

Oxfordshire's Personal Budget Policy

1. Introduction

If a child or young person has an Education, Health and Care (EHC) Plan, the parents or young person are able to request that aspects of their care or provision are given via a personal budget. A Personal Budget is an amount of money identified by the Local Authority to deliver provision set out in an EHC plan where the parent or young person is involved in securing that provision.

Personal Budgets are intended to give parents and young people more choice and control about how the outcomes in the EHC plan can be met. Personal budgets are well established in Adult Services and many disabled children in Oxfordshire access some or all of their social care packages via direct payments. Personal health budgets for children and personal budgets for SEN support are more recent developments and are given separately to personal budgets and for differing needs.. Parents and young people interested in having a personal budget to deliver aspects of their EHC plan should ask professionals working with them more about this.

Personal budgets are about helping children /young people achieve good outcomes. They can be used for care and support that is **safe, legal and affordable**.

In 2015/16, 244 children under 18 received SEND personal budgets for short breaks or personal care. 16 children received a personal health budget. 6 people received a SEND personal budget for education. 450 disabled young adults from 18-25 have received a personal budget from Adult Social Care/health although many of these young adults will not be in education. Families and professionals are reporting many positive outcomes for disabled children/young adults who use personal budgets. Poorly children with complex health needs can use them to buy care from PAs which can be used flexibly eg during the day or night. These PAs who know the child well can provide seamless safe support when the child becomes 18 and is supported by Adult Services. Personal budgets for short breaks have helped reduce children's difficult behaviours, built friendships for isolated children and helped increase independence skills giving them confidence to separate from parents. Parents value the breaks saying they increase family resilience and allow them to spend quality time with siblings.

2. How Personal Budgets are funded

Personal Budgets are not created from any new money available to services. Funding for personal budgets comes from releasing the value of a child/young person's provision from the services they might otherwise be expected to make use of. Not all services can have money removed in this way without adversely affecting other children that use the provision. These services are therefore not eligible as funding sources for personal budgets. For example, currently all the funding for speech and language therapy, physiotherapy and occupational therapy in Oxfordshire is in a block contract and this means that children/young people cannot have a personal budget for these therapy services. This will be kept under review and may change in the future. School places, GPs, health visitors, school nurses and social worker support are not eligible as funding 'released' for personal budgets.

3. Services available as Personal Budgets

In the future, more services may be available via personal budgets but at present, the following can be accessed in this way:

- Care/support identified to meet agreed outcomes for children assessed as eligible for continuing health care funding.
- Care/support for disabled children outside the school day following a social care assessment where this care is needed to improve agreed child and family outcomes.
- Care identified to meet the needs of disabled adults (18-25) who are assessed as eligible for a Personal Budget from Adult Social Care or Oxford Health to improve their outcomes.

4. How Personal Budgets are developed

Children and young people who are eligible for a personal budget may be able to draw on money from up to different funding streams, as described above. The money can be held in a single budget but must be used for outcomes agreed between the family and the education, health and care professionals supporting the child/young person. The family and professionals will need to agree in advance any conditions about how the personal budget can be spent. Parents and /or the young person will need to sign a single contract which makes it clear what conditions they have to agree to before any direct payment can be made. They will need to open a separate bank account for the personal budget and to send in invoices showing how the funding has been spent.

Families will be given information about the use of direct payments; the expectations and responsibilities involved in taking up this opportunity including safer recruitment, skills and training of PAs; responsibilities around contracts and employment, including health and safety responsibilities for PAs employed via personal budgets; review and audit processes; an offer of longer term ongoing support eg around running a payroll.

5. Options for managing a Personal Budget

There are four ways of managing a personal budget:

- Direct payments – where parents or the young person receives money to buy and manage services themselves.
- An arrangement where the local authority or education provider holds the money and commissions the services included in the EHC plan as directed by the parent or young person (these are sometimes called notional arrangements).
- Third-party arrangements – where parents or the young person can choose someone else to manage the money on their behalf.
- A combination of the three ways above.

The local authority must secure a school's agreement where any provision, bought by a parent using a direct payment, will be provided on the school's premises.

