

DRAFT

**Personal Budgets Policy
2014**

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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.

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, including, where appropriate, via a Direct Payment, where a proportion of the Personal Budget will be 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

There are different types of Personal Budget as follows:

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.

Health Personal Budget - available to a child or young person who is continuing care eligible and has complex, long-term and/or life-limiting condition/s and may require a continuing care package. This can also help towards the cost of equipment or other health services to meet needs identified in the EHC plan. Funding is made available through NHS continuing healthcare budgets.

SEN 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 and occupational 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.

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.

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. 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 & PRUS

TBC

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 a learning difficulty and /or disability. Learners with

learning difficulties and/or disabilities (LLDD) educational needs maybe met through local further education provision and in some instances through Independent Service Providers (ISP) and 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 - here 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.

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 there 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

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.

3.2.2. 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 C** is used to give an indicative level of support. 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.

Where a young person is 18 or over, and are FACS (Fair Access to Care Services) eligible, 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.

3.2.3. Health

The Stockport 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 conducted by assessors from the CCG, usually on referral from a social worker or other professional working with the child or young person. The Assessment, Recommendation and Decision proforma rates the need from No additional needs to Severe, with Low, Moderate and High categories within. This then translates into the eligibility criteria in **Appendix D**. On completion of this assessment a Continuing Care Coordinator will work with the child, young person, family and any other associates and then make recommendations of the desired package and funding required at panel. The panel is made up of representatives from the NHS and LA who meet on a monthly basis. The CCG and LA jointly reach a decision on the best community support package required to meet the continuing care needs of a child or young person. The CCG and LA work together to commission services. By pooling financial resources it enables a streamlined response to satisfy the agreed outcomes of the continuing care package.

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:

SEN Personal Budget - The SEN panel

SEN Personal Budget (Post 16) - TBC

Social Care Personal Budget - The Social Care Short Breaks panel

Health Personal Budget - The Stockport Continuing Care panel

When a decision has been agreed 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 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 wishes to appeal they can do so by contacting the First-tier Tribunal (SEN and Disability) within two months of receiving the decision notification.

(awaiting dispute resolution extract from Barry Kirkman)

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 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.
- There will be no adverse impact on other LA services and resources.
- There is a separate bank account to house the direct payment.

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

The LA cannot make direct payments 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.

The LA 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 Local Authority

The LA will manage the agreed funding. A Personal Budget can still be requested however the LA 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 the LAs economies of scale and thus value for money (VfM). The LA has to right to refuse a direct payment and opt for a notional arrangement if it is more appropriate. The LA 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 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 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 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 restricted to notional arrangements at September 2014. 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.

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 is 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 and transport budget is therefore included in the PBF with no restrictions on management method.

4.2.3 Health Funding

From April 2014 everyone receiving NHS Continuing Healthcare has the right to ask for a personal health budget, including direct payment. As from October 2014 this group of individuals will benefit from the 'right to have' one. This funding is therefore appropriate for inclusion in the PBF with no management restrictions.

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
- 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 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.

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. Parents and young people in receipt of a direct payment are asked to submit records to the Choosing and Purchasing Team on a monthly basis. A member of this team checks the expenditure to the support plan to ensure the funds are being spent as planned.

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.

5.2 What evidence is required?

- EHC Plan & Support Plan.
- 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.
- 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.
- Agency invoices if paid by a Personal Budget.

5.3 Contingency and Rolling Funds Forward

If a direct payment is issued it is recommended that between 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 utilised it can then be spent in the later part of the year. If at year end there are surplus funds then up to 10% of the value of the total direct payment may be carried forward into the new financial year on agreement with the LA.

5.4 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.

5.5. 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.

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	Pro's	Con's
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 Experience in providing support No need to provide evidence for audits Economies of scale 	<ul style="list-style-type: none"> No control over services provided Limited choice of services No flexibility Less individual opportunities for the child or young person LA decide on the care package
Third Party	<ul style="list-style-type: none"> Families have some control Services/commissioning already in place No financial 	<ul style="list-style-type: none"> No control over some services provided. Little flexibility Relying on third party judgements

	responsibilities for parent/young person Experience in providing support Third party will provide evidence for audits Access to more services Economies of scale	Less individual opportunities for the child or young person Will require a payment for third party services.
Combination	All of the above	All 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: special.education@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.	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 Clare Graham National Autistic Society Tel: 0161 945 0040 email: claire.graham@nas.org.uk
The Local Offer	A bank of information for families and young people with special education needs	Contact/access?

