

# Personal Budgets Report

22/01/19 FOCUS GROUP

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## ***Abstract***

Personal budgets (EHCP) provide an opportunity for control and choice over the support and care needs of a child or young person. Instead of being provided with services, a budget is identified to meet assessed needs. This is an amount of money identified by the local authority (LA) to deliver provision set out in a child or young person's EHC plan. A Personal Budget can be used to cover Education, Health and Social Care outcomes.

### ***1. Introduction***

In Education, some of the SEN provision in your child or young person's plan will be made using the school's budget. Personal budgets may be used for more specialist provision, for example to pay for a therapy or intervention. Health, the personal health budget remains the responsibility of the health commissioning body. These are not appropriate for all of the aspects of NHS care your child may require. In the excluded services are include GP and emergency services. Social Care, the Care Act 2014 allows a personal budget as part of the care and support plan for people over 18 with eligible needs, or where the LA decides to meet needs. For children and young people under 18, LA's have a duty to offer direct payments for services provided under section 17 of the Children Act 1989.

Personal Budgets and Education (CoP 2015)

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, as amended by the Special Educational Needs (Miscellaneous Amendments) Regulations 2014.

Under The Special Educational Needs (Personal Budgets) Regulations 2014 a LA must provide certain information to the child's parents or the young person receiving the personal budget, including:

- The provision for which a personal budget may be available
- Details of organisations that provide advice and assistance in connection with personal budgets and the conditions which must be met before direct payments may be made
- If the LA refuses to provide a personal budget they must set out their reasons in writing and parents or the young person can ask for their decision to be reviewed. A request for review can only be made once.
- Details of the proposed personal budget should be included in Section J of the EHCP. The content of Section J cannot be appealed to the Special Educational Needs and Disability Tribunal. Therefore, if there is any disagreement with the amount of personal budget/direct payments allocated, this will have to be taken up with the LA.

## Personal budgets and Social care (2014 Care Act)

Promoting wellbeing involves actively seeking improvements in the aspects of wellbeing set out above when carrying out a care and support function in relation to an individual at any stage of the process from the provision of information and advice to reviewing a care and support plan. Wellbeing covers an intentionally broad range of the aspects of a person's life and will encompass a wide variety of specific considerations depending on the individual.

A local authority can promote a person's wellbeing in many ways. How this happens will depend on the circumstances, including the person's needs, goals and wishes, and how these impact on their wellbeing. There is no set approach – a local authority should consider each case on its own merits, consider what the person wants to achieve, and how the action which the local authority is taking may affect the wellbeing of the individual.

The Act therefore signifies a shift from existing duties on local authorities to provide particular services, to the concept of 'meeting needs' (set out in sections 8 and 18 to 20 of the Act). This is the core legal entitlement for adults to care and support, establishing one clear and consistent set of duties and power for all people who need care and support.

The concept of meeting needs recognises that everyone's needs are different and personal to them. Local authorities must consider how to meet each person's specific needs rather than simply considering what service they will fit into. The concept of meeting needs also recognises that modern care and support can be provided in any number of ways, with new models emerging all the time, rather than the previous legislation which focuses primarily on traditional models of residential and domiciliary care.

The principles behind the concept are as follows:

- The importance of beginning with the assumption that the individual is best-placed to judge the individual's wellbeing.
- The individual's views, wishes, feelings and beliefs
- The importance of preventing or delaying the development of needs for care and support and the importance of reducing needs that already exist
- The need to ensure that decisions are made having regard to all the individual's circumstances
- The importance of the individual participating as fully as possible
- The importance of achieving a balance between the individual's wellbeing and that of any friends or relatives who are involved in caring for the individual
- The need to ensure that any restriction on the individual's rights or freedom of action that is involved in the exercise of the function is kept to the minimum necessary

## **2. Discussion**

Several issues were raised as part of an open table discussion between facilitators and parent carers.

