

## What cannot be bought using a Personal SEN Budget?

- Anything that is not identified on the child/young person's Education, Health and Care plan
- Health or social care provision that will not achieve identified educational outcomes on the child/young person's Education, Health and Care plan
- Independent school fees

## Frequently Asked Questions

### Would a Personal budget affect any other benefits I receive?

No, Personal budgets are not a "benefit" so it would not affect any other social security benefits you may receive.

### Do I pay tax on a Personal Budget?

No, personal budgets and direct payments are not classed as income so you don't pay tax.

### What do I need to do if I receive the Personal Budget directly (a direct payment)?

If you decide to have the money paid to and managed by yourself you will need to:

- Open a separate bank account just for your direct payment to be paid into.
- Keep proper records and receipts on how you have spend your funds – these will be monitored by the Local Authority and requested during the year (this is called an Audit)

## Further information/support

### SEND Team

SENDreforms@torbay.gov.uk      Tel. 01803 208274  
 www.torbaydirectory.com/family - 'Local Offer'

### SENDIASS *(Special Educational Needs & Disability Information, Advice and Support Service)*

www.sendiasstorbay.org.uk      Tel. 01803 208239

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## Personal Budgets for Special Educational Needs (SEN) in Torbay

This is a quick guide for families who are interested in finding out more about Personal Budgets for SEN.



## Explaining Personal Budgets for SEN in Torbay

A Personal Budget for SEN is a sum of funding for a child or young person with an Education, Health and Care Plan. You, as a parent or young person, can use it to get the support you need. You can discuss how it could be used with your SEN Officer and decide how you want the funding managed.

A Personal Budget for SEN could be some or all of the Element 3 funding allocated by Torbay Council to meet the additional and individual educational needs of your child or young person.

It might be possible to use some of the additional SEN funding within the school / college budget (what we call Element 2) as a personal budget, but this will only be with the agreement of the school or college.

Some of the support and provision for your child may be funded through contracts or provided by us (Speech and language Therapy for example). This funding won't be available as part of a Personal SEN Budget.

## Who can request a Personal SEN Budget?

A small number of children and young people need additional and individual support to enable them to access learning activities, to be included within their education setting and to achieve well. These children and young people will have an Education, Health and Care Plan.

Young people or parents of children with an Education, Health and Care Plan can request a personal budget once Torbay Council has confirmed that it will prepare a draft Education, Health and Care Plan. If you already have an existing Education, Health and Care Plan, or Statement of SEN, you can request a Personal Budget at your annual review.

## Indicative Personal Budget

When the local authority agrees that an Education, Health and Care Plan is needed, we will allocate an indicative personal budget. The indicative personal budget is an additional and individual estimate of the funding required to meet the child or young person's educational needs. In Torbay this is currently known as the Activity Led Funding (ALF) payment.

Parents and young people will be told the indicative budget available and can work with everyone involved to agree what could be put in place to meet the child or young person's educational needs and outcomes.

If you are interested in a Personal Budget to meet your child / your needs using a provider of your choice or in some other way, you can discuss this and your other options with your SEN Officer.

## What will happen?

As we are developing our approach to Personal Budgets for SEN in Torbay, the SEN Officer will spend some time looking into your request before going through the options with you. Our aim is to build our experience of how Personal SEN budgets can be used to meet needs in different ways. We will share creative ideas for using Personal SEN Budgets as these are developed in Torbay and nationally. If a service can meet a young person's needs within a reasonable cost and there are no funding barriers (e.g. block contracts) then we are committed to work with families to meet their wishes.

Thinking about meeting your child's SEN needs differently?

Talk to your SEN Officer or school / college about ideas you may have

Your SEN Officer and the school / college will look into your request and work out if it is possible

## What can be bought using a Personal Budget for SEN?

Any spend must be detailed in the agreed Education, Health and Care Plan and must be set against an identified educational outcome. Examples include:

- Some activity or staffing to be delivered in the education setting (with permission of the Head Teacher or Principal) or elsewhere
- Equipment
- Something bought specifically for an individual child/young person e.g. play therapy (Individually commissioned services)
- Activities or staffing for a group of children/young people with Education, Health and Care Plans e.g. art therapy (Group commissioned services)
- Advice and assistance from an organisation to help manage a Personal Budget as a direct payments (if there is a reasonable charge by the organisation)