



Staying Together and Connected: Getting it Right for Sisters and Brothers **National Practice Guidance**

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Part 1

Ministerial Foreword



We want Scotland to be the best place for children to grow up and for all our children to feel loved, safe and respected, so that they realise their full potential. Children and young people who experience care have for too long been separated from their sisters and brothers, and these important relationships have often been broken because of the care system. Through engagement with children, young people and adults with care experience over recent years, we have heard heart-breaking accounts of sisters and brothers not being able to live or play together, as they had before they were moved into care. Brothers and sisters told us that their shared identity and sense of belonging with each other was vital to their wellbeing. Procedures and the system of care, however, meant that important relationships were often irreversibly broken. Sadly, we heard from many young people who grew up without knowing that they had brothers and sisters or without knowing that the brothers and sisters they had, were no longer with them. That is why the First Minister committed to increasing support for children's most important relationships with their sisters and brothers, a commitment shared by the Scottish Government, and indeed called for by the wider sector, who recognised the lifelong impacts of system driven separation.

We have come a long way in improving children's experiences when they are living away from their home and are determined to continue to do so. This guidance supports the expectation that brothers' and sisters' relationships should be nurtured and helped to recover where that is needed. Crucially, sisters and brothers should share the same home, away from home, where it is safe and appropriate for them to do so. We have made great progress and together, with our passion across Scotland to surpass our goals, we will deliver better experiences for brothers and sisters who can't live at home. This practice guidance is a starting point on that journey and reflects the invaluable contributions of many children, young people, carers, families and professionals. It is designed to support and develop practice in children's services and to emphasise our direction to better outcomes for those who cannot safely remain at home. I want to thank all who have contributed. I remain committed, as I know those of you who will deliver for our children will, to fulfilling our collective ambitions.

A handwritten signature in black ink that reads "Clare Haughey".

**Clare Haughey MSP,
Minister for Children and Young People**

Acknowledgements

It would not have been possible to develop this practice guidance without the generous input of so many skilled, dedicated and passionate individuals, groups and organisations. The authors would like to thank each contributor to the planning, development and drafting of what we believe is a valuable tool in supporting the relationships of brothers and sisters with experience of care.

Thank you to all the members and contributors to the National Advisory Group¹ supporting this work, whose insight, observations and suggestions have been invaluable. Your range of perspectives, together with your shared and obvious commitment to work together across all areas of policy and practice can only result in better experiences for brothers and sisters.

To every child and young person who has shared your views with us, thank you. We could not be more grateful. It is by listening to you that real change happens. Thank you for giving us the opportunity to learn. A special thank you too to the children and young people who shared your views through local authority submissions, and to the Care Inspectorate Young Inspection Volunteers and members of Our Hearings Our Voice (the independent board for children and young people who have experience of the Children's Hearings System) for your thoughtfulness, time, energy and wisdom.

We are incredibly grateful to our Consultants Group, who have brought their time, wisdom, skill and experience to this work, and are informed by their own experiences of care. Their phenomenal capacity to understand, analyse and offer solutions within the complexity of planning and decision-making, together with their unwavering commitment to ensure the rights of every single child and young person with care experience are upheld, has been truly outstanding.

Deep thanks to the Stand Up For Siblings coalition, collaborative pioneers of this work, and ever a voice of reason, treasured critical friend and fierce advocate for the rights of brothers and sisters.

Thank you to our friends and colleagues at AFA and CoramBAAF, who have gone above and beyond to help us access vital resources and texts to inform this work.

To the practitioners across the workforce who contributed to our survey, shared examples of practice, shared your wisdom through our workshops, or contributed your rich experience in other ways: thank you. Your practice inspires us, and your insights and ideas have helped us to develop a tool we sincerely hope is helpful to your practice.

We are so thankful to the parents, including adoptive parents, kinship and foster carers who shared your experiences with us. Sometimes these were joyful, sometimes incredibly painful, and we appreciate and learned from every single one.

Finally, to a true champion for brothers and sisters, Dr. Chris Jones. Thank you for your enthusiasm, leadership and dedication to advocating for the rights of sisters and brothers with care experience: for driving change, and truly making it happen.

1 Members of the National Advisory Group are included on page 5.

The language used in this guidance

This document seeks to offer practical guidance and suggestions to promote best practice for practitioners and organisations who are responsible for maintaining and promoting positive relationships between brothers and/or sisters in situations where a child or children are being cared for under legislation to keep them safe. For the guidance to do this, in some places it is necessary to use the exact language used in the legislation. However, this language isn't always used in everyday conversation, and so here we explain what some terms mean and why these are used here.

Siblings is the word used in the [Children \(Scotland\) Act 2020](#) and the relevant Regulations this guidance refers to. It refers to the relationship where two or more children have one or both parents in common, or where they have lived together and have an ongoing relationship which is like this. This is also referred to in the guidance as *sibling-like*. Where possible in this guidance, *brothers and/or sisters* has been used. It should also be noted that children should be asked how they wish to be referred to. They may wish to use the word *sibling* as a non gender-specific word.

Looked after and *looked after child* are the terms used in current legislation to refer to a child or young person with care and protection needs who is cared for under a formal arrangement with a local authority. Children who are looked after are either 'looked after at home' (living with a parent in their home) or 'looked after away from home', for example by kinship carers, foster carers or residential care.

Placement is the word used in legislation to refer to the place where a child is being cared for away from the care of their parents.

Parents refers to biological, birth, adoptive parents and parents by virtue of provisions about human fertilisation, such as same-sex parents who have agreed to be parents.

Biological parent is the term used in legislation to refer to the genetic relationship between a person and their child.

Birth parent is the term used in legislation to refer to the person who has the legal rights and responsibilities for a child when they are born.

Adoptive parent is the term used in legislation to refer to a person who adopts a child through a legal process which fully transfers parental responsibility from the child's birth parents to them and they bring the child up as their own.

Carers refers to anyone over the age of sixteen who is providing care for a child either formally (having an order through the court or a children's hearing) or informally (no order from a court or a children's hearing). A carer who does not have parental rights and responsibilities is still responsible for doing all that is reasonable to safeguard the child's health, development and welfare.

Corporate parent is the term used in Scotland to refer to organisations (and individuals who work for them) who have a legal duty to respond to and support the care and protection needs of all children and young people. Their duties are laid out in the Children and Young People (Scotland) Act 2014.

Contact is the term used in legislation to refer to formal arrangements made for when children in need of care and protection spend time with important people in their lives who they are not living with at that time.

The *Team Around the Child* is the name given to a group of people who come together to respond to the care and protection needs of a child. This includes family members, carers, teachers, social workers, health and early years professionals and, in relation to this guidance, any other professionals involved in the child's care with whom the child may share their views on the relationships with their brothers and sisters.

National Advisory Group Members

- The Adoption and Fostering Alliance (AFA) Scotland
- Care Inspectorate
- Centre for Excellence for Children’s Care and Protection (CELCIS)
- Children’s Hearings Scotland (CHS)
- Child Protection Committees Scotland (CPCS)
- Clan Childlaw
- Coalition of Childcare Service Providers (CCPS)
- The Convention of Scottish Local Authorities (COSLA)
- Scottish Association of Social Work (SASW)
- Scottish Children’s Reporters Administration (SCRA)
- Scottish Government
- Siblings Reunited (STAR)
- Social Work Scotland
- Stand Up For Siblings (SUFS)/University of Strathclyde
- The Fostering Network in Scotland (TFN)
- The Promise Scotland
- Who Cares? Scotland

1. Introduction

This guidance contributes to the implementation of new duties for Scottish local authorities. This is that every looked after infant, child and young person lives with their brothers and sisters, where it is appropriate to do so, and sustains strong and positive lifelong relationships with them. Implementation of these duties is part of the collective responsibility to uphold the rights of children in Scotland and Keep The Promise of the Independent Care Review (2020). The guidance encourages agencies responsible for children's care and protection to work together with infants, children, young people, their families, carers and communities to do so in ways that are innovative, flexible and focused on solutions in the best interests of the child.

This guidance is offered within the context of the incorporation of the United Nations Convention on the Rights of the Child (UNCRC) into Scots law and the foundation of care articulated in The Promise that “where living with their family is not possible, children must stay with their brothers and sisters where safe to do so and belong to a loving home staying there for as long as needed”.²

A pioneering approach was taken to developing this guidance. The evidence base for this guidance includes the necessary and vital voice and views of children and young people with care experience, parents, adoptive parents, kinship and foster carers and the multi-agency practitioners who work alongside them.

It amplifies the necessity of ensuring that those voices which depend on adults noticing, listening to, understanding, articulating and advocating their needs on their behalf are fully to the fore – including pre-birth, babies, infants and children with disability.

The guidance is offered as a resource that provides practice advice based on research and evidence about what all children need to grow and flourish through positive connection with their brothers and sisters and sibling-like relationships.

The guidance spotlights creative solutions, examples of excellent practice already underway in Scotland where practitioners are working hard to ensure brothers and/or sisters can live together and are supported to maintain positive and meaningful relationships with their brothers and sisters wherever they live.

The views and experience of many have shaped this guidance, as referenced in the Acknowledgements. Each contribution has been welcomed, valued and has informed the guidance.

During this period, a national survey inviting views on what should be included in the guidance was circulated via stakeholder networks, resulting in over 400 responses from young people, parents (including adoptive parents), kinship and foster carers, and practitioners; (online) engagement with parents, adoptive parents, kinship and foster carer groups and their membership agencies; and practitioners.

We held discussion with the Children and Young People's Centre for Justice, the Children's Hearings Advocacy Expert Reference Group, the Stand Up for Siblings collective, and groups of practitioners within local authorities.

A team of people with care experience provided a consultancy and reference role, offering views and advice on the content and structure of the guidance over a series of meetings and offered feedback on the drafting. Our Hearings Our Voice, Who Cares? Scotland and Care Inspectorate Young Inspectors provided input, as did groups of young people with care experience within local authority responses. The Stand Up for Siblings collective also offered feedback and critique on the guidance in its final stages of drafting.

² Page 9. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

All these voices and views assisted in the development of the content, setting the collaborative, and constructive tone required and emphasising the collective intent needed from everyone as the national implementation of these legislative changes begins.

In addition to legislative changes explained in this guidance, the Looked After Children (Scotland) Regulations 2009, as amended by the Looked After Children (Scotland) Regulations 2021, also include amendments that provide an added exemption to the foster care placement limit (of three unrelated children) in exceptional circumstances. This change enables children who have been placed on an emergency or short-term basis to remain in the foster care placement where the placement limit is exceeded, if this safeguards and promotes the welfare of all the children involved. This amendment continues temporary modifications put in place by the Coronavirus (Scotland) Act 2020, and as such, comes into force when those modifications expire (due on 30 September 2021). Supplementary guidance will be added at that time.

This guidance is one resource to help with the early implementation of the new duties. Section 9, Innovation and Creative Practice, and Next Steps at the end of Part 1 of the guidance offer further consideration of the staffing, financial and material resource and the national collaborative intent which the implementation of these legislative changes require. Individually appropriate provision is required to enable each child to live with and/or be in regular connection with their sisters and brothers.

Following publication of this guidance in July 2021 we will work with children, young people and the many partners who have informed it, to regularly review and refresh this first iteration. We journey together in Scotland to uphold the rights of looked after infants, children and young people to live with their brothers and sisters, where it is appropriate to do so, and to sustain lifelong relationships with them, where appropriate, and they choose to do so.

2. Our rights: What brothers and sisters can expect³

Our brothers and sisters are incredibly important to us all as we move through life. When children are brothers and/or sisters who are care experienced, or for those children who have brothers and/or sisters who are care experienced, they can expect that their rights are promoted and upheld to protect their relationships with each other. From a child's perspective, they can expect that:

- I have a right to respect for my family life, including with my brothers and sisters, if I have close personal ties with them.
- If I am not living at home with my birth parent(s), I have a right to maintain my relationships with my family, including my brothers and sisters, where it is in our interests to do so, and provided all of my brothers and sisters want to maintain our relationship.
- I have a right to be listened to, heard and respected in all decisions that affect me. I have a right to have my views heard and respected in relation to my brothers and sisters, where practicable.
- I can expect professionals to support me with my relationships with my brothers and sisters.
- Professionals working with me understand the importance of brothers and sisters being together and actively make this happen unless it is not appropriate for us to live together or know each other.
- My brothers and sisters may not only be people who have the same birth parents as me. I have a right to have my views listened to about who I consider my brothers and sisters to be.
- I will have the support I feel I need to maintain relationships with my brothers and sisters, if there is a need for an unavoidable move to a new home or if my family circumstances change.
- I know that, if it is appropriate to do so, I have a right to live with my brothers and sisters.
- If I do not live with my brothers and sisters, I have a right to live near to them, and to see them regularly (if it is appropriate for all of us to do so).
- If it is appropriate and if I am not living with my brothers and sisters, I have a right to keep in touch with them and to see them.
- If I do not live with my brothers and sisters, I have a right to understand why these decisions about me have been made, unless this is information about other people and it is not right to share this information or the information would harm me. Reasons that I can't live with my brothers and sisters must be based on what is best for us (and not on other things like resources or the availability of places to live together).
- If any decisions are being made about my brothers' and sisters' care, I have a right to have my views on this considered, so far as practicable.
- If my brother or sister has a Children's Hearing where decisions that affect my contact with them (or the possibility of contact) are likely to be made, I have the right to an opportunity to take part in the discussion.
- I have a right to information about me and my brothers and sisters (if this is safe for me and respects my brothers' and sisters' rights to privacy). This should be recorded clearly and sensitively so that I can understand it if I read it.
- If I feel my rights are not being respected, I have a right to challenge this, be listened to and taken seriously, and I am supported to do this.