### **2.1 What is a Personal Budget?**

Payments intended to meet a provision not met by the Local Authority directly or services that cannot be commissioned from NHS locally. There is an in-depth description on Peterborough Local Offer website. It can be used to secure support or services to meet specific need based outcomes for the child - over and above what is available by the LA and NHS. Has to be outcomes lead, and a gap in service provision. Money is awarded as a Personal Budget but drawn as a Direct Payment. "It is easier to get a Personal Budget for Social Care than for Education - you can use the money to hire carer's to take the young person out into the community to meet their developmental needs." was reported by the parent carer's in attendance that have a personal budget in place for their child. Some of the parent carer's in the group felt that it was impossible to get, either because information was not available or the process was not fully understood by them.

Issues reported by the group:

- Finding the information on the Local offer
- Difference between wants and needs (Maslow pyramid of needs) and how is that reflected on an EHCP.

### **2.2 How does it work with social care?**

The process was explained to parents, which have expressed some doubts in get involved with social care and the stigma of being a parent carer and the traditional assessment of need.

Discussion surrounding access to additional Care support and the Carer's Assessment. Carer's assessments are currently linked to the needs of the young person, rather than a parent carer being assessed individually to ensure the carer's needs are met - which is not fair on the parent-carer. Parent carer's/young people have to have a social worker assessment before getting direct payments - social workers have a remit to protect and safeguard the child - this assessment blends into carer's assessment. The child then becomes a Child in Need. Issues reported by the group:

- I do not know enough and can it be used for respite
- What does it means to "not meet provision by the education, health and Social care" practical examples would be an added value to a new parent (accessibility of information)
- How does the social care process relates to EHCP's
- How that impacts on the transition from children to adult services?

### 2.3 Do you have to have an EHCP to get personal budgets?

The legislative relevance was explained to the group, i.e., Part 3 CFA 2014 and Section 19 principles. Parents are part of the process, you are supposed to be intrinsic in child's life, part of all decision making, what needs are identified, what child and family needs are. Your right to a voice. Child's right to a voice. Child's right to achieve the best possible educational outcome.

Issues reported by the group:

- Not fully understanding of the concepts mentioned above , how could this become more accessible to parents

### 2.4 Can you get a Personal Budget if you are home schooling or in other Educational setting?

Personal budgets are granted as part of the children outcomes those outcomes are independent of the education setting, this means that home schooling should be excluded, as it may be a parental and a CYP choice of setting. Issues reported by the group:

- This information is not clear or accessible to parents and parents do not feel that they are fully informed.
- Can you get and use a Personal Budget to support care packages for individuals to attend University? Will Personal Budgets they provide supplement care for Parent Carer to attend weekend University courses?

## 3. **Further data Analysis**

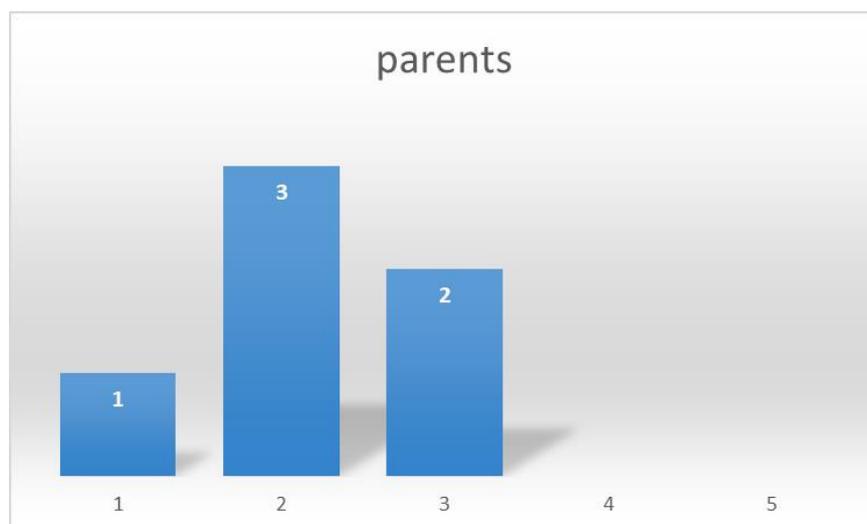


Fig.2 How informative parents found the draft

Peterborough parents found the draft helpful but only to certain extent, the previous knowledge of the subject is an influential factor to further understanding of the document. Peterborough parents do its population characteristics do need a more accessible document that will enable their understanding of personal budgets.

