

**Meeting date:** 26<sup>th</sup> September 2018  
**Report to:** Portfolio Holder for Children, Education and Skills  
**Subject/report title:** Personal Budget and Direct Payment policy  
**Report from:** Director of Children's Services & Skills  
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**Wards affected:**

- All Wards |  Bickenhill |  Blythe |  Castle Bromwich |  Chelmsley Wood |  
 Dorridge/Hockley Heath |  Elmdon |  Kingshurst/Fordbridge |  Knowle |  
 Lyndon |  Meriden |  Olton |  Shirley East |  Shirley South |  
 Shirley West |  Silhill |  Smith's Wood |  St Alphege

**Public/private report:** Public

**Exempt by virtue of paragraph:** N/A

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**1. Purpose of Report**

- 1.1 To update Cabinet Portfolio Holder on the progress made in respect of the development of a Personal Budget and Direct Payment policy for SMBC, following the audit of Direct payments, which took place in July 2018.

**2. Decision(s) recommended**

- 2.1 To ask Cabinet Member to approve the Personal Budget and Direct payment policy.

**3. What is the issue?**

- 3.1 The Care Act 2014 states that all councils need to assign a personal budget to all people who are eligible for support so that they can have greater choice and control of the support that they receive. The personal budget is the amount of money needed to cover the cost of the support for which the child or young person is eligible.
- 3.2 All children and young people with SEND who are eligible for support should be given a plan which explains the support they need, how this support will be provided and how much the support will cost. In Solihull needs, provision and cost will be detailed

within an EHC plan. Children, young people and their families should be involved in co-producing their EHC plan so that it makes sense to them and reflects their wishes and feelings.

- 3.3 As many children and young people with SEND as possible, who are eligible for support, should then be offered the chance to receive some or all of this support as a direct payment. A direct payment is a sum of money, which children and young people with SEND and their families can then use to arrange and pay for their care and support themselves. This enables them to remain in control of their support and their lives.
- 3.4 Councils are required to have a Personal Budget and Direct Payment policy to provide information to children and young people with SEND and their families. The information needs to clarify what a Personal Budget and a Direct Payment is, who is eligible, what such a payment can and cannot be used for and responsibilities in managing and monitoring the use of a direct payment.

#### **4. What options have been considered and what is the evidence telling us about them?**

4.1 Not applicable.

#### **5. Reasons for recommending preferred option**

5.1 Not applicable.

#### **6. Implications and Considerations**

6.1 Delivery of key themes in the Council Plan:

How will the options/proposals in this report contribute to the delivery of the key themes in the Council Plan?

- Improve Health and Wellbeing – Accurate targeting of direct payments will ensure the right support is available at the right time for children and young people with SEND. It will enable them to have greater choice and control over their lives and support positive outcomes.
- Managed Growth - Improved data has identified that the trend in relation to direct payments is increasing. This is enabling the service to plan strategically for the future, developing the inclusion of children with SEND in mainstream services with appropriate support, or ensuring that children with higher level needs, that cannot be met within mainstream services, have choice and control over where they purchase services from.
- Build Stronger Communities - The service intends to develop more inclusive services, enabling young people to remain within their families, supported by local provision. Better services and better lives.

- ☒ Deliver Value - Better value is delivered by supporting children and young people to exercise choice and control over their service provision, which enables them to remain within their family and community.

6.2 Implications for children and young people, vulnerable groups and particular communities:

6.2.1 The implications for children and young people are positive. The Personal Budget and Direct Payment policy clarifies eligibility, what such payments can and cannot be spent on and responsibilities for managing and monitoring the use of public money.

6.3 Consultation and Scrutiny:

6.3.1 This report is to Cabinet.

6.4 Parent / Carers have been involved in the development of the Personalised Budgets and Direct Payment policy through the Parent Carer Forum.

6.5 Financial implications:

The Personal Budget and Direct Payment Policy ensures that procedures to determine eligibility are consistent. SMBC can be confident that direct payments are focussed upon greatest need and target according to the level of need of each individual child or young person with SEND.

6.6 Legal implications:

6.6.1 Legal implications arising from the Care Act 2014 and the SEND reforms are considered to have been met through the development of the Personal Budget and Direct Payment policy.

6.7 Risk implications:

6.7.1 Risk implications have been considered in respect of the consistent, targeted distribution of public money through the direct payment process and the management and monitoring of this.

6.8 Statutory Equality Duty:

6.8.1 Requirements under the public sector equality duty are addressed through the development of the Personal Budget and Direct Payment policy.

## **7. List of appendices referred to**

7.1 Appendix A – SMBC Personal Budget and Direct Payment policy for children and young people with SEND.

## **8. Background papers used to compile this report**

8.1 None.

**9. List of other relevant documents**

9.1 None.