³ This statement of rights is inspired by "A Charter for Brothers and Sisters" by Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF. This was adapted for Scotland's context by the Consultants Group who made such valuable contributions to the development of this practice guidance.

- If it isn't safe for me to spend time with my brothers or sisters, I will be offered support to help me understand what I need to make this safe. This will happen at a time that works for me. I can expect that the people who care for me and my brothers and sisters will make plans about how to support us to be safe to spend time together.
- When I do life story work with or about my brothers and sisters, it should be tailored to our needs, and at a time that is right for me and my brothers and sisters. If I want, I know that I can do this in the future instead, and I know this will be updated if new brothers and sisters are born.
- My carer knows the information that I feel is important about my brothers and sisters and will talk to me about this when I want to.
- Ongoing conversations give me the opportunity to rebuild and support relationships with my brothers and sisters, and I have the support I need to rebuild relationships, if it is appropriate.

For this to make a difference to the lives of all brothers and sisters with care experience in Scotland, every adult who cares for a child must understand their responsibilities and have access to the resources needed to support these rights in practice.

3. Policy and legislative context

3.1 Children's Human Rights

Scotland's vision is for a society where children's human rights are embedded, protected and upheld, wholly and meaningfully, across every aspect of their lives.⁴

The [United Nations Convention on the Rights of the Child](#) (UNCRC) lays out the rights of all children and young people. The UNCRC sets out that children's views must be taken into consideration in decisions affecting them. Every child has a right to respect for their family life, including with siblings, under Article 16 of the UNCRC. Children who are unable to live with their families have a right under Article 20 of the UNCRC to special protection and assistance, because of the additional support they may require securing all their rights. Although the UNCRC is already an underpinning framework for considering children's rights, Scotland is set to be the first country in the UK to directly incorporate the UNCRC into domestic law. This will make it unlawful for public authorities to act in ways which are not compatible with children's rights under the UNCRC, and it will give children more legal power to enforce their rights.

Guideline 17 of the [United Nations Guidelines for the Alternative Care of Children](#) clarifies that brothers and/or sisters with existing bonds should not be separated by placements in care unless there is a clear risk to a child, or it is otherwise in the child's best interests. In each case, every effort should be made to enable siblings to keep in contact with one another, unless this does not promote their wishes or interests.

Article 8 of the [European Convention for the Protection of Human Rights and Fundamental Freedoms](#) (ECHR) recognises the right to respect family life. "Family life" can also exist between siblings⁵. It is unlawful for public authorities to act in ways which are not compatible with ECHR rights.

3.2 Keeping The Promise

In February 2020, Scotland's Independent Care Review concluded with the publication of [The Promise](#).⁶ This ground-breaking review, driven by those with experience of care, sets great ambitions for change to transform the ways in which infants, children, young people and their families are supported to stay together.

Scotland is committed to Keeping The Promise. This requires urgent and immediate change, and work to implement long lasting transformational change. It asserts and requires:

- Love to no longer be the casualty of the 'care system,' but the value around which it works.
- Deliberate, persistent attention to upholding safe, loving relationships that are important to children and young people.
- Wherever safe to do so, Scotland to make sure children stay with their families and families are actively supported to stay together.
- Children, young people and their families to be listened to, respected, involved and heard in every decision that affects them.⁷

4 The Scottish Government (no date) *Human Rights: Children's Rights*. Available at: <https://www.gov.scot/policies/human-rights/childrens-rights/> (Accessed: 24 June 2021).

5 See for example, [ABC v Principal Reporter \[2020\] UK Supreme Court 26, paragraph 28](#).

6 Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

7 Page 3. *The Promise* (2021) *Plan 21-24*. The Promise. Available at: <https://thepromise.scot/plan-21-24-pdf-standard.pdf>.

The Independent Care Review heard much from brothers and sisters whose contact with the care system led to their separation, and often the deep pain of this experience. It also heard about the important relationships children built with other children they lived with when they were living away from their family. The Promise called for a stronger legal framework to acknowledge, protect and promote brother and/or sister relationships and rights; the enabling of good practice relating to brother and/or sister relationships; and support to enable the workforce to undertake high quality assessments of the relationship needs of children with brothers and sisters, and to meet these needs.⁸ This Practice Guidance is designed to contribute to Keeping The Promise for brothers and sisters.

3.3 Getting it right for every child

Getting it right for every child ([GIRFEC](#)) provides Scotland with a consistent framework and shared language for promoting, supporting, and safeguarding the wellbeing of children and young people. In line with the United Nations Convention on the Rights of the Child (UNCRC), the approach was developed based on evidence and is internationally recognised⁹. It is locally embedded and positively embraced by practitioners across children's services; changing culture, systems and practice to improve outcomes for children, young people and their families.

The values and principles of GIRFEC and its effective implementation ensure a rights-respecting and strengths-based approach, placing the child and family at the centre. GIRFEC ensures support for families through a clear point of contact, often referred to as a named person, available to every child in Scotland who can be contacted if there are concerns about any aspect of a child's wellbeing. Recognising a holistic understanding of the child's world, GIRFEC presents the opportunity to address a child's wellbeing needs at all stages of their childhood. When talking about a child's wellbeing, we consider the 'wellbeing indicators' understood as: Safe, Healthy, Achieving, Nurtured, Active, Respected, Responsible and Included.

Should a child need support for any aspect of their wellbeing from more than one agency or organisation, GIRFEC supports coordination and joint working through a lead professional. This includes the development of a Child's Plan using the National Practice Model to assess the strengths and wellbeing needs of the child, while also analysing the wider settings of the family and community.

To create the Child's Plan, in line with Article 12 of the UNCRC where a child has the right for their views to be shared and heard while decisions are being made about their lives, the child and their family joins practitioners through regular multi-agency meetings, sometimes known as the 'Team Around the Child'. Working together with families is key to the GIRFEC approach.

3.4 Corporate Parenting

Corporate Parenting is set out in the 2014 Act and it requires all public sector organisations (named in schedule 4 of the Act) to collaborate with each other to take actions necessary to uphold rights and safeguard wellbeing of looked after infants, children, young people and care leavers up until they turn 26. This means all public sector organisations must think carefully about their organisation's role and to listen to what looked after children and care leavers need so that no unnecessary disadvantages are experienced. It is not simply the responsibility of social work departments within local authorities to ensure these needs are met and upheld; it is a shared and collaborative responsibility in which each corporate parent has a unique role to play. This includes all services and departments within a local authority such as housing, education and leisure, as well as social work services. Corporate parents must understand and embrace this role and work proactively together to pursue positive outcomes both for individual brothers and sisters, and for all care experienced brothers and sisters at a systemic level.

⁸ Page 62. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

⁹ International comparisons of health and wellbeing in early childhood, Nuffield Trust 2018 <https://www.nuffieldtrust.org.uk/research/international-comparisons-of-health-and-wellbeing-in-early-childhood>

3.5 Legislative framework for brothers and sisters

This guidance is developed within the rights-based and relationship-focused policy context that has been outlined here. It is designed to be practical, and a useful tool to support children and young people to know their rights, and for, practitioners, carers and strategic leaders to know their responsibilities and how best to meet them.

Above all, local authorities have a duty to safeguard and promote the welfare of a child looked after¹⁰ by them (Section 17(1) of the Children (Scotland) Act 1995 (the 1995 Act)). This must be undertaken in a way which is designed to safeguard, support and promote their wellbeing (Section 95 and Section 96 Children and Young People (Scotland) Act 2014), with reference to the Getting it right for every child wellbeing indicators.

3.6 Placing brothers and sisters together

The [Looked After Children \(Scotland\) Regulations 2009](#), as amended by the [Looked After Children \(Scotland\) Amendment Regulations 2021](#) says that where the local authority is considering placing a child with a kinship carer, a foster carer, or in a residential placement, and any brothers or sisters of the child are also looked after or about to be looked after, the local authority must, where appropriate, place the sisters and/or brothers together (with the same carer or in the same residential placement) or in homes near to one another.

Prior to this legal change, local authorities had to consider the need to ensure brothers and/or sisters were placed together, where this was practical and appropriate, in their assessments. This legal change strengthens the earlier Regulations.

Deciding if it is “appropriate” to place sisters and/or brothers together involves considering, as a paramount consideration, whether living together would safeguard and promote the welfare of the child. Safeguarding and promoting the welfare of other children who would be affected must also be considered, for example, children already living in the home.

Where it is not appropriate for brothers and/or sisters to live together, the local authority must place them in homes which are near to one another (if this itself is appropriate). The intention is that brothers and/or sisters can be part of the same community, helping to make sure that their relationship can be supported more readily.

3.7 Views of brothers and sisters

The views of brothers and sisters must be actively sought, listened to, recorded in writing, and considered when decisions are being made about children in care. This includes taking account of brothers’ and sisters’ views about a child coming into care, and when any other important decisions are being made.

This is a recent legal change under [Section 13 of the Children \(Scotland\) Act 2020](#) (the 2020 Act) which amends Section 17(3) of the 1995 Act to add siblings to the persons the local authority has a duty to ascertain the views of before making decisions about a child who is looked after by them, or whom they are proposing to ‘look after’. The local authority must ascertain these views so far as reasonably practicable (Section 17(3) of the 1995 Act) and have regard to them so far as practicable (Section 17(4) of the 1995 Act).

¹⁰ The term ‘looked after’ is used here because it has a specific legal meaning. Inclusive language is preferred and used wherever possible throughout this guidance. However, for the avoidance of doubt in relation to legal duties, at times it is necessary to use the language set out in legislation. For further details see ‘The language used throughout this guidance’ section at the beginning of the guidance.

3.8 Building relationships and staying in touch

When children are in care, their local authority must ensure that they are supported and helped to keep in touch with their brothers and sisters if they are not all living together.

This can be achieved by them seeing each other and spending quality time together wherever this is deemed safe and appropriate; by chatting on the phone, texting or speaking online; through letters, or any other way of keeping connected which is best for (and preferably chosen by) the sisters and brothers, whenever and wherever this is deemed safe and appropriate. This is supported by a recent legal change under Section 13 of the 2020 Act, which amends Section 17(1) of the 1995 Act to include siblings in the categories of persons to whom the local authority has a duty to take steps to promote, where appropriate, on a regular basis, personal relations and direct contact (which means face-to-face contact). This must be carried out in a manner which has regard to local authorities' overarching duties to safeguard and promote the child's welfare.

3.9 Legislative changes – what does this all mean?

Taken together, these legal changes mean that when a decision is taken that a child needs to be cared for away from home (or when considering moving a child already in care to a new placement), and at all subsequent reviews, local authorities must place sisters and/or brothers together (where it would be appropriate to do so). Where there is evidence that living together is not in the best interests of brothers and/or sisters, the local authority must promote and facilitate direct contact and personal relations between them (where appropriate) on an ongoing, regular basis to ensure they remain connected and that their relationships are sustained. If sisters and/or brothers are separated, they must be able to live near to one another, unless there are clear reasons for them not to do so.

Above all, decisions should always be made with the aim of safeguarding and promoting the welfare of the child as the paramount consideration.

However, decisions about appropriateness in this context are not always straightforward. Children's lives, needs, circumstances and family networks can be complex. There can be situations where the rights and needs of one child may appear to contradict those of one or more of their brothers and sisters.

This guidance is designed to support practitioners in making assessments and decisions in the context of such tensions and complexity.

3.10 Other important legal changes

Legislative changes within Sections 14 and 25 of the 2020 Act relate to Children's Hearings' consideration and involvement of sisters and brothers. Section 14 creates an explicit duty on Children's Hearings and on a Sheriff, when making, changing, or continuing a Compulsory Supervision Order for a child, to consider contact between the child and any siblings they are not living with.

Section 25 establishes a new way for taking part in Children's Hearings and the Rules for Children's Hearings have been changed to say that brothers and sisters must be given the opportunity to participate in their sibling's Children's Hearing, if the Children's Hearing is likely to make a decision significantly affecting contact (or the possibility of contact) between them and their sister or brother.

Children's Hearings Scotland (CHS) have made [updates](#) to the Panel Practice Manual (for Panel Members) to reflect how these changes should be interpreted within Children's Hearings. As such, guidance in relation to these legislative changes as they pertain to Hearings specifically is out with the scope of this document.