	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 Website: www.stockport.gov.uk/cyp
Short Breaks Service SMBC	For advice and information about groups and individual short breaks available	Contact: Jane Dwyer Disability Partnership Tel: 0161 474 2562 Email: jane.dwyer@stockport.gov.uk
Social Workers in Children's Disability Team	For advice and support regarding social care for children	Tel: 0161 474 2599 Email: cyp.dissocialcare@stockport.gov.uk
Continuing Care		Emailed Sue Brett
Think Local Act Personal (TLAP)	Useful resources hub for professionals regarding	www.thinklocalactpersonal.org.uk

	personalisation and community based support in the health and care sector	
SMBC SEND Reforms Portal	Stockport Council hosts a developing website and information portal on SEND Reform and local implications	www.stockport.gov.uk/atozindex/sendreform/
SEN Direct	Personalisation service helping families and professionals access different support services	www.sendirect.org.uk/
SMBC Choosing and Purchasing Team		Emailed Virginia Axon
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. **FAQs**

(see Newcastle 'Big Hand Book' pg 26 for examples – not sure we need this in policy doc?) – Cath to provide

http://www.newcastle.gov.uk/sites/drupalncc.newcastle.gov.uk/files/wwwfileroot/care-and-wellbeing/children039s_social_care/the_big_handbook.pdf

