including the personal budgets policy statement, information about organisations that can support young people and families in managing personal budgets and direct payments, and information about the management of direct payments will be published as part of the Local Offer. The personal budgets section of the Local Offer can be accessed at: <http://goo.gl/kbG7ap>

How is the amount of a personal budget decided?

The amount of additional and individual support that a child or young person needs is determined by the complexity of their needs, together with consideration of how far the targeted and universal services and community and family support available will enable them to meet their outcomes. Where a family or young person decides to take that additional provision as a personal budget a calculation will be applied to translate that support into a personal budget.

(a) NHS Continuing Care Personal Health Budgets

Children's continuing care is determined by the assessment of needs using the Decision Support Tool as set out in the National Framework for Children and Young People's Continuing Care (2010). More details can be found at https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/213139/Decision-Support-Tool-for-NHS-Continuing-Healthcare.pdf

(b) Education Personal Budgets

In mainstream schools or colleges the level of “top-up” or “banding” is determined following an assessment of the level of additional support that a child or young person is likely to need to enable him or her to make appropriate progress. This will be dependent on the complexity of need. The school/college meets the first £6,000 of this additional support and this amount is not available for a personal budget unless the school agrees.

In specialist schools or colleges the additional specialist provision that a child needs is normally provided as part of the provision made by the school. The school/college is funded at a rate of £10,000 per place to offer a specific number of places every year (the place factor) and then receives a “top-up” in relation to each child on roll. The “top-up” is the same for every child/young person and ensures that the school/college can make the specialist provision set out in its local offer. This funding is not available for personal budgets unless the school/college agrees.

Where a child or young person requires additional support or provision over and above that available as part of the specialist school or college’s local offer the young person or parent/carer can ask for this to be made via a personal budget. In these circumstances the support will be highly specific to the child or young person. The family’s lead professional will discuss with them the basis on which the allocation has been made.

(c) Social Care Personal Budgets

Children under 18 assessed as requiring provision from social care services will be given an allocation of services that is based on their assessment and determined by the Disabled Children’s Social Care Panel. When undertaking the assessment the social worker will discuss with parent/carers, the child or young person the range of services available in the borough that they might enjoy. If a family decides to use direct payments they will receive a payment that is based on the cost of the support agreed e.g. a one-to-one support worker for the number of hours agreed, or the cost of overnight support using Wandsworth Family Link. The service offered by Oakdene (the overnight short breaks unit maintained by the Council) is not offered as a direct payment because the Council would be unable to maintain the provision for other children and young people if elements of the budget for the service were removed.

Where a young person aged 18 or over has ongoing care and support needs the Council will complete an assessment to establish whether the needs qualify for help from the Council. The assessment will be used to determine how much it is likely to cost to buy the services needed. This is called the indicative budget as it indicates how much the full cost might be. The final budget will be decided once the Council has agreed with the young person how their help will be arranged and which services they will use. The young person will have to complete a financial

assessment form to work out whether and how much they might need to contribute towards the cost of their services. Further details are given in the Council's factsheet "Care and support from Adult Social Services – what to expect". <http://goo.gl/rEkCc0>

(d) Short breaks personal budgets for children and young people aged 0 to 17

Short breaks personal budgets are payable up to a maximum of £500 where the child or young person is unable to use the targeted short breaks provision commissioned by the Council. If a child or young person and their family is in need of a personal budget for short breaks over this level consideration should be given to referring them for a social care assessment.

Once a young person is over the age of 18 years the criteria for an adult social care assessment would apply.

Direct payments

(a) What are the arrangements for receiving and managing direct payments?

The Council and CCG have agreed to share arrangements for managing direct payments for children and young people aged 0 to 18.

Setting up a separate bank account

Once a direct payment has been agreed the young person or parent/carer will need to set up a bank account. This bank account may not be used for anything other than direct payments. The Council will pay the amount agreed for the direct payment into the bank account for budgets for education or social care. The Council and CCG have agreed that the Council will also manage payments on behalf of the CCG, in order to simplify administration for parents.

The same bank account may be used for different payments received for education, social care (and potentially health) budgets. However when monitoring takes place the person in receipt of the direct payment must be able to clearly demonstrate that they have met any conditions applied to each payment and the budget has been used to meet the agreed outcomes for each service.