4. Why brothers' and/or sisters' relationships and 'sibling-like' relationships matter

4.1 What we know about brothers' and/or sisters' relationships

Relationships between brothers and/or sisters are lifelong and are an important contribution to shared identity.¹¹ These relationships can evoke strong and sometimes complex feelings, which will change during their everyday lives and as children develop. The way in which sisters' and/or brothers' relationships form and evolve over time is a unique experience for each child. Children with care experience are more likely to experience complex trauma resulting from abuse or neglect than their non-care experienced peers¹² and these experiences can shape and influence relationships with brothers and sisters in many ways. Though not always straightforward, supporting sibling relationships can give brothers and sisters with care experience some emotional and physical safety, continuity and familiarity. Research shows that staying together, with access to support, enhances feelings of wellbeing for sisters and brothers with care experience.¹³

4.2 Development and attachment

Warmth and affection, cooperation and conflict between brothers and/or sisters changes during their day to day lives and as children develop. Relationships change and evolve over time. A relationship which feels difficult or challenging at one point or circumstance in a child's life, can change, restore and flourish over time with the right support and encouragement.

From infancy, children are dependent on adults to help them regulate their emotions and develop a sense of self. Infants are unable to do this by themselves. Other children in their lives, such as sisters and/or brothers, can be both a source of comfort and a source of wariness. Before they are two years old, children begin to learn to share their parent or carers and copy other children; understand the consequences of some acts as well as develop their language and communication skills.¹⁴

As children grow, these skills continue to develop. Playing and learning together supports understanding of moral and social rules, and sibling affection can support social behaviour and high self-esteem.¹⁵ Some conflict between brothers and/or sisters is also important for developing social skills, and can teach children how to negotiate disagreement, reconcile arguments, share, and regulate emotion.¹⁶

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- 11 Page 1468. Baker, C., Griesbach, D. and Waterton, J. (2019) 'Siblings: A Review of the Evidence on the Circumstances and Experiences of Siblings in the "Care System", and the Factors which Promote or Inhibit Relationships', in Independent Care Review (ed.) *Evidence Framework Feb 2017 – Feb 2020*. Glasgow: Independent Care Review, pp. 1451–1513. Available at: https://www.carereview.scot/wp-content/uploads/2020/07/ICR_Evidence_Framework_v2-1.pdf.
- 12 Page 11. Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.
- 13 Jones, C. (2016) 'Sibling Relationships in Adoptive and Fostering Families: A Review of the International Research Literature', *Children & Society*, 30, pp. 324–334. Available at: https://onlinelibrary.wiley.com/doi/pdf/10.1111/chso.12146?casa_token=Lgu-TNyrX38AAAAA:7VbewsAoCjhJxNxlO7m6qf6C9JuTfMdp2SbsCpKT2xWcWHBQsi3GiNC5o2FaigNTelX9ZNAke4FbAw.
- 14 Page 11. Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.
- 15 Page 7. Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.
- 16 Page 12. Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

4.3 Sisters and brothers' relationships and care experience

If it is not safe for children to stay at home, moving to a new home can feel scary. This will often be amplified if a child has experienced abuse or neglect in their lives. We know that long term attachments are a vital component for a child's development.¹⁷

Brothers and/or sisters staying together and supporting their continuing relationships whether they live together or apart are important protective factors which can help mitigate some of the complex feelings children might have when moving to a new home. Staying together is linked to improved wellbeing and mental health for these brothers and/or sisters;^{18 19} can offer reassurance and support amidst uncertainty; gives children a sense of familiarity and continuity when many other things around them are new; provides an important connection to their past and sense of identity;²⁰ and for some children, it can also begin to repair the "trauma, guilt and grief" that they feel before and when they move out of their homes.²¹

Ensuring that brothers and/or sisters with care experience stay together, along with any support they need for their relationships, is both a right and a protective factor against the impact of trauma, uncertainty and disruption they have experienced, and is therefore vital to safeguarding the wellbeing of children with care experience.

The Independent Care Review found "near universal agreement on the importance of maintaining relationships between brothers and sisters", and that "brothers and sisters were placed together whenever possible unless it was not safe or right for them".²² The times when it is not safe for brothers and/or sisters to stay together were exceptional and rare.²³

17 Office of the Guardian for Children and Young People (2011b) 'She's my sister and she will always mean something to me...': Report on the Inquiry into what Children Say about Contact with their Siblings and the Impact Sibling Contact has on Wellbeing. Adelaide, SA: Government of South Australia. Available at: <https://www.gcyp.sa.gov.au/wp-content/uploads/2011/12/2011-10-26-GCYP-sibling-contact-inquiry-report.pdf>.

18 Meakings, S., Coffey, A. and Shelton, K. H. (2017) 'The influence of adoption on sibling relationships: Experiences and support needs of newly formed adoptive families', *The British Journal of Social Work*, 47(6), pp. 1781–1799. Available at: <https://academic.oup.com/bjsw/article/47/6/1781/4554334>.

19 Wojciak, A. S., McWey, L. M. and Waid, J. (2018) 'Sibling relationships of youth in foster care: A predictor of resilience', *Children and Youth Services Review*, 84, pp. 247–254. Available at: https://www.sciencedirect.com/science/article/pii/S0190740917307661?casa_token=gWRSIZP9Jz0AAAAA:dM9d7308QIP4cdm4dsB6KoBANx5ZGuFPCqSxT5jwW443QBy4BH0t-pkttB-8fFizqQN4HGnGEA.

20 Ashley, C. and Roth, D. (2015) *What Happens to Siblings in the Care System?* London: Family Rights Group and Kinship Care Alliance. Available at: <https://frg.org.uk/wp-content/uploads/2021/02/siblings-in-care-final-report-january-2015.pdf>.

21 Office of the Guardian for Children and Young People (2011a) *Literature Review: Children in Care and Contact with their Siblings*. Adelaide, SA: Government of South Australia. Available at: <https://www.gcyp.sa.gov.au/wp-content/uploads/2011/07/2011-07-22-Sibling-Contact-Literature-Review-final-1.pdf>.

22 Page 1456. Baker, C., Griesbach, D. and Waterton, J. (2019) 'Siblings: A Review of the Evidence on the Circumstances and Experiences of Siblings in the "Care System", and the Factors which Promote or Inhibit Relationships', in Independent Care Review (ed.) *Evidence Framework Feb 2017 – Feb 2020*. Glasgow: Independent Care Review, pp. 1451–1513. Available at: https://www.carereview.scot/wp-content/uploads/2020/07/ICR_Evidence_Framework_v2-1.pdf.

23 Page 19. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

5. Who are sisters and brothers?

“Given that ‘siblings’ will mean different things to different children, the best way to understand what brothers and sisters means to each child is to ask them who they consider to be their siblings.”²⁴

Families come in all shapes and sizes, and it isn’t always straightforward to know or define who a child’s brothers and sisters are. We know from The Promise of the Independent Care Review that what matters most are the relationships which are important to individual children, and how these are understood, supported and nurtured.

5.1 Legal definitions

The 2020 Act and the 2021 Regulations set out which people are considered as ‘siblings’, in relation to the legislative changes this guidance covers.

‘Siblings’ are:

- Those with **at least one parent in common**
- Those with whom the child has **lived with**, and with whom the child has an **ongoing relationship** with the **character** of the relationship between siblings²⁵

This means that the duties set out apply across the range of sibling relationships. Sisters and brothers are not only people with whom a child has one or both parents in common. They can also be people who have lived together, and who have an ongoing relationship which is like that between children who have one or more parent in common. Such relationships could include children who have lived together:

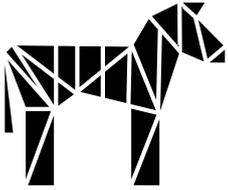
- and share a step-parent
- in kinship care
- in foster care (including relationships with the biological children of a foster carer)
- in residential care
- after adoption

This is not an exhaustive list, and there is no ‘hierarchy’ of brother and/or sister relationships. Children’s own views on who they consider to be their sisters and brothers matter and must be heard and respected. When thinking about these potential brothers and/or sister type relationships, it is also helpful to consider the European Convention of Human Rights (ECHR). Article 8 of this Convention specifies the right to respect for family life, which “depends on the real existence in practice of close personal ties”.²⁶

24 Page 1469. Baker, C., Griesbach, D. and Waterton, J. (2019) ‘Siblings: A Review of the Evidence on the Circumstances and Experiences of Siblings in the “Care System”, and the Factors which Promote or Inhibit Relationships’, in Independent Care Review (ed.) *Evidence Framework Feb 2017 – Feb 2020*. Glasgow: Independent Care Review, pp. 1451–1513. Available at: https://www.carereview.scot/wp-content/uploads/2020/07/ICR_Evidence_Framework_v2-1.pdf.

25 Section 13(2)(b), Children (Scotland) Act 2020

26 Jones, F. and Jones, C. (2018) *Prioritising Sibling Relationships for Looked After Children*. Edinburgh: Clan Childlaw. Available at: <https://strathprints.strath.ac.uk/63579/>.



Creative solutions

‘Lots of us know what it’s like to be a sibling. “Borrowing” each other’s clothes and watching your favourite TV show together. I missed a lot of that. I want to make sure that when sibling groups are taken into care, everyone around them can honestly say that they did everything possible to keep them together.’ (Source: young person, Who Cares? Scotland)

5.2 Children’s views

Legal definitions allow for a broad and flexible consideration of who brothers and sisters are, in recognition of the diversity of family relationships and children’s experiences. Because ‘sibling’ means different things to different children, the best way to understand what this means for each child is to ask them.²⁷

While there may be some brothers and sisters who children always consider as such, there may be other individuals in relation to whom a child’s view of their relationship changes with time, so their views should be revisited. Children must be given the opportunity to express their views about their brothers and sisters on a regular basis, for these to be taken seriously, and for them to be listened to in any decisions being made about their relationship with their brothers or sisters.

The definitions about who can be understood to be a child’s sister and/or brother in legislation support listening to children and assessment of their needs. This can ensure that any circumstance where a person who may only be part of a child’s life for a short period (and whom perhaps may not always have their best interests at heart) could not gain rights that would not be in the best interest of that child. The importance of establishing and maintaining trusting, respectful relationships between children and those who care for and about them is critical to do this. It is in the contexts of these relationships that children and young people can explore their thoughts, feelings and wishes about brother and/or sister relationships and be supported to make their own choices.

5.3 New relationships

It may be that new sister and/or brother relationships are created by children living together in care. Where this happens, it is important that the rights children have to live with these brothers and sisters, or to keep connected with them (where living together does not safeguard and promote their welfare) are respected and upheld as readily as these are for brothers and sisters who share a biological parent, for example.

Children who have one or more parent in common are sisters and/or brothers, regardless of whether they have lived together. These children may not know one another, but the relationship can still be very important to a child’s sense of identity and wellbeing.²⁸ Even when a child has never lived with a brother or sister, the relationship holds meaning and significance described as “a sense of ‘what might have been’” felt from childhood and into adult life.²⁹ If a new child is born to a parent in common, and their brothers or sisters have not lived with them (for example, if they are in care), these brothers and sisters have the same rights to live together, if appropriate, if they are also in care (or to live near to one another); and, if appropriate, to keep in touch with one another if they do not live together. Information about new brothers and sisters and enabling connection between them are key parts of the assessment, decision-making and ongoing planning and review for each child.

27 Baker, C., Griesbach, D. and Waterton, J. (2019) ‘Siblings: A Review of the Evidence on the Circumstances and Experiences of Siblings in the “Care System”, and the Factors which Promote or Inhibit Relationships’, in Independent Care Review (ed.) *Evidence Framework Feb 2017 – Feb 2020*. Glasgow: Independent Care Review, pp. 1451–1513. Available at: https://www.carereview.scot/wp-content/uploads/2020/07/ICR_Evidence_Framework_v2-1.pdf.

28 Stand Up For Siblings (2020) *Justice Committee: Children (Scotland) Bill. Response from Stand Up For Siblings: REF NO. J/S5/19/CH/76*. Edinburgh: The Scottish Government. Available at: https://archive2021.parliament.scot/S5_JusticeCommittee/Inquiries/JS519CH76_Stand_Up_for_Siblings.pdf.

29 Page 1. Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

5.4 Adult brothers and sisters

Relationships between brothers and sisters are lifelong and can endure for longer than our relationships with parents and partners.³⁰ Sisters and/or brothers do not cease to be so when they enter adulthood, and at times in an adult's life their significance can be particularly strong.

Children and young people in the care of the local authority may have adult brothers and sisters, and if they cannot live with them (where appropriate), their relationships must also be supported and promoted through direct contact, spending time together and keeping in touch (unless there is either evidence to suggest that to do so would not promote the welfare of the child, or a child has expressed a preference not to be in contact). Their views must be sought, where practicable, when the decisions are made about children's care, and they may have rich and important information to share to support children. For example, they may know details of the child's favourite toy or bedtime routine that can help provide comfort and predictability in a new place.

5.5 Sibling-like relationships

As well as children's own views, and the definitions given in legislation, research highlights characteristics of sibling relationships which may offer further assistance if there are still questions about whether a relationship should be considered as having the character of a brother and/or sister relationship.

