**Wiltshire Council Process for Applications for Special Educational Needs Direct Payments**

1. All parents/ carers will be given information about SEN direct payments as part of planning for production of an Education Health Care Plan.
2. Parents/ carers whose children have an existing Education Health Care Plan or Statement of Special Educational Needs can express an interest in having a SEN Direct Payment by writing to their named SEND Lead Worker with the following information:
	1. Child’s details (name, DOB)
	2. The goods or services detailed in the child’s SEN Statement that they want to convert into a direct payment.
3. Decision making for SEN Direct payments will be made by the SEN panel and be based on the following criteria;
	1. Does the child receive cash releasable goods or services under their Education Health Care Plan or Statement?
	2. Is securing the agreed provision by means of a Direct Payment compatible with the authority’s efficient use of its resources?
	3. Will the making of a direct payment have an adverse impact on other services that the local authority provides or arranges for children in our area with a Statement of SEN or an Education Health Care Plan?
	4. Is the local authority satisfied that the parent, nominee or representative who is to receive direct payments on behalf of the beneficiary will act in the best interests of the beneficiary when securing the agreed provision?
	5. Is the local authority satisfied that the way the person who will receive direct payments proposes to use them to secure the agreed provision an appropriate way to do so?
4. The applicant will be advised of the panel decision **either**
	1. agreeing to the application; subject to the following conditions being met
		1. The person to whom any direct payment is made is qualified, under the Code of Practice, to receive payment on their own or another’s behalf.
		2. Agreement is reached between the local authority and the person to whom direct payments are to be made about which goods and services will be secured by the direct payment and that these are appropriate.
		3. That consent is obtained to proceed in writing.
	2. setting out why the application has been rejected against the criteria set out in point 4 above. The letter will also advise the applicant of their right to request a review and the process for doing so.
5. **Request for Review of decision not to agree a Direct Payment** Any request for a review of a decision should be sent to the SEND lead worker within 4 weeks of the date of the letter. The SEND lead worker will forward this letter and the original application and any other information which the applicant feels may be relevant to the Head of service who will review the decision and respond in writing to the applicant.

NJ Breakwell

17th September 2015