

*Status: This version of this provision is prospective.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Special Guardianship Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## STATUTORY INSTRUMENTS

# 2005 No. 1109

## The Special Guardianship Regulations 2005

PROSPECTIVE

### PART 2

#### SPECIAL GUARDIANSHIP SUPPORT SERVICES

#### CHAPTER 4

#### REVIEWS

##### **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.

**Status:** This version of this provision is prospective.

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Special Guardianship Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

### Commencement Information

**II** Reg. 18 in force at 30.12.2005, see [reg. 1\(1\)](#)

**Status:**

This version of this provision is prospective.

**Changes to legislation:**

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Special Guardianship Regulations 2005. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

**Changes and effects yet to be applied to :**

- Regulations words substituted by [S.I. 2022/634 Sch. para. 1\(1\)\(3\)](#)
- reg. 18 coming into force by [S.I. 2005/1109 reg. 1\(1\)](#)

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- blanket amendment words substituted by [S.I. 2023/1071 Sch. para. 1](#)

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. para. 1(ga)(gb) inserted by [S.I. 2016/111 reg. 4\(a\)](#)
- Sch. para. 2(ea) inserted by [S.I. 2019/1458 Sch. 3 para. 75\(b\)](#)
- reg. 4(2)(b)-(d) substituted for reg. 4(2)(b) by [S.I. 2019/237 Sch. 1 para. 10\(2\)](#)