Namely, brothers' and/or sisters' relationships often feature:

- Companionship, closeness and being playmates
- Emotional intensity and inhibition, fear, conflict and negotiation
- Role modelling and teaching
- A sense of belonging and security
- The role of subsidiary attachment figures³¹

Relationships between brothers and/or sisters are all unique and different. These points should not be treated as an exhaustive framework, but as factors to be considered along with other evidence and the views of the child and those who care for and about them.

5.6 Safeguarding and promoting the welfare of the child

The child's welfare is always the most critical and important consideration. There may be circumstances in which a child has a brother or sister relationship, but the child is clear that they do not wish for this individual to have any role in their care or decision-making. The local authority has a duty to (where practicable) ascertain the views of all brothers and sisters before making decisions about a child's care. This should be undertaken in a way which takes the child's views into account, within the context of their developmental capacity, and which safeguards and promotes the welfare of the child.

5.7 Keeping records

Research evidence illustrates that in some cases in Scotland, recording of sibling relationships has been limited or non-existent, and that some sisters and/or brothers were not aware of one another's existence.³² It is crucially important that brother and/or sister relationships (indeed, all important family relationships) are clearly recorded for every child. This should include the child's views and their best interests in order that they may know their full family identity and have access to this as appropriate. Detailed information about recording can be found in Section 12.

30 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

31 Groza, V. et al. (2003) 'Siblings and out-of-home placement: Best practices', *Families in Society: The Journal of Contemporary Human Services*, 84(4), pp. 480–490. Available at: https://journals.sagepub.com/doi/pdf/10.1606/1044-3894.136?casa_token=2AGm4I0LzsAAAAA:XRZ5ahGvLaT9O1jQrwbPHcDImBj7Llc2JPzxbTWUAcwtmiDvCzQAFwxTCgg2hM4BWA3rx_9tsv5.

32 Jones, C., Henderson, G. and Woods, R. (2019) 'Relative strangers: Sibling estrangements experiences by children in out-of-home care and moving towards permanence', *Children and Youth Services Review*, 103, pp. 226–235. Available at: https://www.sciencedirect.com/science/article/pii/S0190740918310685?casa_token=jdFFmgj4xngAAAAA:G77GKq2-hZk-kWmrPWL4UEDbWkQ4mORZqYUY0uewI9tz1vb-6H2vfrj8NHB8FL2YM6ix7jhdRg.

6. Working together

“All this work [of The Promise Scotland] provided a basis for a new approach of collaborative implementation which is based on joint working and shared understanding.”³³

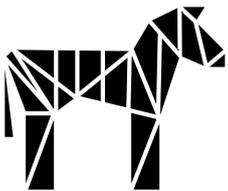
Stakeholders – whether that be practitioners, carers and parents, or children and young people themselves – consistently told us that working together is key to supporting sibling relationships. No one person or agency can do it alone.

6.1 Children and young people

Children and young people must be at the centre of all decisions made about their lives. They have told us that they should be supported to share their views with the person they feel most comfortable with. This could be their kinship or foster carer; their social worker; their residential child care worker; their teacher; their play therapist; their children’s rights officer; or any other adult in their life that they feel close to. The child’s views should be sought on an ongoing basis. Practitioners and carers need to ensure the child feels supported and empowered to be part of discussions about their care and spending time with their brothers and sisters, without feeling any burden of responsibility for areas of adult decision-making. Further guidance can be found in Section 7.

6.2 Parents and carers

Parents and carers, including residential child care workers, are key partners in supporting children and ensuring their needs are met. Other than the child or young person themselves, parents and carers most likely know the child best and hold key information about the child’s relationship with their brothers and sisters. They are the people who notice the impact on the child of time spent together with their brothers and sisters, and time spent apart from them. Consequently, parents and carers must be involved in planning and decision-making, including being supported to seek the child’s views about spending time or keeping in touch with their sisters and brothers if they are the most appropriate person to do this. Further guidance can be found in Section 8.



Creative solutions

‘When two brothers could no longer live with their mum, they were each cared for by kinship carers from their father’s families (the brothers have different dads). Despite being from different “sides” of the family, the kinship carers work well together to keep the brother’s relationship strong – both kinship carers have the boys for regular sleepovers meaning that 2 nights a week they are always together. The kinship carers all work really closely with the boys’ social workers and contribute richly to joint meetings. The brothers’ relationship has become stronger, since they moved in with kinship carers they are able to just have fun together, as when they lived at home the older brother was providing a lot of care for his younger brother. Both boys are clear that they want to continue to spend a lot of time together and this is a crucial part of their plans going forward.’ (Source: Aberdeenshire Council)

6.3 Health, Education and other professionals who know the child

Social workers are a key part of the Team Around the Child's planning, and in ascertaining the child's views. However, *all* GIRFEC partner agencies, and particularly health and education colleagues, who often know the child and their family well, consider and contribute valuable information relating to the needs of the child and those of their family and carers. Child Planning Meetings, Looked After Child Reviews and children's care and permanence planning will be informed by the professional opinions of all practitioners involved in supporting children.

Health and education practitioners have a wealth of important information about a child's relationships with their brothers and sisters and should be asked to contribute to all relevant assessments and decision-making about this.³⁴ Residential child care practitioners also have vital information and are key partners in care planning where children and young people are living in residential care.

Midwifery colleagues contribute vital information relating to pre-birth care planning. Health visitors can offer observations on the relationships that are important for pre-school children and the influence of early parenting on a child. Other health professionals involved in supporting a child's needs such as those from child mental health and speech and language therapy have a key contribution regarding the child's individual needs, those relating to their sibling relationships and how to meet these.

Early years and nursery teachers, play therapists, primary and secondary school teachers and other education staff such as classroom assistants, catering and ancillary staff can offer valuable information about the child's relationships with their sisters and brothers, how they might be affected by spending time with their siblings, the impact on them when they are not able to spend time together. They can also observe and highlight if children do not have a positive relationship with one or more of their siblings and appear to require support with this.

Virtual School Head Teachers play a vital role in promoting the educational achievement of all children looked after by the local authority. They are key individuals for Team Around the Child consultations on the educational needs of children, supporting transitions, and will usually have a link between what is happening at school and what is happening in a child's home life. The Virtual School Head Teacher should liaise with the lead professional and named person within each school to consider revisions to a child's plan and enable outcomes to be met. This may involve sourcing/ commissioning or signposting to other services. This is a further opportunity for creative care planning to consider how brothers and sisters are enabled to be connected and supported through their school lives. Virtual School Head Teachers also offer an important advocacy role and route for children and young people to ensure they are involved in their own future planning relating to their learning and to represent their views accurately.

This collaborative approach ensures that all recommendations are made from an holistic, multi-disciplinary basis. This is particularly helpful when seeking legal orders to secure a child's permanent home. It also allows for a wider range of information to be available to help the child to understand their personal identity, family history and to inform life story work, later life letters and re-establishing or establishing relationships with family members.

34 Page 42. Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF

6.4 Services within local authorities

Practitioners have told us that it is not only colleagues in social work, health, and education who are crucial in supporting the rights of siblings. Colleagues in other services, such as legal and housing, play a pivotal role in exploring and supporting options to enable children to live with their siblings. This is further discussed in Section 9.

Lack of housing space should never be the reason children cannot live with their brothers and/or sisters. Early and ongoing communication with colleagues in housing services can ensure that children and carers' needs are anticipated and recognised as soon as possible – in turn enabling children remaining together if it is appropriate for them to do so. Practitioners told us of examples of positive and creative practice that involved working together with housing colleagues to find suitable homes for children and their siblings. This involved, for example, the repurposing of existing buildings to become family homes, and the provision of funding to extend carer's homes to house a sibling group.

Practitioners also told us that early communication with colleagues in local authority legal services can ensure that such creative solutions to housing demands can be approved at an early stage and in line with correct procedure.

6.5 Cross-local authority working

There will be times when children live in different local authority areas from their sisters and brothers. When this happens, carers have told us that regular communication between local authorities is vital to ensure that the plans of all siblings are considered to support their relationships with their brothers and sisters. This is particularly important if children are at different stages in their permanence plans. Local authority practitioners and children's carers need to work closely together to ensure that children's views are taken in to account before all key decisions are made, and that the outcomes of these decisions are sensitively communicated to all children. Further guidance can be found in Section 7. Practitioners from all local authorities, family members and carers should also consider the sensitivities involved in sharing information regarding brothers and/or sisters who may not be currently known to the child, which will require careful coordination between responsible local authority services.

If children are living in different local authority areas, practitioners have told us that it is vital to agree who is responsible for organising and supporting children spending time with their brothers and sisters. If this requires a social worker to support time spent together, which local authority is responsible for this? If time together can be supported by carers, how will practitioners ensure that carers in each local authority have the emotional, practical and financial support they need to do this? If young people can spend time together themselves, which local authority or authorities are responsible for ensuring each young person has the financial support they need to travel to spend time with their brothers and sisters? Much can be learned from existing positive practice in this area. For example, many local authorities have been able to support large sibling groups across Scotland, whether that be directly in person or online, by working closely together and supporting carers (where appropriate) to facilitate this.

6.6 Cross-border working within the UK

Cross-border working between Scotland and other parts of the United Kingdom needs to be considered should a child and their parent or carer relocate to Scotland or out of Scotland. It must be clear to everyone involved which local authority holds responsibility for the care and protection of the child and therefore who is responsible for ensuring the child and their carers have the emotional, practical and financial support they need. Where parents with sisters and brothers living at home move across the UK, this requires regular review and consideration regarding how their siblings living with carers and adoptive families are enabled to stay connected.

6.7 Local guidance and clear processes

Practitioners have told us that local guidance and processes for all practitioners in the Team Around the Child are crucial for supporting positive practice. This is further discussed in Section 10.

Clear processes ensure that practitioners know what needs to happen, when, and by whom in order to uphold the rights of brothers and sisters. The focus needs to be on practical considerations and how these relate to each child and their individual circumstances. This is absolutely crucial in relation to key decisions, such as whether there are reasons that might prevent brothers and/or sisters from living together. We have heard from practitioners that this approach provides clear parameters of what needs to be done and when, which helps practice to remain focused on the child's needs and for decisions to be made without any unnecessary delay.

7. Listening and Talking with children

“Many reports – over many years – have exhorted us to listen to the voices and experiences of children and young people. Nowhere is this more needed than in respect of siblings. Children and young people have much to tell us about the importance of brothers and sisters in their lives.”³⁵

To ensure children’s rights are safeguarded, children’s views must be understood, listened to, and responded to, particularly with respect to:

- who their brothers and sisters are
- where they should live
- how they should be looked after
- how and when they should keep in touch (if they do not live together)

7.1 Listening to children

In “The Promise”, the Independent Care Review clearly articulates the need for Scotland to do more to listen to and involve children in decision-making about their lives. To feel safe, respected and feel their views will be valued, children need strong, positive relationships with the adults who care for and about them. Developing nurturing, trusting and respectful relationships with children is the cornerstone of providing the best care possible, and these relationships are crucial to ensuring children’s views can be shared and are acted upon.³⁶

Furthermore, where children have experienced trauma and other adversity, they may require additional help and support from trusted adults to feel safe to express their views.

7.2 Children’s experience of trauma

Many children, including those with care experience, have experienced complex trauma. Complex trauma is substantively different to other forms of trauma such as, for example, the physical and emotional trauma of being involved in a car accident. Occurring in the context of infants and children’s closest relationships, and happening repeatedly over time, complex trauma can greatly influence what a child feels, understands and communicates about themselves and their world and, crucially, their relationships with others.

From cradle to grave, humans are strongly influenced by two basic needs: our need for survival and our need to connect with others. For most children, most of the time, these needs are met in the context of safe, loving and predictable care. However, for children who experience complex trauma, these two needs are often set at odds with one another.

Where a child’s primary carers are their main source of survival but also their source of harm (unintentional or intentional), children can experience overwhelming and prolonged feelings of fear, disconnection and abandonment. This can lead to complicated interpersonal relationships and it is likely that core developmental skills, particularly the ability to manage emotions (self-regulate) and build a ‘sense of personal agency’ will be compromised.

For children who have experienced complex trauma, relationships within families can be far from straightforward. This means that practitioners need to be emotionally attuned in how they observe a child’s needs, have good knowledge of the individual and family dynamics, and be sensitive to how the issues are explored to ensure that children are enabled to feel safe enough to speak to a trusted adult. A child feeling safe is not just the result of an absence of danger.

35 Page 1. Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

36 Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

Establishing with whom and where a child feels a sense of physical and psychological calm, balance, and connection with others, is important in helping them to navigate and control their own emotions, to develop a sense of themselves and a sense of belonging. This skilful work needs to go beyond simply asking what a child feels or wants or removing them from immediate, physical harm. For those caring for and working with children living with complex trauma, communication requires a deep understanding of the impact of trauma for each individual child.

The shared ambition of the Scottish Government, COSLA and partners is for a trauma-informed and trauma-responsive workforce across Scotland, ensuring that services and care are delivered in ways that prevent further harm or re-traumatisation for children, young people or adults affected by psychological trauma, and supports their own unique journey of recovery. An investment of over £2m to date, in the [National Trauma Training Programme](#), led by NES, is key to driving this ambition.

