

Annex 3: Health and social care costs

254. Where a child or young person with SEN has relevant health or social care needs, these should be addressed within an EHC plan. Responsibility for securing the provision specified in the plan sits with the relevant statutory bodies: the local authority for education and social care provision, and either the Clinical Commissioning Group or (in some cases) NHS England for health provision.

255. The high needs block is intended to meet the educational costs of children and young people with special educational needs or who require alternative provision. The DSG may only be used for the purposes specified in the conditions of grant and School and Early Years Finance Regulations. This means that the high needs block may not be used to meet non-educational costs, except where specifically permitted. The costs of securing health provision (specified in section G of an EHC plan) should be met by either the Clinical Commissioning Group or NHS England. The costs of securing social care provision (specified in sections H1 and H2 of an EHC plan) should be met by the local authority from their social care budgets.

256. However, the Children and Families Act 2014 acknowledges that specific types of health or social care provision may be considered as education or training. This particularly applies to therapies such as speech and language therapy, physiotherapy and occupational therapy. The Children and Families Act 2014 requires that health or social care provision which educates or trains a child or young person must be treated as special educational provision. This means that it will be recorded in Section F of an EHC plan and will be treated as special educational provision and, therefore, in scope of the high needs budget. However, all decisions about whether health care provision or social care provision should be treated as special educational provision must be made on an individual basis.

257. While independent and non-maintained provision frequently offers integrated education, health and social care provision, only educational costs should be funded by the DSG. In some cases, the integrated package of support will be costed and charged through a single fee. In such cases the local authority should charge non-educational costs to the responsible partners. We would expect the relevant partners to have agreed the basis for the placement and its funding before it is confirmed (for example, before a final EHC plan is issued). The social care element of accommodating children with SEN in schools should be charged appropriately.