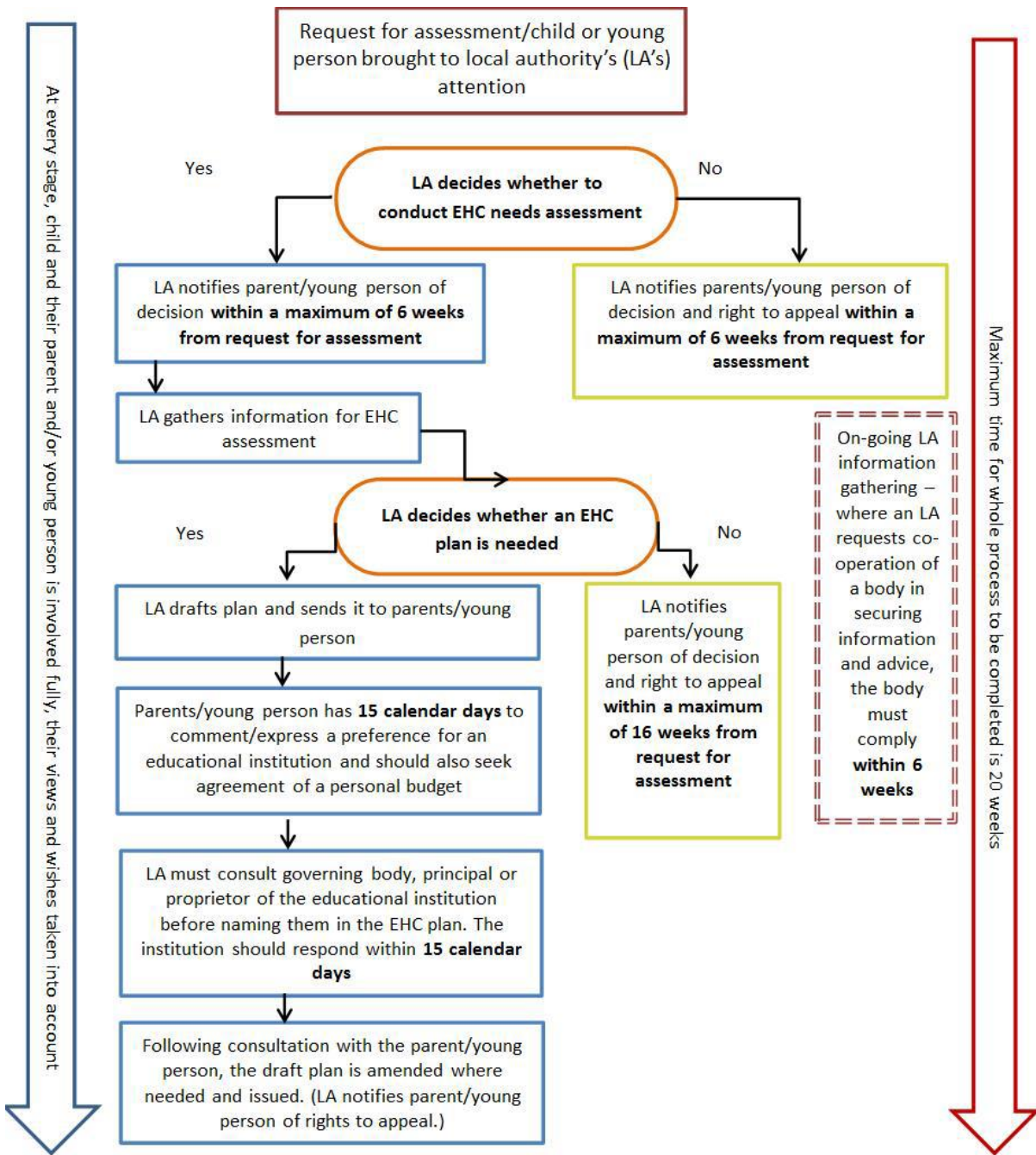
9. **Key Contacts**

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

Adult's Social Care: (Name, address, phone)
Health (Name, address, phone)

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
Contextual issues: support already in school is used flexibly when possible / appropriate to work with child / young person concerned school resources are used proportionately for the child / young person concerned	-
support is used for groups of children / young people, including the child / young person concerned	-
	-
the child / young person's views regarding what helps them most will be sought / recorded / shared with relevant adults	-
the parent(s') / carer(s') views / role are sought / recorded / shared with relevant adults	-
	-
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	-
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	-
	-
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	-
	-
Appropriate curriculum differentiation is made by the class teacher, in conjunction with SENCO, support agencies (LSS, P/SIC, EPS, SLT)	-
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)	-

Appendix C – Social Care Short Breaks Panel Arrangements

	None	Some Additional Support			Standard Level of Support			Significant Level of Support		
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.		

Explanation of Levels of Support

SIGNIFICANT Level of Support

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

STANDARD Level of Support

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

SOME Additional Support

- 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.
- Family are able to cope but may need occasional support.
- Limited support networks.

No Additional Support

- 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 D – Eligibility for Services for Children with Disabilities and Complex Health Care Needs

Level of Need/Priority	Threshold criteria	Examples	Response	Planning process	Desired outcomes	Services provided	Level of services that may be provided
1 Universal	Children whose basic needs are being met but the quality of life, or that of their carer could be improved	<p>Parenting adequate, basic care, safety, stimulation, guidance and boundaries met.</p> <p>Carer experiencing minimal or no difficulty.</p> <p>Children who despite their disability are at no greater risk than any other child of their age, gender or ethnicity.</p> <p>Carer experiencing minimal or no difficulty.</p> <p>Minimal or no risk to mental well being or health/safety of child/carers.</p> <p>Child/parent has adequate opportunities for contact with others and involvement in outside activities</p>	<p>Multi-agency services</p> <p>Principles for framework for assessment apply</p>	<p>All services to develop identification, referral and tracking systems for potential children in need</p> <p>CAF</p>	<p>Child's needs met by family and services available to all children and families.</p>	<p>Early years partnership Services. Midwifery Health visiting School nurse GP's Primary Care services School Placement Housing Leisure services Parks and countryside's Access to criminal Justice system Police services for children in education Library and information services Community and youth services Arts and museums services Sure start Connexions Voluntary Organisations Disability database PCT</p>	<p>Advice and information.</p> <p>Referral to appropriate services.</p>