The National Trauma Training Programme provides evidence-based trauma training resources that can help raise awareness, knowledge and confidence among our workforce to embed trauma-informed practice based on the key principles of safety, trust, choice, empowerment and collaboration. It also provides a model for trauma-informed organisations, systems, policies and environments that are able to recognise and adapt to the ways that the impact of trauma can affect people.

A key priority for the programme in 2021/22 is to continue to work with organisations who support care experienced babies, children and young people to ensure the principles of trauma-informed care are embedded throughout the care system, aligning closely with The Promise. This will include an increased focus on rolling out trauma enhanced level training for the Social Work workforce as part of an advanced practice framework.

7.3 Ascertaining the views of children

To explore children's views about their relationships with their brothers and sisters, a starting point may be to: ask who the people are they view as their siblings, and; listen carefully to how they describe them.

Where appropriate for their age and developmental stage, using drawing activities which illustrate who in their family lives where, and who they see or would like to see may enable children to express how they feel. It is essential to listen to the child's views about how they relate to one another within the wider family, what they like about them, what is going well, what they might like to change, and any worries they have.

Relationships between sisters and/or brothers change over time. This may be simply through the passage of time, or because situations arise which cause views to shift. It is important not only to listen to children's views about their brothers and sisters once, but to pay attention to the possibility that these may change, and revisit the topic regularly, in a way which is natural and feels comfortable for the child.

7.4 Different communication needs

Children's relationships with their brothers and sisters must be valued and understood from their own perspective, whilst retaining an awareness of the child's history, experiences, and possible impact of these.

All behaviour is communication. Children are not always able to express their wishes verbally, so recognising non-verbal communication is crucial.³⁷ For example, observing and considering a child's behaviour before, during and after they spend time with their sisters and brothers. Careful thought and discussion with others in the Team Around the Child (including parents and/or carers) is important before attaching meaning to behaviours.

37 Contact After Adoption (2018b) *Practice Guide: Listening to Very Young Children when Planning and Reviewing Contact*. Available at: https://contact.rip.org.uk/topics/voice-of-the-child/#vc_prbr_listen (Accessed: 20 June 2021).

The views of infants and young children must also be attended to without a reliance on verbal communication. Again, observation and an understanding of the child's history and developmental trauma experienced (including pre-birth) are key, including colleagues with specialisms such as infant mental health, early years and developmental play and considering factors such as:

- facial expressions
- body language
- responsiveness to play and interactions
- initiating play and interactions
- responses to sensory triggers such as touch, smell, sounds (including voices)
- where/from whom children seek reassurance or comfort³⁸

If children are living apart, the observations of those who support the time they spend together (including parents and carers) are key to being able to interpret what their sibling means to an infant.

Children must be supported to identify the significant relationships with family members that are important to them. This will require particularly careful attention where children have disabilities. There can be conscious or unconscious attitudinal barriers regarding the significance of children with disabilities seeing family members, sometimes alongside limited opportunities or attempts to seek and listen to children's views.³⁹

Children with disabilities will need positive and sensitive relationships with adults who provide the time and support required to understand their views and wishes in relation to their siblings. This will enable these views to be effectively understood and represented. Building trust and working directly with children is a priority, but we must also listen to those they trust and who understand their communication, behaviour and are best able to represent them. This may require specialist input, training, or partnership working with other agencies, but most importantly it requires us to take time to listen to the child themselves.

7.5 Further ideas for understanding how children feel

Given the wide range of circumstances, preferences and needs of children, and their right to be heard, it is not possible to provide here a definitive list of the range of ways in which views can be ascertained. Creative approaches to understanding the views and needs of children can be helpful. These could include reading or creating a story about brothers and sisters; choosing photos, images or emojis that represent their views; drawing pictures about brothers and sisters; or using puppets and dolls to prompt and encourage storytelling.

Some children and young people may prefer individual time with a trusted adult to reflect on their relationships, their experiences, their hopes and their worries.

Children and young people communicate their views to the people around them, through what they say and do, their words and behaviour. The role of the Team Around the Child in sharing the responsibility for listening to and understanding the child's views is crucial. This includes family members, carers, teachers, social workers, health and early years professionals and any other professionals involved in the child's care with whom the child may share their views on the relationships with their sisters and brothers.

38 Contact After Adoption (2018b) *Practice Guide: Listening to Very Young Children when Planning and Reviewing Contact*. Available at: https://contact.rip.org.uk/topics/voice-of-the-child/#vc_prbr_listen (Accessed: 20 June 2021).

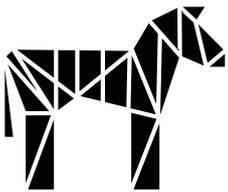
39 Baker, C. (2006) 'Disabled foster children and contacts with their birth families', *Adoption & Fostering*, 30(2), pp. 18–28. Available at: https://journals.sagepub.com/doi/pdf/10.1177/030857590603000204?casa_token=jBwk9HCd3WgAAAAA:lhfrWRp5p8PViKvqUHEhCaLmEvUJpZGty43PRzO4ytDTlv3QUYodl1HATiLVaoCNkav2Ci9fvKdl.

7.6 Understanding and communicating decisions

In “The Promise” the Independent Care Review is clear that the starting point for any decision must be how to best protect relationships that are important to children.⁴⁰ Children’s views and feelings must be a central part of decision-making. It is a matter of upholding their human rights that their views are considered and given appropriate weight. Sometimes this will mean that their wishes can be followed, but this may not always be the case. The overarching duty of a local authority is to safeguard and promote the child’s welfare, and there may be circumstances in which implementing children’s views and wishes would contradict this duty.

Decisions made by adults who are responsible for the welfare of a child must respect and enable the child’s individual choice and agency whilst protecting the child from any burden of guilt or responsibility for the outcome.

Children need support to understand how their views have influenced decisions and plans and why these decisions and plans have been made. Decisions should be clearly and carefully communicated and explained to children in a way which best meets their individual needs, by a person the child trusts. Children and young people should be encouraged to ask questions about the things they do not understand, and to seek reassurance and clarification (repeatedly if necessary) following a decision being made. If decisions are poorly communicated, children will struggle to understand why their views were sought at all, possibly leading to a breakdown in trust and potentially how, when and if a child shares their thoughts and feelings in the future.⁴¹



Creative solutions

‘Young people can require strong advocacy to make sure their rights are upheld. We supported two older siblings who lived with foster carers and wanted to spend more time with their baby sibling, who was living at home with their mum. Social workers were concerned this could be detrimental for the young people if the baby’s longer term care plan meant being moved away from their Mum’s care, as they might experience loss. Following discussions between their advocacy worker and social workers, it was agreed that the siblings could see each other every six weeks.

In preparing for their Children’s Hearings and Looked After Reviews, both older siblings shared with their advocacy worker that they wanted to see the baby more often. One said “I feel like my baby [sibling] doesn’t recognise me and that makes me sad.” The other said “my baby [sibling] changes so much in 6 weeks [they] always look different.” On hearing these views, it was decided that the young people would see their baby sibling every two weeks when they had supervised contact with their Mum. Both young people were really happy about this. They came up with suggestions for activities and things to do during their time together with their Mum and baby sibling.’ (Source: Who Cares? Scotland)⁴²

40 Page 30. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

41 Daly, A. (2016) ‘Hearing children in proceedings – What we can learn from global practice’, 26 *Seen and Heard* 42. Available at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2762234.

42 We note that there will be circumstances where it will be in a child’s best interest to see the people that are important to them, for example their brothers and/or sisters, without their parents present. There is further guidance on the importance of listening to and assessing children’s needs around spending time together in Section 12.

Children's views must be carefully and clearly recorded (for full details see Section 12). A record of their views and wishes is important for several reasons including:

- to check back with children that what they have conveyed has been understood
- to validate their feelings
- to reinforce the importance of their views
- as a record of what their views were, which may be important for their own understanding into adulthood
- to demonstrate how their views influenced decisions
- to establish any picture of changes in their views over time

7.7 Advocacy and representing views

Legislative duties (commenced 26 July 2021) are in place to ascertain the views of brothers and sisters before making decisions about children in their care (Section 13 of the 2020 Act, which amends Section 17(3) and 17(4) of the 1995 Act). In practice, this is a shared responsibility involving the Team Around the Child in line with the Getting it right for every child approach.

Children and young people should be supported by people who they know and trust, to express their views in whatever way is most suited to their needs and preferences. This includes their right to challenge decisions and to make a complaint. Children must be supported to share their views with whoever they trust, and they may choose to express their views to different people in different roles under different circumstances, directly or indirectly. For some children and young people, this should involve the support of high-quality independent advocacy or children's rights officers; for others it may mean the support of a family member, a teacher, social worker, kinship carer, foster carer, residential care worker, early years worker, developmental play specialist or speech and language specialist. In some situations, children may require legal help and support to access the services of a solicitor.

7.8 Independent advocacy for children

[Guidance](#) on the National Practice Model for advocacy in the Children's Hearings System⁴³, and the [online resource](#) supporting children to access advocacy is listed in the 'Useful Resources' list at the end of this guidance.

For children's views about their brothers and sisters to meaningfully inform decision-making in formal settings and reviews, such as a Children's Hearing, Looked After Child Reviews, or when in court for Permanence proceedings, it is vital that these views are fully represented in any paperwork provided. Local authorities will need to fully represent children's views about their brothers and sisters in any paperwork submitted to a Hearing. For younger children, who are unable to express their wishes verbally, they will require the adults who care for them, and can represent them, to identify their needs regarding contact with their brothers and sisters.

⁴³ The Scottish Government (2020) *Advocacy in the Children's Hearings System: Guidance Document*. Edinburgh: The Scottish Government. Available at: <https://www.gov.scot/publications/advocacy-childrens-hearings-system-national-practice-model-guidance/pages/4/>

8. Supporting families

“Children, families and the workforce must be supported by a system that is there when it is needed. The scaffolding of help, support and accountability must be ready and responsive when it is required.”⁴⁴

This Section considers what all parents and carers need to support the relationships between children with care experience and their brothers and/or sisters, to care for brothers and/or sisters who live together, and to support the relationships of those who live apart. Sometimes, for example, the support a kinship carer needs will be different to that which a parent, foster carer, or prospective adopter needs, and vice versa. Specific support required by different caregivers is therefore also considered.

Parents, kinship carers, foster carers and prospective adoptive parents are significant members of the Team Around the Child. Their respective biological and relationship bonds are uniquely influential in shaping and understanding a child’s individual experience. Parents and carers hold vital information about a child’s personal story, experiences, behaviours, and preferences. All members of the Team Around the Child have distinct and crucial roles. Welcoming, empowering, valuing, listening to and including parents and carers in decision-making enables a fuller assessment of a child’s needs, and enhanced, solution-focused partnership thinking and action on how to best meet these needs.

8.1 What helps parents and carers?

Parents and carers are key influencers of a child’s wellbeing. Establishing working relationships of respect, trust and mutual communication between parents, carers, and practitioners from all agencies supporting a family strengthens the security of children’s lifelong links with the people who are most important to them, including their relationships with brothers and sisters.

Caring for and supporting relationships between brothers and/or sisters who have experienced complex trauma requires nurture, stamina, knowledge, skill and teamwork. Support for those who care for children is crucial to ensure they can provide the nurturing parenting that children with brothers and/or sisters require. When children are living away from home, their parents also crucially require support and care to be heard and understood, and to enable their children to have positive relationships with one another.

The need to support positive working relationships with parents and carers from the earliest stages of working with families and throughout a child’s time of being supported in care cannot be overemphasised. It is a key theme throughout the Sections of this guidance and epitomises the call of The Promise that:

“The workforce needs support, time and care to develop and maintain relationships. Scotland must hold the hands of those who hold the hand of the child.”⁴⁵

8.2 Emotional and practical support

Practitioners being enabled to dedicate time to support birth, kinship, foster and adoptive families is critical to maintaining the stability of family life for the child at the centre, and to safeguard the wellbeing of everyone in a household.

Multi-agency practitioners in the Team Around the Child must be enabled to acknowledge that caring for sibling groups asks much of kinship, foster and adoptive families, practically and emotionally. Alongside this is the essential recognition that kinship and foster carers cannot always reach out for emotional support from wider family members as they cannot share confidential information about the child or children in their care.

44 Page 25. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

45 Page 12. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

Families need practitioners who notice, and are prepared to listen to and talk through, signs of pressure and stress, before these impact on adults' health (both physical and mental) and inevitably impact on the children in their care.

The right support, both practical and psychological, is essential, particularly during times of tension and strain when a calm perspective, advice and coaching can help change things immensely. Practitioners must have resources available to them to invite other colleagues with additional specialist knowledge and therapeutic skills to help and work alongside them in supporting families, carers and children. For example, colleagues from child mental health, early years, child development, therapeutic play, disability and speech and language therapy.

Building a community of formal and informal support is needed to offer continuous help, safeguard family stability and help to prevent strain and fragility developing. Support offered and provided by extended family and friends can be identified and agreed upon during early family meetings within Family Group Decision Making approaches and consideration of bespoke models, such as the [Mockingbird model](#).