The Council is exploring the option of offering a pre-payment card as an alternative to a separate bank account. Further information will be available once this has been agreed.

(b) What are the arrangements for monitoring and reviewing direct payments?

Monitoring arrangements will ensure that the direct payments are meeting the outcomes agreed in the child's EHC and/or Care Plan, and that they continue to be set at a level appropriate to a child or young person's needs. The Council and CCG must also check that they are being used for the purposes intended.

The young person or parents will be required to provide a copy of the bank statement for the account set up to manage the direct payments to ensure that the payments have been used as agreed in the EHCP.

The EHCP will be reviewed annually (twice each year for children under statutory school age). At that review, which will consider outcomes and whether the provision in place is continuing to meet a child or young person's needs, the arrangements for educational personal budgets will also be reviewed. For children who are using a personal budget for Continuing Health Care, the health element will be reviewed 3 months after it is first put into place and then on a regular basis dependent on individual circumstances, but at least annually. Children assessed in need of social care support will have their needs reviewed every 6 months. Wherever possible the Council and CCG will try to ensure that reviews of all aspects of services and personal budgets take place at the same time.

Where a young person or parent does not use the direct payment for the purposes agreed they may be required to repay the payment and/or the agreement to direct payments may be withdrawn. Families with any queries about the use of direct payments should contact their lead professional or social worker.

The Council will set a ceiling on the level of budget which may be retained in an account. Once that ceiling has been reached the Council will cease payment until the amount in the account has reduced. It is possible to obtain agreement in advance to exceed the ceiling where a young person or parents have specific planned expenditure agreed. The level of the ceiling will be dependent on the overall value of the personal budget but is likely to be in the region of £1,000 to £2,000.

The only exception to these arrangements is for [Travel Assistance Budgets](#) . In this case a separate bank account is not required and the Council will monitor the use of the allowance by checking attendance and punctuality with the school on an annual basis. 20% of the budget will be held back and paid at the end of the year provided attendance targets are met.

(c) Restrictions on who may be eligible for a direct payment

The Council will work with a young person or their parent/carer to ensure that they are able to manage the direct payments themselves. If this is not possible then it is possible for the person receiving the payment to nominate someone such as a relative to manage the direct payment on their behalf.

The Special Educational Needs (Personal Budgets) Regulations 2014, Sections 31 to 33 of the Care Act 2014 – with the Care and Support (Direct Payments) Regulations 2014 (SI 2014/2871) providing the details of policy implementation for local authorities and the National Health Service (Direct Payments) Regulations 2013 set out some people who are not eligible for direct payments. These include

people subject to drug rehabilitation and alcohol treatment licences, orders or requirements.

Employing staff

Parents and young people who wish to employ their own worker or personal assistant will need to take advice on their responsibilities and legal obligations arising from this. Parents may decide to employ an individual directly, or to engage a self-employed individual, or to engage a worker provided through an agency. The responsibility for various legal obligations to the worker varies in each situation.

(a) Support for employing staff

The Council has available details of support agencies for social care direct payments that have been accredited by the Council and can help the young person or parent/carer to manage the direct payment and give practical help with recruiting and employing staff, health and safety, paying wages and sorting out tax and national insurance. The worker must not be barred from working with children and/or vulnerable adults, and must provide proof of their identity and eligibility to work, relevant qualifications, two satisfactory written references, and to obtain a satisfactory Disclosure and Barring Service (DBS) check. The employer is responsible for ensuring all mandatory checks are undertaken. In most cases this will be the support agency and they will undertake all relevant employment checks, including the DBS check. A list of accredited support agencies can be found on the [Adult Care Information Service website: http://goo.gl/67FrZO](http://goo.gl/67FrZO)

Direct payments support agencies should also be able to provide support to families who are employing workers using education or continuing healthcare budgets, although they are unlikely to be able to supply specific information about individuals with suitable qualifications seeking work in these fields.

