



# Personal Budgets

A brief guide for parents/carers and young people.

# WHAT IS A PERSONAL BUDGET?

A Personal Budget is a notional amount of money identified to pay for the special educational provision specified in an Education, Health and Care Plan (EHCP). You can't have a personal budget without an EHCP. It can give choice and control over how part of the provision in an EHCP is delivered.



Parent/carers or the young person (YP) must always be involved in planning the Personal Budget.

- Sometimes, the Local Authority (LA), school or college will look after the Personal Budget for the parent/carers or YP. This is called an Arrangement or a Notional Budget
- Sometimes, the parent/carer or the YP may manage all or part of the Personal Budget themselves. The money to do this will come from a Direct Payment
- Sometimes, someone else will manage the Personal Budget for the parent/carer or YP. This is called a Third-Party Arrangement
- Sometimes, the parent/carer or YP will have a mixture of some or all of these arrangements.



# WHO CAN HAVE A PERSONAL BUDGET?

- If you are the parent/carer of a child with an EHCP, or a YP with an EHCP, you can request a personal budget either during the drafting of an EHCP or at a review once the plan has been issued
- There is a right to request a personal budget linked to the EHCP, but not a right to have a personal budget
- You do not need to have an EHCP to get personal budgets for health and social care, but once you have an EHCP, or one is being prepared, you can request budgets for all three areas of support.



# WHAT CAN A PERSONAL BUDGET BE USED FOR?

Personal budgets can only be used to fund the support set out in section F of an EHCP and must be agreed by the LA. The EHCP will then set out how a personal budget is going to deliver support and help with outcomes.

While there is a degree of flexibility in how personal budgets can be used, you must be able to demonstrate that your child/ YP's assessed needs would be met and that it contributes to the outcomes in the EHCP.

It can also include support that is managed by the school or college such as a one-to-one – but only if the Headteacher or Principal agree.

A personal budget for educational provision cannot cover payment for a place at a school or college.



Some possible ways in which a personal budget could be used might include:

- Additional tuition in a particular area such as literacy or maths
- An iPad for a child/YP to support improving communication skills
- Teaching assistant support hours in schools
- Therapies (speech and language / occupational therapy / physiotherapy)

Sometimes the Local Authority may not agree to a personal budget. If the Local Authority refuses a personal budget for special educational provision they must tell you why. For example, it may be that the special educational provision is being provided as part of a larger budget and the LA can't separate the personal budget from the larger budget.

You cannot appeal to the Special Educational Needs and Disability Tribunal over this refusal, but you could use the 'Disagreement Resolution process'. In Norfolk, this service is provided by Anglia Care Trust. Alternatively, you can complain to the LA about their decision to refuse a personal budget, please look at our 'How to complain' resource.

Anglia Care Trust

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# WHAT IS THE DIFFERENCE BETWEEN A PERSONAL BUDGET AND A DIRECT PAYMENT?

A personal budget shows you what money there is for the provision specified in an EHCP, and who provides it. The parent/carer or YP does not actually manage the funds directly.

With a direct payment, the parent/carer or YP is given the money for some services and manages the funds themselves. The parent/carer or YP is responsible for buying the service and paying for it.

A personal budget can include a direct payment if it is agreed that this is the best way to manage part of the personal budget.

Direct payments can be used for special educational provision in a school or college only if the school or college agree.

It is also possible to have a third party arrangement to manage a direct payment.



# HOW MUCH WILL I GET IF I HAVE DIRECT PAYMENTS?



How much you get will depend on what has been set out in the EHCP. So it will vary from one person to another.

If the Local Authority has agreed to make a direct payment, it must be enough to pay for the service, or services specified in the EHCP.

Detailed information about personal budgets and direct payments are contained in Chapter 9 of the SEN and Disability Code of Practice.

The law relating to direct payments and personal budgets is set out in the Special Educational Needs (Personal Budgets) Regulations 2014.



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