Strengths-based supervision, peer connection and wellbeing opportunities should be provided for carers and adoptive families during the early planning for a child's move to a kinship, foster or adoptive family and regularly reviewed and sustained to ensure that the right support is in place for the child and their family.

Practical support, including the necessary financial support, is vital to ensure parents and carers can enable brothers and/or sisters to live together, spend time together, and stay connected.

Carers should be asked to support sibling relationships, but there should not be an expectation that they do so without sufficient guidance and support. This needs to be specified within both children's and carers' care plans. For example, some carers may be able to also care for other children in their homes and for other carers this may pose challenges, especially if there are complex family dynamics involved. It should be made clear what emotional, financial and practical supports will be made available to carers to support sibling relationships. No carer should be in financial hardship because of supporting their child's relationships with their brothers and sisters.

Every situation is different, but all parents and carers will benefit from consideration and provision of whatever it takes to create and enable time for children to connect with their siblings and to manage children's transitions to and from family time with brothers and/or sisters living in separate places. These are important times for a child who is potentially experiencing a whole mix of emotions, including excitement, anxiety, anger and sadness. Help with transport arrangements can be key. While some young people's personal development and circumstances enable them to meet with their brothers and sisters independently, infants and children travelling unaccompanied (including in taxis) to and from meeting with their siblings (or any other kind of activity) is to be avoided⁴⁶.

8.3 Understanding legal responsibilities and rights

Everyone involved in a child's care must understand their legislative duties and responsibilities, their parental and professional remit, and their professional and relationship boundaries. All parents and carers require accessible information to ensure they are upholding the rights of children in relation to their brothers and sisters and meeting their responsibilities.

Corporate parents have specific duties to safeguard and promote the wellbeing of children and young people with care experience. Corporate parents are an important source of information and advice to practitioners, parents and carers in understanding their legal responsibilities and children and young people's rights.

⁴⁶ Page 79. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

A number of organisations can provide information to children and young people on understanding their rights and supports available to them. This includes advocacy organisations such as [Who Cares? Scotland](#), [social work teams](#) and [Through Care and Aftercare teams](#). Legal agencies include [Clan Childlaw](#), [Children and Young People's Commissioner Scotland](#) and the [Scottish Child Law Centre](#).

'Family is family, they can't be wiped out or replaced. Bowlby didn't just talk about attachment, he talked about separation and loss. But we don't talk about this or consider it, despite children in care having their whole lives centred around separation and loss. It has a lifelong impact – we need carers and professionals to be aware of this. The reverberations are huge if not addressed.' (Source: Parent responding to survey to inform guidance)

8.4 Understanding trauma

As well as the impact on children, complex trauma plays a significant role in affecting parents' and carers' circumstances and their abilities to provide safe, nurturing care. How a practitioner anticipates, prepares for and pays attention to the expression and behaviours of fear, anger, guilt, loss and confusion that parents may experience around their child being cared for away from them, is the basis from which to develop the foundations of respect, trust and constructive working relationships.

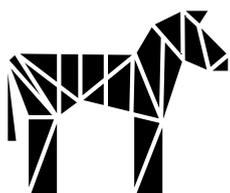
Where a child is unable to live with them, birth parents require clear information about who their child will be living with (where possible) and support to understand if and how they can return to caring for their child as soon as possible with access to the help they need. This includes help with social security support; practical needs; housing; and support with their own experiences of complex trauma and health needs.

Parents and carers who were consulted on the scope of this guidance highlighted that to have the experience of being a valued member of the Team Around the Child, and in developing support plans for brothers and sisters, parents and carers need:

- compassion, respect, and to feel listened to
- clear reasons for the decision that a child cannot live at home
- clear explanations as to what parental behaviour is required to change and why before a child can be returned home
- advice on legal rights and how to access legal and advocacy help
- clarity over arrangements for connecting with people who are important to the child, such as their brothers and sisters and other significant family members
- clear explanation and regular review of the child's needs during care planning meetings and support to understand and meet the needs of the child in their care
- inclusion, respect and agency during Team Around the Child meetings, with accessibility needs anticipated, explored and provided for (e.g., a 'buddy'; literacy support; transport to and from meetings and/or choice of meeting location)
- a clear record of actions/agreements at the end of any meetings related to the child's care
- provision of necessary practical support for carers throughout the child's time in kinship or foster care (including social security support; practical needs; housing; support with their own experiences of complex trauma and health needs)
- practical help to support children to connect with their brothers and sisters living in other care settings from their own including kinship, foster and residential care or with adoptive families.

During the engagement conducted in preparation for this guidance, carers and adoptive parents told us that to provide high quality care for brothers and sisters, the Team Around the Child (and, where applicable, support agencies) must:

- empower and support carers to make the day-to-day practical decisions around arranging time together between the child in their care with their brothers and sisters
- provide sensitive support, introductions and practical assistance to connect carers with parents, including adoptive parents, and other kinship and foster carers looking after a child's brothers and sisters
- help carers to be creative in choosing places for siblings to meet
- offer and arrange to facilitate time together for young brothers and/or sisters led by play leaders, and group activities for older brothers and sisters. This would enable carers to have time together (with other carers or for themselves) while the brothers and sisters in their care have family time together
- provide care for the other children in the family to help carers to support brothers and sisters in their care to have their family time together
- ensure that carers and adoptive parents have access to supportive life story work for the children in their care, and are equipped to answer children's questions about their personal history and who and where their brothers and sisters are.



Creative solutions

'Seven siblings became looked after through emergency child protection proceedings. By rapidly arranging additional furniture etc., we were able to ensure five children stayed together with experienced foster carers, whilst the other two children were placed with the sister of the foster carers (who herself is also a foster carer). The match was an excellent one, supported by the close contact the children have together informally as arranged by the two carers, as well as formally through the social work department.

With a high level of coordinated support, for the children, but also for their mum who worked closely with social workers and the foster carers, after a year all children were able to live back at home with their mum.' (Source: Perth & Kinross Council)

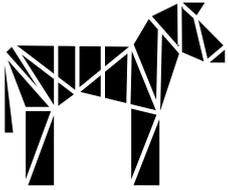
8.5 Listening to and supporting kinship carers: what else helps?

"Whatever the mode of arrangement, Scotland must ensure that children living in kinship care get the support they need to thrive. Kinship must be actively explored as a positive place for children to be cared for."⁴⁷

Kinship carers face unique challenges in caring for children whose parents are often family members. Practitioners need to anticipate the personal complexities kinship carers can experience with their extended family members (often their own adult children) being unable to care for their children.

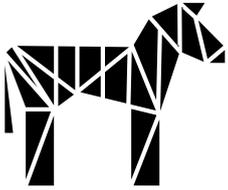
Practitioners must ensure kinship carers have a clear understanding of the expectations of them in supporting brother and sister relationships, and that training and support (practical, emotional and financial) commensurate with the child/ren's and carer's needs are provided to them, whatever the legal status of the kinship arrangement.

47 Page 74. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.



Creative solutions

‘Can the guidance recognise that parents and carers also have siblings, that can help the little siblings. Aunties, uncles, wider family support. We need to role model sibling relationships and utilise wider family networks. It’s a win win and such an obvious thing.’ (Kinship Carer responding to pre-guidance survey)



Creative solutions

‘We supported a family of eight children who had specific cultural needs due to their travelling family background. The children became subject to Compulsory Measures of Supervision through the Children’s Hearing, and their grandparents became kinship carers. Their grandparents provided excellent care, but required some support in some areas. Through the Team Around the Child and utilising a corporate parenting approach, we supported the grandparents with their literacy so they were able to provide support from the children’s education. As they lived in a three bedroom flat, the housing department converted the next-door flat to create one large home. This enabled the family to stay together in their community and at their school. The grandparents have since applied for and been granted a Residence Order for all the children.’ (Source: Perth & Kinross Council)

8.6 Listening to and supporting foster carers: what else helps?

“Foster carers must feel valued, cared for and supported to care.”⁴⁸

Foster carers have an important role in helping children to maintain family relationships⁴⁹. Foster carer assessment and preparation must have a clear expectation that brothers and/or sisters who need care and protection are placed together in foster families, unless there are clear reasons why this would not be right for the child. Further guidance on how to understand and assess these reasons is in Section 10.

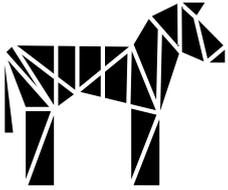
The recruitment, selection and assessment of foster carers should emphasise a carer’s responsibility to promote and support children’s family time with their brothers and sisters who do not live with them, and an understanding that very often this may take place in the foster carers’ home. Facilitating family time with siblings is recognised and acknowledged as an integral part of a carer’s role, with the expectation that the wider Team Around the Child will enable necessary support to be provided to help carers to make this happen.

The ways in which foster carers are supported and prepared to meet the needs of brothers and/or sisters are key. Caring for groups of brothers and/or sisters together can be challenging and complex, and in addition to the ideas and information contained in Section 8 to support caregivers to nurture and strengthen relationships between brothers and/or sisters, foster carers themselves will require practical and emotional support to be able to manage both the practical and family/relationship issues present when caring for siblings.⁵⁰

48 Page 76. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

49 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

50 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.



Creative solutions

‘Three sisters were initially separated between two households (due to availability of placements, rather than an assessment evidencing this would be best for them). The younger sisters especially were very unsettled, and only calm during their visits with their big sister. The carer for the older sister was only approved to care for two children, but felt she could meet all three sister’s needs. Following discussion, the carers approval was amended, and after time and negotiation about the right support package, the carer has now adopted the three children.’ (Source: Barnardo’s Scotland)

8.7 Listening to and supporting adoptive parents: what else helps?

“Adoptive parents must have access to support at any point during the life of their child if they require it. That support must be available even if it was not initially required and must mirror the principles of intensive family support.”⁵¹

Reflection, curiosity, anticipation and flexibility are required when thinking about brother and/or sister groups during permanence planning. The potential separation of younger children by adoption with the view that permanent fostering may be more appropriate for older brothers and sisters requires careful consideration.

A child’s relationships with their brothers and sisters should be embedded in adoption policy and practice at each stage.⁵² Throughout the assessment and preparation for adoption, the presumption is that brothers and/or sisters who need care and protection will be cared for together, and wherever possible, if it is in the best interests of the child, with the same adoptive family.

Prospective adopters may require support to understand and accept an adoptive parent’s responsibility to promote and support children’s relationships with their brothers and sisters who do not live with them. This must be recognised as an integral responsibility of adopting a child, with the expectation that the child’s local authority and adoption agency will provide necessary post-adoption support to help adoptive parents to ensure this can happen.

The needs of siblings must be discussed with all adoptive parents, whether they are adopting a sibling group or not. Even where adopters are adopting a child who does not have brothers or sisters, new brothers and sisters may be born in the future, and the expectations associated with this must be clear from the earliest possible stage.

Adopting a group of brothers and/or sisters can be both emotionally and financially challenging, and adoptive parents may require substantial additional support to help the family.⁵³ This will look different depending on the needs of children and their adoptive parents, but should include:

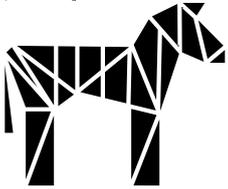
- help to understand the child’s life history (including pre-birth) and holistic development
- help to understand and manage the child’s behavioural and relationship dynamics
- support with practical arrangements for seeing/spending time with brothers and sisters who live elsewhere
- access and work with professional therapeutic and health support for the child and the adoptive parents)

51 Page 76. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

52 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

53 Saunders, H., Selwyn, J. and Fursland, E. (2013) *Placing Large Sibling Groups for Adoption*. London: CoramBAAF.

- have all known information, including medical information, about the child they adopt to provide compassionately attuned, trauma-informed and responsive relationship-based parenting
- are provided with comprehensive and regular training on the developmental needs of children who have experienced complex trauma
- peer support from other adopters where desired.



Creative solutions

'We have a family group of four children where one child is placed with his grandmother, another child is in permanent fostering, another is in kinship care out with Scotland and one child (who is now six years old) is adopted with local authority adopters. Direct contact has continued regularly with the older three siblings (which includes the child who is adopted) and is arranged between all of the children's carers. This has given the six-year-old a real sense of who his birth family are, he has positive relationships with them but is also very much part of his adoptive family.' (Source: Local authority response to guidance preparation survey)

9. Innovative and creative practice

In addition to the knowledge, skills and resources discussed in this guidance, the consistent and resounding messages from the broad range of stakeholders who shared their views and expertise to inform and develop this guidance were clear: everyone involved (children with care experience who have brothers and/or sisters, parents, carers, practitioners, managers, leaders and everyone involved in supporting them), want to support Scotland in the vision, determination, and creative thinking needed to make sure brothers and/or sisters stay together whenever this is the right thing for them, and that the relationships between brothers and/or sisters who do not live together can be supported to flourish.