Level of Need/Priority	Threshold criteria	Examples	Response	Planning process	Desired outcomes	Services provided	Level of services that may be provided
2. Low	Children who need regular, but not intensive care and support	<p>Non disabled children who get inadequate parental attention to meet their social and emotional needs fully because of the demands of caring for a disabled sibling.</p> <p>Reasonable family support networks and links to some universal services</p> <p>Minor inconsistencies in parenting</p> <p>Carer experiencing some difficulty in parenting/caring for the child(ren) but no immediate risk of collapse</p> <p>Children who, because of their disability and vulnerability, are at some degree, but do not pose a particular risk to self or others</p> <p>Non disabled children may not reach new potential and/or their needs are met without risk of breakdown to the family</p> <p>Some but not immediate risk of</p> <p>Carer experiencing some difficulty in caring but not immediate risk of collapse.</p>	<p>Multi-disciplinary support plan</p> <p>CAF</p> <p>Initial assessment within 7 days</p> <p>Specialist health assessments</p>	<p>Multi-disciplinary meeting</p> <p>Review meetings</p> <p>Multi-disciplinary panel</p> <p>Pre – school / school aged panel</p>	<p>Be safeguarded against physical, emotional or sexual abuse and neglect.</p> <p>Support for family and social networks.</p> <p>Minimise family breakdowns or breakdown of social networks.</p> <p>Achieve long term emotional, educational, health and personal potential</p> <p>Plan for adequate levels of support in order to maintain care at home as an adult</p> <p>Long term family stability</p>	<p>All level 1 services plus: Speech Therapy Physiotherapy Occupational Therapy Acute health services Mental health services Community nursing Education Welfare Service Special Educational Needs Service Sensory Impaired Services Child Development Centre Voluntary Services Aiming high short breaks, including evening, weekend and holiday provision</p> <p>Direct payments</p>	<p>Advice, information, assessment and referral to appropriate Statutory/voluntary services</p> <p>Short term preventative work</p> <p>Attendance at Education Transitional planning meeting</p> <p>Aiming High short break provision including after school, weekend and school holiday activities</p>

Level of Need/Priority	Threshold criteria	Examples	Response	Planning process	Desired outcomes	Services provided	Level of services that may be provided
3. Medium	Children who need regular, intensive care and support	<p>Non disabled children whose basic physical social and emotional needs are not adequately met by their parents because of the demands of caring for a disabled sibling.</p> <p>Child's primary, physical, emotional, behavioural needs are not being met.</p> <p>The home situation is poor and will result in unacceptable risks/pressures.</p> <p>Some social pressures, e.g. housing finance, Isolation</p> <p>No adult who is able to offer consistent safe care or no adult with parental responsibility</p> <p>Children who pose a risk to self of others, or whose behaviour puts them at risk from others or the level of their needs is such that there is a risk of family</p>	<p>CAF</p> <p>Initial assessment within 7 days</p> <p>Continuing Care Assessment within 14 days</p> <p>Core assessment within 35 days</p> <p>Multi-disciplinary support plan</p>	<p>Services agreed via Multi-disciplinary planning meetings.</p> <p>Transitional planning meetings</p> <p>Review meetings</p> <p>Continuing Care Panel</p>	<p>Be safeguarded against physical emotional or sexual abuse.</p> <p>Be safeguarded against neglect</p> <p>Prevent self harm Prevent harm to others</p> <p>Prevent family breakdown</p> <p>Minimise breakdown in social networks</p> <p>Prevent breakdown of carers health Enable carer to continue caring</p> <p>Achieve a safe home environment</p> <p>Prevent inappropriate responsibilities for young carers</p> <p>Plan for adequate levels of support in order to maintain care at home as an adult</p> <p>Long term family stability</p>	<p>All level 1 and 2 plus:</p> <p>Initial and core assessment, referral, social work support.</p> <p>Specialist child mental health services</p> <p>Family Centres</p> <p>Short term breaks through aiming high including after school, weekend and school holidays</p> <p>Outreach to meet social and/or health needs</p> <p>Sitting</p> <p>Service*</p> <p>Direct</p>	<p>Social work support</p> <p>Services agreed via a multi-disciplinary plan</p> <p>Short term breaks Play schemes</p> <p>Sitting service</p> <p>Carer support</p> <p>Attendance at Education Transitional planning meetings</p> <p>Overnight respite</p> <p>Trained health care support workers to help parents care for their child at home for regular short periods to give them a break</p> <p>Trained health care worker to stay overnight in a child's home to attend to health care needs during the night so a parent can sleep.</p> <p>Trained health care support workers provide 1-1 support for</p>