➤ **How do you feel about the availability to take a Personal Budgets?**

- It is not very clear who, when and how can one access a Personal Budget. Not enough information to parents who are raising children with special needs and disabilities.
- Maybe a little more confident than I did at the beginning, but not overly confident.
- As it's all about funding, and Peterborough's funding is seriously under budget.
- Difficult to assess
- Confused
- can't really answer as never looked into it before
- Very poor

➤ **Did you find the information useful?**

- It raises more questions rather than answered them.
- Yes, from the Family Voice people, but not from the draft.
- Not enough detail
- Information provided by Louise and Claudia was useful
- Yes
- Partial

## **4. Method**

### **4.1 Population**

All the parents in attendance range from age ranged between 30 and 55, no specific data was collected and therefore a mean cannot be found. Out of the 8 parent carers in attendance, 7 were from the feminine gender and 1 masculine.

The total of parents of the in attendance were all Peterborough residents or county borders as well as Peterborough service users, from different socio-economic and cultural background that due to the ethnicity (ethnic minority) and socio-cultural and economic background factors can be considered as included in the seldom heard families. Families had a varied ethnic background including white British, and Portuguese, Polish and Lithuanian.

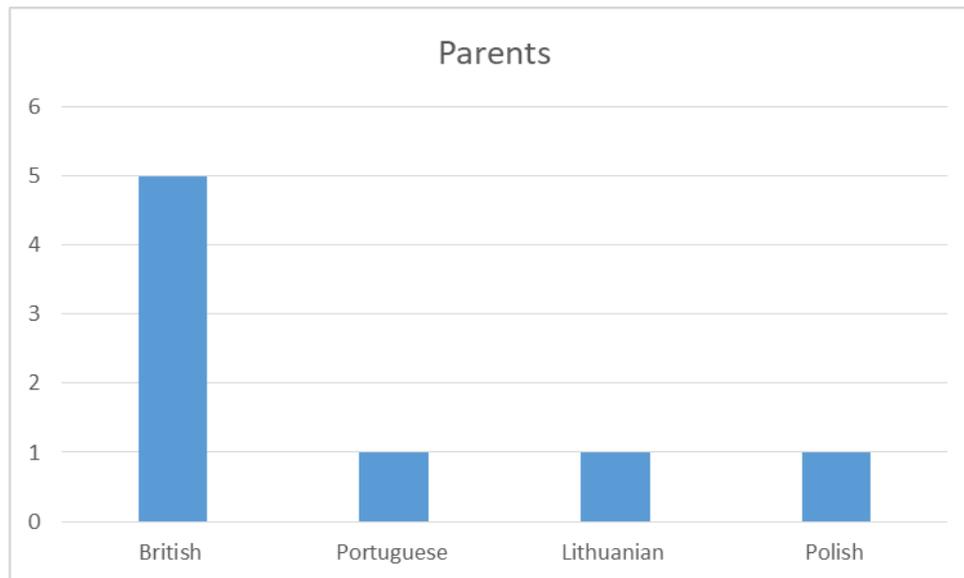


Fig.1 Parents Ethnicities in attendance

Disabilities reported by parents: Language impairment, Autism, ADHD, OCD, Food allergies, motor coordination difficulties, Anxiety disorder, 16p11.11, sensory Processing disorder, Dyspraxia, Learning disability, Severe hearing loss in right ear, global development delay, severe learning disability, ASD, atypical case of osteogenesis imperfecta, nephritic syndrome, CTCF gene mutation.

## 4.2 Method

The methods used a focus group where views of parents were taken as part of joint conversation and expression of common points of view of the ASD service deliverance from assessment to review in educational settings, health and social care.

The qualitative data trends were found from the notes taken from the focus group. Parent carers discourse analysis trends were identified and it should translate into statement of intention on the document.

## 5. Recommendations

### ➤ What information you would like to see included in the draft?

- More information about what exactly Personal budget is, better examples on how it can help with all - health, education and social care - aspects etc.
- Topics like 'social care' need to be expanded with more information, not just 2 words.
- How to assess, how will you ensure the person get the right support
- How to apply for PB. Social care assessments. Involvement of social workers.

- Specifics about funding and uses. Examples
- The examples of the situations where personal budget can be used more concrete examples