The innovative and imaginative ideas, thoughts, and examples shared with us are woven through the guidance and summarised here. They offer a platform for reflection, inspiration and encouragement to build on as we progress on the journey to fully implement the legislative changes for brothers and sisters.

9.1 The power of enabling leadership

We know that senior leaders play an invaluable role in modelling, promoting and enabling positive practice. We heard that empowering practitioners to prioritise and think creatively about finding solutions to meet the needs of brothers and/or sisters alongside parallel flexibility from partner agencies resulted in good solutions. Stakeholders told us that the enabling context to best support brothers and sisters includes:

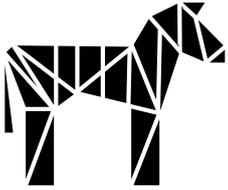
- offering practitioners sufficient flexibility, time, funding, and other resources to prioritise how best to support sibling relationships
- offering differing approaches to allocation of families with social workers to ensure the availability of time to support all siblings' needs
- having the same social worker and independent reviewing officer for all children in a sibling group
- local protocols with clear senior sign-off for decisions or recommendations to separate brothers and/or sisters. Examples of good practice that were described include authorisation by the Head of Service who holds the responsibility for the child's care
- supporting practitioners to consistently and continually review whether children could move to live with their brothers and sisters if they have been separated from them
- ensuring prioritisation of the physical proximity of potential carers as a key consideration when matching brothers and/or sisters who cannot live together with appropriate carers
- promoting awareness of the new legislative duties in their organisations, ensuring that these are seen as equally important as other parts of practice.

9.2 Maximising resources

In some local areas, we heard that consideration is given to enabling some foster carers to be on 'stand by', so that they remain available to care for sibling groups at short notice, which can avoid the separation of brothers and/or sisters. While they are not caring for brothers and sisters in their homes, the valuable skills that these carers have can help support children in other ways, such as by supporting other carers to facilitate family time between brothers and sisters. In this way, foster carers still provide essential support to brother and/or sister relationships, whilst also remaining available to care for a sibling group when required.

9.3 Clear expectations and support for carers

To uphold the rights of brothers and/or sisters, we heard from stakeholders about the importance of being clear from the outset of the expectation of carers (and prospective adopters) to prioritise the needs of children with brothers and sisters, care for them together wherever possible, and support them to spend time with one another where this is best. This clarity is indivisible from the other support that carers need, for example to develop their relationships with the parents and carers of children's siblings. This can lead to natural and responsive relationships which meet everyone's needs.

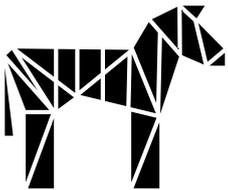


Creative solutions

‘Twin brothers were born with significant disabilities, their needs were such that they required separate carers. From their earliest days in hospital, the two sets of carers have been side-by-side caring for the twins. Throughout their childhoods, their carers ensured they all regularly spent time together doing activities, playing, having sleepovers and holidays. They have a children’s worker to support both sets of carers, the twins, and the birth children of the carers. The twins are now aged 14, one lives with a greater level of disabilities than the other, but their relationship as brothers is strong.’ (Source: Barnardo’s Scotland)

9.4 Working together as corporate parents

We heard from stakeholders during our engagement on this guidance that the input of corporate parents outwith the immediate Team Around the Child can often be beneficial. It was described as helpful to approach corporate parents at an early stage, and with a clear picture of what is important to the child, and their brothers and/or sisters, and how the corporate parent can help to make this happen. For example, discussions between a local authority’s social work, housing and legal services, to explore options for suitable housing that would accommodate brothers and/or sisters and their carers. Exploring the available options to offer practical and financial support for carers to care for sibling groups might involve a housing or other service offering a grant or a loan to carers to expand their current homes to accommodate caring for several children, or support in finding alternative larger homes.



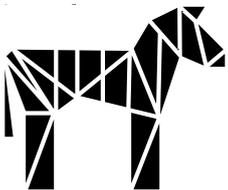
Creative solutions

‘Four brothers were placed together in foster care, and decisions were made that they would not be returning to their mum’s care. The carers redeveloped their home to enable the boys to have their own bedroom.’ (Source: Barnardo’s Scotland)

When brothers and/or sisters do not live together, corporate parents have a key and creative role in providing places and spaces (free of charge) for sibling groups to spend time together. For example, using the local swimming pool or other leisure facilities.

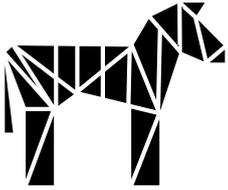
9.5 Schools and other settings

During engagement with stakeholders we heard about many rich examples of creative care planning to connect and support brothers’ and sisters’ through their school lives. These included where a school or early learning and childcare setting offered the opportunity for brothers and/or sisters who both attend the same place to spend time together before, during or after the school day.



Creative solutions

‘We are aware of great practice in Early Learning and Childcare settings where brothers and sisters who live apart come to the same setting. Lunch and session times can be coordinated to enable young children to spend time together in an environment they know well and have fun in. Some settings have done great work with kinship carers to ensure they feel heard and involved.’ (Source: Care Inspectorate)



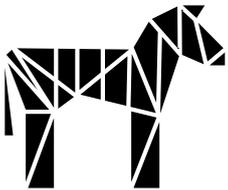
Creative solutions

‘When two sisters could no longer live at home with their mum, one was able to live locally with her father and the other went to stay with foster carers, who also lived locally. Both girls attend the same school, who were able to promote and support them to spend time together, both at playtime, and after school: playing board games together and enjoying each other’s company.’

During the COVID-19 lockdown, both children used the Learning Hub at school, which was promoted as an option by the school even though one of the girls didn’t strictly ‘qualify’ for a place.’ (Source: Aberdeenshire Council)

9.6 Commissioning, flexibility and registration conditions

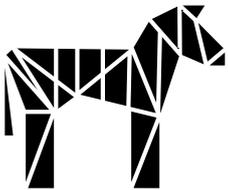
Across all accounts of practice shared in the development of this guidance about how to keep brothers and sisters together, it was highlighted that it is integral to explore, assess and encourage creative solutions, especially when practical barriers arose.



Creative solutions

‘Two brothers needed to be cared for suddenly because of their Mum being terminally ill. Rather than staying with separate carers, in the short term they were supported by a staff team in a holiday let accommodation. One of the staff team then became approved to be their foster carer.’ (Source: Care Inspectorate)

In developing the guidance we also heard about the importance of creativity when considering possible variations in registration conditions for carers and residential homes to support sibling relationships. For example, a variation might allow an older sibling who is aged 18 to live with their younger siblings if this is in the younger children’s best interests.



Creative solutions

‘The Care Inspectorate were approached by manager of a fostering service and explained that three siblings had suddenly lost their Mum. One of the siblings was a young person aged 18. While technically this young person was not eligible for an adult care or continuing care placement it was recognised the right thing to do for all 3 siblings was that they should stay together and be in a foster family, so an emergency variation was agreed to facilitate this.’ (Source: Care Inspectorate)

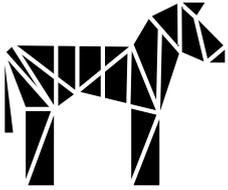
Many examples of collaborative working, such as between social work and legal services within local authorities, and with organisations including the Care Inspectorate, were given when describing how creative solutions are being developed and supported.



Creative solutions

‘A small Children’s House was used to support a group of four brothers and sisters, there was support from residential staff and from extended family. With a variation to the registration conditions, the care home became the family home as the children reached adulthood and they have the option to stay there as long as they want to.’ (Source: Care Inspectorate)

Examples also included considering children living together in residential children’s homes if it would be in the interests of all the children to do so, for example if one of their siblings already lives in residential care, or for them to be able to live together.



Creative solutions

‘When two twins moved in to one of our children’s houses, there only was one bedroom available. Rather than ruling the children’s house out, early discussions were had about whether the twins wanted to and could share a room together until another bedroom became available, even though they are different genders and aged 15. During the time they were sharing the bedroom, two bedrooms in another house became available and the children were given the choice about whether they wanted to move and they chose not to – this flexibility of approach allowed them to build relationships with their carers and now they both have their own bedrooms in the house and are doing amazingly.’ (Source: Glasgow City Council)

We recognise that creative approaches to finding the right home for children, including flexibility in registration conditions, works best when the needs of brothers and/or sisters with care experience are at the heart of a bespoke commissioning process. We heard how important this is to enable brothers and sisters to experience a consistent standard of quality, predictable, relational care, no matter where they grow up or who looks after them. We heard stakeholders’ concerns and hopes that this care is not compromised due to financial, or other resource-based, concerns if those who care for them are part of commissioned services.

9.7 Consistent oversight

Good practice was described where it was possible for sisters and/or brothers to have the same social worker and Independent Reviewing Officer. This helped to ensure that their needs and relationships as brothers and/or sisters were consistently considered in care planning and decision-making. Such an approach enabled consideration of a child’s plan in the context of their siblings’ plans and helped practitioners to be aware of the needs of all the children.

Where siblings are living apart, this approach enabled the social worker and Independent Reviewing Officer to be a consistent ‘common link’ between the children’s parents and carers and helped to build relationships between them.

We know that Independent Reviewing Officers are key to ensuring regular review of care plans for sibling groups. This also applies to children who have important ‘sibling-like’ relationships; for example, brothers and/or sisters who have formed their ‘sibling-like’ relationship whilst living together in residential child care. Good practice was outlined where Independent Reviewing Officers supported the planning for a child’s needs to be connected to their sisters and/or brothers.

9.8 Setting out clear local processes

We know that clear processes and timescales for decision-making, actions to be taken, and reviewing plans for children’s care, are crucial for practice and lead to greater clarity for the children, families, carers, practitioners and decision-makers. We heard how when local practitioners were supported and encouraged to work together to create local guidance, there were resulting useful, practical tools (such as flowcharts and checklists) that enabled them to meet the needs of the children they supported in a timely and collaborative way.

9.9 Retrospective review of children’s plans

The new ways of working brought about by these legislative changes will include retrospective review of past decisions about brothers and/or sisters. Viewing the needs of brothers and/or sisters through the lens of the new duties will ensure all children benefit, not just children for whom decisions are being made now.

Reviewing of previous decisions is likely to result in actions distinct from planning or current decision-making, for example there may be more emphasis on understanding and supporting sibling relationships than of children moving to live with new carers. Practitioners described how important this would be to upholding the rights of children with care experience who are brothers and/or sisters, but that they anticipated doing so could be challenging, and would require both encouragement as well as support from management and leadership.

9.10 Data to measure success

We often heard from people who support brothers and/or sisters how important it would be to collect data that best facilitated the support of children's relationships and upheld their rights.

We know that it is important that such data collection is not onerous for already busy practitioners, and that the reasons why the data is being collected is clearly communicated, to gain support for this data collection.

The following suggestions have emerged from the range of conversations and discussions in developing this guidance and may make a useful starting point when considering changes to data collection to support brothers and/or sisters. Helpful questions might be:

- Is the child living with whom they wish to be live? If not, why not?
- How do we know this (feedback from the child, siblings, parents, carers, and practitioners)?
- If the child is not living with their siblings, what arrangements have been put in place to support their relationships with their brothers and sisters?
- How do we know this (feedback from the child, siblings, parents, carers, and practitioners)?
- What do we know about the previous assessment and decisions made?
- What plans are in place for regular review?
- What emotional, practical and financial supports have been offered to help the realisation of the child's plan for the child and their parent and carers?

We recognise that a 'feedback loop' is helpful to ensure that practitioners, parents, carers, and children are aware of the purpose and impact of data collection and can see the improvements to practice and their lived experience as a result. We also know that the ways that data is collected in Scotland need to change and that this commitment is supported in next steps for national implementation.

9.11 Training and learning

We heard consistently that to uphold children's rights and embed change, practitioners need support to fully understand the new legislative duties, including learning and training. When learning, training, mentoring and coaching are carried out together across Getting it right for every child (GIRFEC) services (social work, residential care, health, education, and other practitioners who support children and families, such as family support workers), there is a strengthened and shared understanding of what will be required to implement these changes.

Key areas for learning included training to develop practitioners' confidence in assessing relationships between brothers and/or sisters and availability and access to therapeutic support services. We know that across many local areas there is an existing focus on specific training relating to assessing parental capacity. Similar training relating to sibling relationships in the context of child development and their experience of complex trauma is a further area to build on to support practitioners and further strengthen practice.

Next steps

The co-operative approach taken in developing this guidance has highlighted areas in which we can all collaborate and continue our progress. The Scottish Government and our partners in this endeavour have committed to Keep The Promise, and this includes continuing our co-production in implementation. The Scottish Government has heard that we must work on, for example, developing a framework for collecting meaningful data. There is widespread recognition that cross-sector work underway on holistic family support, which includes consideration of commissioning and delivery strategies, has the potential to further strengthen the bonds that are important to children who may experience care.

