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STATUTORY INSTRUMENTS

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**2005 No. 1109**

**The Special Guardianship Regulations 2005**

**PART 2**

**SPECIAL GUARDIANSHIP SUPPORT SERVICES**

**CHAPTER 1**

**PROVISION OF SERVICES**

**Prescribed services**

**3.—(1)** For the purposes of section 14F(1)(b) of the Act the following services are prescribed as special guardianship support services (in addition to counselling, advice and information)—

- (a) financial support payable under Chapter 2;
- (b) services to enable groups of—
  - (i) relevant children;
  - (ii) special guardians;
  - (iii) prospective special guardians; and
  - (iv) parents of relevant children,to discuss matters relating to special guardianship;
- (c) assistance, including mediation services, in relation to arrangements for contact between a relevant child and—
  - (i) his parent or a relative of his; or
  - (ii) any other person with whom such a child has a relationship which appears to the local authority to be beneficial to the welfare of the child having regard to the factors specified in section 1(3) of the Act;
- (d) services in relation to the therapeutic needs of a relevant child;
- (e) assistance for the purpose of ensuring the continuance of the relationship between a relevant child and a special guardian or prospective special guardian, including—
  - (i) training for that person to meet any special needs of that child;
  - (ii) subject to paragraph (3), respite care;
  - (iii) mediation in relation to matters relating to special guardianship orders.

(2) The services prescribed in paragraph (1)(b) to (e) may include giving assistance in cash.

(3) For the purposes of paragraph (1)(e)(ii) respite care that consists of the provision of accommodation must be accommodation provided by or on behalf of a local authority under section 23 of the Act (accommodation of looked after children) or by a voluntary organisation under section 59 of the Act.

**Arrangements for securing provision of services**

4.—(1) The following are prescribed for the purposes of section 14F(9)(b) of the Act (persons who may provide special guardianship support services)—

- (a) a registered adoption society;
- (b) a registered adoption support agency;
- (c) a registered fostering agency;
- (d) a Local Health Board or Primary Care Trust;
- (e) a local education authority.

(2) In paragraph (1)—

- (a) “registered adoption society” has the same meaning as in the Adoption and Children Act 2002;
- (b) “adoption support agency” has the same meaning as in the Adoption and Children Act 2002 and “fostering agency” has the same meaning as in the Care Standards Act 2000<sup>(1)</sup> and “registered” in relation to any such agency means that a person is registered in respect of it under Part 2 of the Care Standards Act 2000.

**Services for persons outside the area**

5.—(1) Section 14F of the Act (special guardianship support services) applies to a local authority in respect of the following persons who are outside the authority’s area—

- (a) a relevant child who is looked after by the local authority or was looked after by the local authority immediately before the making of a special guardianship order;
- (b) a special guardian or prospective special guardian of such a child;
- (c) a child of a special guardian or prospective special guardian mentioned in subparagraph (b).

(2) But section 14F ceases to apply at the end of the period of three years from the date of the special guardianship order except in a case where the local authority are providing financial support under Chapter 2 and the decision to provide that support was made before the making of the order.

(3) Nothing in this regulation prevents a local authority from providing special guardianship support services to persons outside their area where they consider it appropriate to do so.

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(1) 2000 c. 14. See section 4(4).