

SCHEDULE 1

Pilot Scheme

PART 2

Circumstances in which direct payments may be made

Decision to make direct payments

11. Before deciding whether to make direct payments in respect of a beneficiary the local authority must be satisfied—

- (a) that the way the person who will receive direct payments proposes to use them to secure the agreed provision is an appropriate way to do so;
- (b) that where a parent, nominee or representative is to receive direct payments on behalf of a beneficiary, that person will act in the best interests of the beneficiary when securing the agreed provision;
- (c) that the making of direct payments in respect of the beneficiary will not have an adverse impact on other services which the local authority provides or arranges for children and young people in its area for whom it maintains a statement of special educational needs under section 324 of the 1996 Act or who are subject to a learning difficulty assessment arranged under section 139A of the 2000 Act; and
- (d) that securing the agreed provision by means of direct payments in the case of that beneficiary is compatible with the authority's efficient use of its resources.