6. Keeping People Safe

The Council and Oxfordshire's Clinical Commissioning Group expect that personal assistants (PAs) are appropriately vetted. References must be taken up before offering

employment and funding for personal budgets for children and vulnerable adults will not be released until the PA has a clear current DBS check via the Council. The Council funds DBS checks and social workers /allied professionals support parents and PAs so they understand the process they need to follow to access a DBS check. PAs employed to support children must also complete the Oxfordshire Safeguarding Children Board's e-learning safeguarding course. Parents must confirm they have seen their PA's certificate from this online training. Social workers/allied professionals will explain to families that PAs must report any safeguarding concerns to the appropriate professional/team.

Parents and carers will be supported to develop risk management plans for the PAs to adhere to when they are supporting the child/vulnerable adult at home and in the community. These plans will include any training the PAs need to manage person specific health care tasks eg gastrostomy feeds, administration of medication, specialist moving and handling. If a child/young person has specialist health care needs such as gastrostomy feeding, specialist moving and handling or epilepsy care, the worker must be trained by a qualified health professional to manage these tasks. The child's social worker, specialist nurse or SEN officer will be able to help arrange this training via the Oxford Health Shared Care Protocol Training Co-ordinator.

Short break providers/agencies which provide support funded via a child's personal budget must have a child protection policy in place, have robust safer recruitment policies including a central record of their staff's DBS checks and be able to demonstrate their commitment to safeguarding generally. This will generally be via a Section 11 return to Oxfordshire's Safeguarding Children's Board.

7. Eligibility for a Personal Budget

Social care

Disabled children/young people who have had a social care assessment and have been allocated a specialist care package may access some or all of this via direct payments. There are different direct payment rates for different services, for example £10.85 per hour for community short break care support and £16 per hour for overnight residential short break care support. Children may be funded for 2:1 support if this is needed. The hourly rate for employing personal assistants means care staff can be paid around £8.50 per hour as the £10.85 also has to cover tax, NI and sick/holiday pay. Parents may choose to pay more than this but this would mean they could buy less care.

Health

At present, only children and young people with continuing health care needs will be eligible for a personal health budget but in the future this may be extended to children/young people with other chronic long term conditions. Personal health budgets can be spent flexibly but must support the ongoing care needs of the young person and not deliver treatment. Prescription charges, GP costs, surgical interventions are therefore not open to spend for a personal health budget. Parents and young people eligible for a personal health budget will have the opportunity to work with an independent adviser to think about how a package can be created which suits the needs of the individual and this will be captured in the plan containing health outcomes.

Education

Funding for settings, schools and colleges pays for the placements, staffing and resources, and is managed across the whole institution. In most cases, removing money from education support will adversely affect other children and young people, therefore this will not be available as a personal budget.

In exceptional situations, schools or colleges may choose to contribute some of their own budget to a child or young person's personal budget. Where children are eligible for funding from the SEN High Needs block, it may be possible to allocate this as a SEN Personal budget. This should be discussed with the SEN officer responsible for the child/young person's Education Health and Care Plan. Th.

Any support for a child funded by a personal budget at a setting, school or college must be agreed by the Headteacher or College Principal.

8. Decision making processes

Support packages for personal budgets are discussed, moderated and agreed through a panel based approach across education, health and care. Parents and young people are kept fully informed of the outcomes.

9. Advice and assistance with Personal Budgets

There is a small amount of paperwork which needs to be completed around personal budgets but professionals will help families with this. The Council and Clinical Commissioning Group has a contract with Age UK who provide information, advice and guidance around personal budgets for parents of disabled children and for people eligible for a personal who want to employ staff. Age UK can also advise about access to a payroll service for people who employ staff using personal budgets and also about a managed account service which means that all the parent/young person needs to do is to provide invoices. This removes much of the bureaucracy from using personal budgets.

Useful resources

- Free safeguarding training can be accessed the Oxfordshire Safeguarding Children Board website www.oscb.org.uk/training
- Safer recruitment guidance can be accessed online via Skills for Care: employing personal assistants www.skillsforcare.org.uk/document-library/employing-your-own-care-and-support/employing-personal-assistants-toolkit.pdf
- Disability matters e-learning: This is a free training resource developed by the Royal College of Paediatrics and Child Health in partnership with a wide range of organisations that covers a number of areas including communication, enabling participation and some specialist areas eg the Mental Capacity Act www.disabilitymatters.org.uk
- Autism awareness e-learning: www.forms.portsmouth.gov.uk/AutismAwareness