

---

STATUTORY INSTRUMENTS

---

**2005 No. 1109**

**The Special Guardianship Regulations 2005**

**PART 2**

**SPECIAL GUARDIANSHIP SUPPORT SERVICES**

**CHAPTER 4**

**REVIEWS**

**Reviews: general procedure**

**17.**—(1) This regulation applies where the local authority provide special guardianship support services for a person other than financial support payable periodically.

(2) The local authority must review the provision of such services—

- (a) if any change in the person's circumstances which may affect the provision of special guardianship support services comes to their notice;
- (b) at such stage in the implementation of the plan as they consider appropriate; and
- (c) in any event, at least annually.

(3) Regulations 12 and 13 apply in relation to a review under this regulation as they apply in relation to an assessment under Chapter 3 of this Part.

(4) If the local authority propose to vary or terminate the provision of special guardianship support services to any person, before making any decision as a result of the review they must give the person an opportunity to make representations and for that purpose they must give him notice of the proposed decision and the time allowed for making representations.

(5) The notice must contain the information mentioned in regulation 15(3) and, if the local authority propose to revise the plan, a draft of the revised plan.

(6) The local authority must, having regard to the review and after considering any representations received within the period specified in the notice—

- (a) decide whether to vary or terminate the provision of special guardianship support services for the person; and
- (b) where appropriate, revise the plan.

(7) The local authority must give the person notice of their decision (including the reasons for it) and, if applicable, details of the revised plan.

**Review of financial support payable periodically**

**18.**—(1) This regulation applies where the local authority provide financial support for a person payable periodically.

(2) The local authority must review the financial support—

- (a) on receipt of the annual statement mentioned in regulation 10;

- (b) if any relevant change of circumstances or any breach of a condition mentioned in regulation 10 comes to their notice; and
  - (c) at any stage in the implementation of the plan that they consider appropriate.
- (3) In paragraph (2) a relevant change of circumstances is any of the changes that the person has agreed to notify under regulation 10.
- (4) Regulations 12 and 13 apply in relation to a review under this regulation as they apply in relation to an assessment under Chapter 3 of this Part.
- (5) If the local authority propose, as a result of the review, to reduce or terminate financial support or revise the plan, before making that decision, the local authority must give the person an opportunity to make representations and for that purpose they must give the person notice of the proposed decision and the time allowed for making representations.
- (6) But paragraph (5) does not prevent the local authority from suspending payment of financial support pending that decision.
- (7) The notice must contain the information mentioned in regulation 15(3) and, if applicable, a draft of the revised plan.
- (8) The local authority must, having regard to the review, and after considering any representations received within the period specified in the notice—
- (a) decide whether to vary or terminate payment of the financial support or whether to seek to recover all or part of any financial support that has been paid; and
  - (b) where appropriate, revise the plan.
- (9) The local authority must give the person notice of their decision, including the reasons for it, and, if applicable, the revised plan.