


POLICY FRONT SHEET

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Area of Service: All Departments

Children's Personal Budget
Aim

To explain the approach taken by Nottinghamshire County Council (NCC) to children's personal budgets across Special Educational Needs and Social Care for children and young people, in relation to this policy, regulations and guidance.

Relevant Legislation and Guidance

- Children and Families Act 2014
- Care Act 2014
- The Special Educational Needs (Personal Budget) Regulations (2014)
- DoH Care and Support Statutory Guidance – issued under the Care Act 2014, (2014)
- Statutory Guidance, Code of Practice for SEN and Disability 0 – 25 years 2014
- Chronically Sick & Disabled Persons Act 1970

Approved by
Implementation
Review

Nottinghamshire County Council – Children and Families Services

POLICY FOR CHILDREN’S PERSONAL BUDGETS

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1. Background

- 1.1.** With the implementation of the Care Act 2014, there is now a duty upon the local authority to produce a care and support plan or Education Health and Care Plan (EHCP) and offer a **Children’s Personal Budget** following an assessment to ensure that disabled children/young people and their carers’ needs are adequately met. It is a way of managing care and support to ensure the help a child/young person receives, suits them as an individual. There is also a requirement within Section 49 of the Children & Families Act 2014 for the local authority to prepare a Children’s Personal Budget for a disabled child or young person.
- 1.2.** This Policy applies to all children and young people in Nottinghamshire who have an identified assessed need for one or more of the following:
- Education – Appendix one
 - Children’s Social Care – Appendix two
 - Health – Appendix three
- Three appendices are attached to this policy, each appendix provides further in-depth detail of how the direct payment element for each of the three areas will be applied.
- 1.3.** Nottinghamshire’s Children and Families Services requires all service areas where needed to develop guidance in line with this policy.
- 1.4.** A children’s personal budget can empower individuals by providing the opportunity to arrange and manage the services they have been assessed as eligible to receive. This policy sets out the Local Authority’s approach to children’s personal budgets.

A Children's Personal Budget should not have an adverse impact on other services which the Local Authority provides or arranges for disabled children and young people and, it should be compatible with the authority's efficient use of resources.

2. Introduction

- 2.1.** Within Nottinghamshire's graduated approach and assessment process, Person-Centred Planning starts and centres on the individual and those closest to them. It sets out actions to support the individual and aims to ensure that the care and support each child or young person receives is matched to their needs and wishes.
- 2.2.** It also makes sure that everyone who needs information and advice about their care and support receives it, regardless of their wealth or eligibility for services. This approach should culminate in good, agreed outcomes. Children's Personal Budgets are a key part of the person-centred approach, because they give children/young people and their families more control over their care and support.

3. Aims

The aims of this policy are:

- To give the recipients control over their own life by providing an alternative to Services provided by a local council.
- To give flexibility to look beyond "off the peg" service solutions. This will help increase opportunities for independence, social inclusion and enhanced self-esteem.
- To ensure that children and young people are consulted and encouraged to participate in decisions about their individual care and support arrangements. Particular attention must be given to those children and young people who have disabilities/conditions who may need additional support to be able to do this.
- To ensure the opportunity to increase independence is supported when a Children's Personal Budget is considered as part of a transition into adulthood.
- To ensure there are systems for assessing, awarding, processing and reviewing Children's Personal Budgets.

4. Definition of a Children's Personal Budget in Nottinghamshire

A Personal Budget is money set aside to fund support as part of an assessed need for a child or young person with special educational needs.

5. How a Children's Personal Budget can be managed

Parent/carers and young people are informed of their allocation and following the assessment, agreed outcomes are generated. A Children's Personal Budget can be delivered in a variety of ways;

5.1. A Notional Budget

The services are arranged on the family's behalf and may be delivered by local authority services or an external organisation. No money is paid directly to the young person, parent, or carer.

5.2. A Direct Payment

Parent/carers and young people are given a sum of money to buy and manage the services themselves to meet assessed needs and identified outcomes.

5.3. A Third-Party Arrangement

A different organisation or trust holds the money and helps parent, carers and young people to decide the best way to manage the children's personal budget.

5.4. Personal Contributions to a Children's Personal Budget

In addition to the budget identified through the assessment process, parent carers should use a reasonable amount of their own resources to help meet the identified outcomes. E.g. Parent/carer transporting their child or young person to activities, extended family support, or the use of community resources.

Note that a Children's Personal Budget can be a combination of any of the above.

6. The difference between a Children's Personal Budget and a Direct Payment

6.1. A Children's Personal Budget is funded by the Local Authority to support a child or young person's education and social care support needs, this can be made up of a directly provided service, a monetary payment, or a mix of these. A Children's Personal Budget will be used to achieve the agreed outcomes in the care and support plan or EHCP and the family will be central to deciding how the plan will deliver their child or young person's identified outcomes.

6.2. A Direct Payment is when the Local Authority or Integrated Care Board (ICB) provides an agreed sum of money to enable families to purchase equipment or services to support their child or young person's needs.

7. Eligibility

7.1. A Personal Education Budget is available to families of children/young people with special educational needs and disabilities (SEND) in response to an assessed need written in an Education, Health and Care Plan.

7.2. A Personal Education budget for home to school transport is available to families applying for SEN home to school transport and meeting the eligibility criteria. [Travel assistance for children and young people with special transport needs | Nottinghamshire County Council](#)

7.3. A Children's Social Care Personal Budget is available to families of children/young people with special educational needs and disabilities (SEND) who are eligible to receive care or support as a result of an assessed need.

7.4. A Personal Health Budget is available to anyone who is eligible for NHS care (under the National Health Service Act 2006) and any other enactment relevant to the Integrated Care Board (ICB)

8. Equality and Diversity

8.1 Disabled children and young people have the same rights to services as other children and young people and are protected from discrimination under the Equality Act 2010.

9. Safeguarding Children and Young People

9.1. Parents/carers have the prime responsibility for their child's health, welfare and safety and must ensure they are meeting appropriate Disclosure and Barring Service (DBS) requirements when making care and support arrangements utilising a Direct Payment.

9.2. Young People over the age of 16 who are living independently of their parents should be provided with assistance to arrange safe care and support when utilising a Direct Payment.

10. Policy Monitor and Review

10.1. The policy will be reviewed at least annually by the Commissioning & Placements Group.

10.2. Any changes to this policy required due to changes in legislation will be made by the Commissioning & Placements Group, who will be responsible for the promotion of the policy across the Department, subject to approval by the relevant Cabinet Member.

11. Appeals and complaints

11.1. Any appeal or complaints about the process of setting up, administering, and monitoring the personal budgets will be managed under the Council complaint procedures.

12. Appendices

Appendix 1: Education Direct Payments Guidance

Appendix 2: Children's Social Care Direct Payments Guidance

Appendix 3: Personal Health Budgets and Integrated Personal Budgets Policy