		<p>breakdown</p> <p>Non disabled children at risk of neglect through parents caring for child with disabilities and are at risk of failing educationally and in their social relationships</p> <p>Multiple health needs that are complex or unpredictable and require regular treatment and review from health care professionals.</p> <p>Child has frequent need for skilled intervention from a trained carer or care worker due to complexity and instability of health.</p> <p>Children needing palliative/ end of life care</p>				<p>payments</p> <p>Overnight break within specialist service</p> <p>Special School nursing service</p> <p>Continuing Care & Specialist Nursing services including Dragonfly (palliative care) service</p> <p>Acute health services</p>	<p>pupils with complex health needs to enable them to attend school, including 1-1 support in transport where required</p>
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Level of Need/Priority	Threshold criteria	Examples	Response	Planning process	Desired outcomes	Services provided	Level of services that may be provided
4. High	children who need continuous intensive care and support (including day time, night time, assistance with personal support)	<p>A child whose behaviour is likely to seriously limit or deny access to and use of ordinary community facilities or significantly impairs a child's personal growth, development and family life.</p> <p>Children whose complex care needs cannot be met within the family without intensive support.</p> <p>The level of the child's need is such that it severely impacts on the family functioning. E.g. family breakdown is imminent</p> <p>Social isolation combined with serious concerns for personal safety</p> <p>Children who are unprotected from</p>	<p>CAF</p> <p>Initial assessment within 7 days</p> <p>Continuing Care Assessment within 14 days</p> <p>Core assessment within 35 days</p> <p>Multi-disciplinary support plan</p> <p>In emergencies services will be provided to reduce risk</p>	<p>Services agreed via Multi-disciplinary panel</p> <p>Transitional review/planning meetings</p> <p>Review meetings</p> <p>Continuing Care Panel for community support package</p> <p>Complex Needs Panel for specialist multi-agency funded placements.</p>	<p>Be safeguarded against neglect, physical, emotional or sexual abuse.</p> <p>Prevent self harm</p> <p>Prevent harm to others</p> <p>Prevent family breakdown</p> <p>Minimise breakdown in social networks</p> <p>Prevent breakdown of carers health</p> <p>Enable carer to continue caring</p> <p>Achieve a safe home environment</p> <p>Prevent inappropriate responsibilities for young carers</p> <p>Plan for adequate levels of support in order to maintain care at home as an adult</p> <p>Long term family stability</p>	<p>All level 1,2,3 plus: Separation of family</p> <p>Specialist multi-agency funded placements</p> <p>Section 20 accommodation</p>	<p>Social work support</p> <p>Accommodation</p> <p>Contribute to specialist multi-agency placements to meet educational, health and social needs.</p> <p>Carers breaks/support</p> <p>Short term breaks</p> <p>Play schemes</p> <p>Sitting service</p> <p>Attendance at Education Transitional Review meetings</p>

		<p>chronic parenting problems, e.g. Domestic violence, physical abuse.</p> <p>Parent unable to respond to child's needs throughout different stages of their lives. Immediate risk to carer of breakdown in mental wellbeing of health/personal safety.</p> <p>Parent placing and social needs.</p> <p>Children who pose a serious risk to self or others, or whose behaviour puts them at serious risk from themselves or others.</p> <p>There are indications that the child will become accommodated on a longer-term basis, or the need for</p>			<p>Appropriate placement that meets health, social and educational needs</p>		
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		<p>accommodation would increase if support were not offered immediately.</p> <p>The child is at risk of serious abuse. Immediate/very</p> <p>Child's has complex health care needs which cannot be met in home environment even with intensive support and requires care in a specialised setting.</p>					
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Appendix E – LA Direct Payment Agreement Letter

To do –

see PB regs

<http://www.newcastle.gov.uk/health-and-social-care/disabilities/children-with-disabilities/individual-budgets>

Appendix F – Parent/Young Person Direct Payment Agreement Letter

To do –

see PB regs

<http://www.newcastle.gov.uk/health-and-social-care/disabilities/children-with-disabilities/individual-budgets>

Appendix G – BACs payment request form

To do –

see PB regs

<http://www.newcastle.gov.uk/health-and-social-care/disabilities/children-with-disabilities/individual-budgets>

Appendix H – Third Party Request Form

To do –

see PB regs

<http://www.newcastle.gov.uk/health-and-social-care/disabilities/children-with-disabilities/individual-budgets>

Appendix I – Personal Budget Funding and Management – Sept 14

	2014/15 £'m	Management Arrangement Restrictions
Education HNB Top Up Budget – Maintained Schools and Academies	1.545	None
Education HNB Top Up Budget – Other	6.571	Notional Arrangements
HNB Support Services	3.439	Notional Arrangements
Specialist provision in other local authorities, independent and non-maintained special schools	2.013	Notional Arrangements
SEN Transport	1.940	Notional Arrangements
Social care Disability Partnership – respite and transport	1.004	None
Health – Continuing Health Care – joint funded arrangements	0.356	None
Health – Continuing Health Care – CCG 100% funded	TBC	None
Total	16.868	