Skills for Care publishes a free toolkit about employing a personal assistant: <http://www.employingpersonalassistants.co.uk/>

(b) Employing staff on premises where other children are present

If a family wishes to employ a worker who will be supporting the child in any setting where there are other children present, such as a school, and the organisation has agreed to the arrangement, that worker will also need to comply with any reasonable request for additional information from that organisation.

Other organisations providing support to children and/or vulnerable adults have legal responsibilities to ensure all visitors to their settings are appropriately vetted and/or supervised to ensure the safety of the children and young people in their care and of other staff and visitors.

Parents/carers, the worker and the school or other organisation need to agree expected standards of behaviour and reporting arrangements. All workers would be expected to comply with procedures on reporting any incidents of concern, behaviour management and other policies. Agreement would need to be reached on liability in the event of any problems. Schools or other organisations and parents should meet before a worker is engaged to agree all expectations before appointing a worker.

The Council can provide advice to schools on appropriate checks for visiting staff via the school's human resources team:

<https://info.wandsworth.gov.uk/Schools/HR/Home>

(c) Employing staff to work with children with complex medical needs

For personal assistant working with children who have complex medical needs the CCG recommends that they hold the Paediatric First Aid Certificate. This is provided by a number of local providers. Further details are available on the [Family Information Service website](#):

<http://goo.gl/Z3kHry> and <http://goo.gl/IDxcwk>

Personal assistants and families with children for whom the assistant will be required to administer medication will be required by the CCG to attend training on the Safe Administration of Medications together with any specified course required for them to fulfil the care plan. The complex health needs of children receiving continuing healthcare are such that arrangements are likely to be specific to the child. Staff employed using PHBs will be expected to undertake such training as may be appropriate to the needs of the child.

How are personal budgets incorporated into an EHCP?

Where a child or young person has a personal budget agreed this will be set out in section J of the EHCP. This section will include the outcomes to be met by the payment, making it clear where these relate to education, health or social care. Section J of an EHCP will not list all of the costs associated with supporting a child or young person but should provide a detailed explanation of how a personal budget will be used to deliver agreed support and the outcomes it will meet. It will also identify arrangements in relation to any direct payments.

At the point where the Council issues the draft EHCP details of the personal budget will be included. At the same time the Council will provide, in writing, details of the conditions for receipt of any direct payment. A young person or parent should confirm acceptance of any conditions for a direct payment at the same time as they request any particular school or college to be named in the Plan. The Council will then consult the relevant school or college and **must** secure their agreement if any provision is to be delivered on their premises. If a school or college refuses permission for services secured by a direct payment to be provided in their premises the Council will work with parents and the school or college to try to reach an

agreement. Where agreement cannot be reached the Council will be unable to go ahead with the direct payment. Wherever possible the Council will have engaged with relevant schools or colleges early in the process of developing the EHCP.

Wherever possible the Council and CCG will try to ensure that reviews of all support and personal budgets take place at the same time in the child's annual review of the EHCP. If a child's health or social care needs change during the intervening period requiring a reassessment of support this will take place and the EHCP will be amended at the next annual review. Where a child's educational needs change parents or the young person may request an early review of the EHCP.

What happens if there is a disagreement about whether a child or young person can have a personal budget or the amount of a direct payment?

The Council and CCG are working together to agree a joint mechanism for parents and young people to challenge decisions on personal budgets.

If a personal budget is not agreed by the Council or the CCG parents or the young person must be given the reasons in writing and asked whether they want the decision to be reviewed. Parents or the young person will be asked to give their views. The professionals who made the original decision will not carry out the review.

How are the Council and CCG working together to identify further services which can be offered as a personal budget?

The Council and CCG have a responsibility to identify additional services which can be offered as a personal budget/direct payment. The services which have already been identified to be offered as a personal budget will be kept under review. Feedback will also be sought from parents and young people who have chosen a personal budget to identify how services can be improved and processes made easier.

The Council and CCG have set up a Joint Commissioning Workstream which is reviewing the way that they work together and how to improve joint delivery of services. The workstream has parent representation and is co-chaired by a parent who is nominated by the [Parent Forum, Positive Parent Action](#). One of the responsibilities of the workstream is to identify further service areas which can be offered as a personal budget and to identify ways to improve delivery of services.

Review date: December 2016