“The workforce needs support, time and care to develop and maintain relationships. Scotland must hold the hands of those who hold the hand of the child.”⁵⁴

Throughout this guidance, examples have been shared which demonstrate the creative skill of the workforce in the endeavours to help sisters and brothers stay together and stay connected. It is vital that we ensure that practitioners, those who have always strived to ensure that children living away from home remain connected, have the professional skill, knowledge, resources and enabling leadership that they have told us they require. Our collaboration in this venture has highlighted areas that require strengthening in order that we are Getting It Right For Scotland’s Sisters and Brothers and we are committed to continue to work together to share our creativity and navigate our path to overcome barriers.

Our partnership with children, young people, parents, carers and professionals continues and we will work hard, reviewing, developing and implementing this guidance as we progress our journey to strengthen children’s important relationships; and #Keep the Promise.

54 Page 20. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

Staying Together and Connected: Getting it Right for Sisters and Brothers National Practice Guidance

Part 2

Part 2 is designed to assist practitioners who are assessing children's relationships and creating plans for practical implementation. This includes detailed information on aspects of assessment, planning and decision-making; and supporting sibling relationships with time together. It is suggested that this part be read in conjunction with the innovative and creative practice section in Part 1; which also lays out the legal and policy context for sisters and brothers who are not able to safely live at home.

10. Assessing brothers' and/or sisters' needs and relationships

When a child can no longer live at home with their parent(s) and comes into care they must, where the local authority deems it to be appropriate, be looked after, in the same place as their sisters and brothers, or in homes which are near them, if they are also in care⁵⁵. This applies whether children are with kinship carers, foster carers or in a residential establishment, if it safeguards and promotes the welfare of the child, and that of other children. This means that brothers and/or sisters should not be separated, unless there is a clear reason to believe that living together does not safeguard and promote their welfare.

Making such determinations is not always straightforward, and the needs and welfare of different children may sometimes appear to be in conflict. This guidance is designed to support practitioners to assess relationships and make care planning decisions, and it is important to consider this Section in conjunction with Section 11.

Where there is evidence that a child's welfare might not be safeguarded and promoted by living with their brothers and/or sisters, this must be comprehensively assessed. The needs of the child must be understood, identified and met so that relationships can be supported to develop and flourish where possible.

10.1 The child at the centre

Children's lives and relationships are complex, some children may have complicated networks of sister and brother relationships which may seem a challenge to practitioners to understand and assess. The important cornerstone within this complexity is keeping the child, and their unique and individual needs, at the centre of all assessment and planning, involving them and communicating decisions clearly.

Relationships with brothers and sisters are fundamentally important to children and young people and must be respected. Living together with all their brothers and sisters may not be possible for all children in care if it does not safeguard and promote the child's welfare. However, relationships with brothers and sisters must be carefully considered, comprehensively assessed, and supported in the best way to uphold children's rights. (This is further discussed in Section 10).

10.2 Understanding complex relationships

The relationships between sisters and/or brothers are as rich and diverse as the children and families they stem from. Brothers and sisters play, argue, negotiate, and fall in and out with one another: these are normal parts of the relationship.⁵⁶ To some degree, all sisters' and/or brothers' relationships will entail a complex and changing dynamic involving warmth, affection, cooperation, conflict and rivalry. All aspects of brothers' and/or sisters' relationships (both positive and negative) can be intensified when they experience trauma, loss, abuse or neglect.⁵⁷

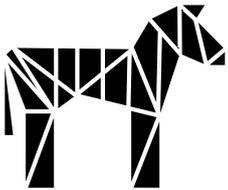
Having brothers and sisters to play with may provide children with a key source of unconditional, reciprocal joy and excitement. Whilst no two experiences will be the same, in circumstances where child-parent relationships have been compromised, sibling relationships can be a source of protection and safety. These relationships are significant in how identity forms, not least by having a shared history and roots with others.

55 Regulation 5A of the Looked After Children (Scotland) Regulations 2009, as amended by the Looked After Children (Scotland) Regulations 2021.

56 Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.

57 Groza, V. et al. (2003) 'Siblings and out-of-home placement: Best practices', *Families in Society: The Journal of Contemporary Human Services*, 84(4), pp. 480–490. Available at: https://journals.sagepub.com/doi/pdf/10.1606/1044-3894.136?casa_token=2AGm4l0LzsAAAAA:XRZ5ahGvLaT901jQrwbPHcDlmBJ7Llc2JPzxbTWUAcwtmiDvCzQAFwxTCgg2hM4BWA3rx_9tsv5.

These relationships can, however, also give rise to complex, and sometimes misplaced, feelings around responsibility and protection, particularly towards younger siblings. On occasions, depending on family dynamics, the relationships between sisters and/or brothers may have become distorted to the extent that one child may have been ostracised or scapegoated by other family members, or an older sibling may become a source of fear or harm to their younger brothers and sisters. What all of this means is that there need to be strengths-based, multi-disciplinary, holistic assessments that understand sibling relationships from the standpoint of a child and their fundamental need for safe connection with others who matter to them. Healthy relationships need to be maintained and bolstered and, where relationships may have become distorted, careful consideration needs to be given to how these might be repaired.



Creative solutions

'We supported a group of 4 brothers and sisters, who all lived apart and had not seen one another for 2 years, to spend family time together. Because of the ways in their earlier years that they had learnt to interact with one another, to begin with their only interactions were physical or swear words. Slowly and carefully, and with our therapeutic intervention, we were able to ease out interests they had in common, and for these brothers and sisters this was acting. After a year of regular visits, the dynamics had changed so much that these brothers and sisters were enjoying spending time together making scenes from paper and cardboard, writing plays and acting them out. We felt really proud of them, their bond blossomed.' (Source: STAR, Siblings Reunited)

It is only by understanding how a child's unique history has shaped their relationships with their brothers and sisters, that the right care and support can be provided to assist their relationships to positively develop. Assessing this is shaped through meaningful communication with children, young people and their families, and skilled listening to and understanding of the whole family history. Relationships and spending time together can be problematic and negatively experienced when pre-existing tensions in brothers' and/or sisters' relationships are not addressed.⁵⁸ For many brothers and/or sisters, separating them will result in further trauma and loss, and limit opportunities to rebuild relationships.⁵⁹

Assessing brothers' and/or sisters' relationships

10.3 Who makes an assessment?

Understanding and assessing the relationships between brothers and/or sisters is an ongoing process, rather than a 'task' to be carried out by one person on one occasion. Assessments must not be left until such a time that sisters and/or brothers are separated, in fact, separation should only occur as the *result* of assessment determining that this is the best way to safeguard and promote a child's welfare.

When brothers and/or sisters are living apart, assessment should begin immediately by working jointly with parents, carers and the multi-disciplinary Team Around the Child to assess and plan to meet the child's holistic wellbeing needs.⁶⁰ The local authority ultimately holds responsibility for determining if it is appropriate for brothers and/or sisters to be placed together in care, and if it is appropriate to spend time together if they do not live together. As such, local authority social work services take a lead role in assessments where the child may need to be looked after away from home. However, all other services such as health, psychology, education and specialist therapies, practitioners, family and carers in the Team Around the Child have a crucial role in offering their perspectives and analysis to enrich the assessment. As such it should be seen as a joint, shared and ongoing activity.

58 Contact After Adoption (2018a) *Practice Briefing: Sibling Contact*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).

59 Groza, V. et al. (2003) 'Siblings and out-of-home placement: Best practices', *Families in Society: The Journal of Contemporary Human Services*, 84(4), pp. 480–490. Available at: https://journals.sagepub.com/doi/pdf/10.1606/1044-3894.136?casa_token=2AGm4I0LzsAAAAA:XRZ5ahGvLaT9O1jQrwbPHcDImBj7Llc2JPzxbTWUAcwtmiDvCzQAFwxTCgg2hM4BWA3rx_9tsv5.

60 Schofield, G. and Simmonds, J. (2009) *The Child Placement Handbook: Research, Policy and Practice*. London: British Association of Adoption and Fostering.

An important way in which the child's family can fully participate with the Team Around the Child in assessment is by involving Family Group Decision Making services, which local authorities have a duty to provide where children are "at risk of becoming looked after".⁶¹ Through such strengths-based services, families report feeling listened to and valued, and plans which utilise families' perspectives and solutions can be developed.⁶²

10.4 Purpose(s) of assessment

The depth, nature and scope of an assessment will differ depending on the reason for carrying it out, and the child's plan. In every case (whether the assessment is concerned with living together, or spending time with one another) the presumption should be positively in favour of keeping brothers and/or sisters together, unless there is a clear, evidenced reason not to.

- If an assessment is to determine whether it is appropriate for a child to be placed (or reunited) with their brothers and sisters (because there is an indication that this may not promote or safeguard their welfare, or that their relationship requires support to enable them to live together), this requires a full, detailed and comprehensive assessment of the needs of the child, their relationships, and the strengths and risks involved in living together, or apart from, their brothers and sisters (including the impact on the welfare of any other children which may be impacted, for example, children already living in the care placement).
- If an assessment is to determine whether it is appropriate for the child to spend time together with a brother or sister that they do not live with, the context is different, as it does not involve a consideration of living together. These assessments are no less important, as they have an impact on how the child is supported to keep in touch with brothers and sisters who still live in the family home, who live in other private family arrangements, who are older and live independently, or who are also in care settings but cannot live with the child.

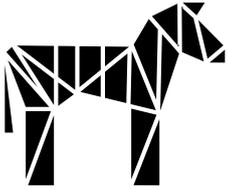
A child may be living with their brothers and/or sisters during the time assessments are made, but this is not always the case. This might mean that assessments are developed during time spent together when brothers and sisters know they will soon need to part company. Sometimes these situations may bring feelings of sadness and loss to the surface.⁶³ These emotions must not in themselves solely result in conclusions that it is better for brothers and/or sisters to live separately or not see one another.

It is also vital that the reasons for a decision to separate are sensitively and clearly explained to all the siblings involved along with the reasons for the decision. Attention needs to be paid to each child's reaction to and feelings around the decision with continuous follow up care and understanding of this loss and separation offered by parents, carers and GIRFEC practitioners involved with the child.

61 Under Part 12 Services in Relation to Children at Risk of Becoming Looked After, etc, of the Children and Young People (Scotland) Act 2014 and the Relevant Services in Relation to Children at Risk of Becoming Looked After, etc. (Scotland) Order 2016.

62 Frost, N., Abram, F. and Burgess, H. (2014) 'Family group conferences: Evidence, outcomes and future research', *Child & Family Social Work*, 19, pp. 501–507. Available at: https://onlinelibrary.wiley.com/doi/pdf/10.1111/cfs.12049?casa_token=auOWpAlViGkAAAAA:siSzsUuHgyCjvVjALX7rI4foMPhLfiR5fMk0DPL0x_WMSsBSShrBv0ubEODW34krLjZOxFlpdI2Qg.

63 Contact After Adoption (2018c) *Practice Guide: Supporting Direct Contact Between Siblings*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).



Creative solutions

‘Three brothers and their sister recently came into care, and keeping them together was an initial high priority. Three of the children went to stay together with foster carers while the youngest brother was looked after by his Aunt.

It became clear quickly that the children needed more support than the experienced foster carer could give as they started to deal with their trauma, which was having a detrimental impact on their relationships with each other. It was agreed that the children needed separate placements with regular contact in order for the Foster Carers and Social Worker to fully assess their needs.

The Foster Carers have worked extremely hard to ensure that the children see one another often. The most recent of this was a trip for the children and their carers to a local country park, organised by the Foster Carers. The Foster Carers have also arranged sleepovers for the children, and have supported them to see each other for birthdays and special occasions.

The children are benefitting from having space and individual attention, and are now expressing love and care for each other when they meet up. Assessments are progressing to explore the children’s needs to be placed together with at least one other sibling.’ (Source: Aberdeenshire Council)

10.5 Using frameworks

A variety of frameworks exist to assist the practice of detailed assessment of sisters’ and/or brothers’ relationships.⁶⁴ These frameworks focus on a range of issues to consider, and vary in scope, detail and approach. Whilst no one framework has yet to be robustly validated in the context of practice, all have value, and it is not the intention of this guidance to prescribe the use of one over another. Instead, a summary of the key elements and perspectives to include are suggested here. These should be considered and, where necessary, integrated into each local authority’s, or fostering and adoption agency’s, approach to assessment, within the overarching Getting it right for every child assessment framework.

Such an approach starts with the experience of a child’s life and follows the current day-to-day experience of the child. It must be:

- Developmentally focused
- Trauma alert
- Holistic
- Participative
- Multi-agency.

64 For a comprehensive overview, see Section 4 in Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

10.6 Key elements to include

Assessment is a dynamic process and should be regularly reviewed and respond to changing needs.

Needs of the child

To understand complex and interrelated needs, dynamics and behaviours of a child, it is necessary to develop a comprehensive understanding of their needs as outlined in the Getting it right for every child National Practice model, and in relation to:

- Experiences within their family (including pre-birth)
- Experiences in care
- Relationships with their brothers and sisters⁶⁵

Comprehensive assessment with the individual child at the centre is crucial, *as well as* assessing their relationships with their sisters and brothers as part of a sibling group. This will ensure the needs of the child remain the central consideration, whilst enabling planning of any support required to promote relationships between brothers and sisters. As unique individuals, each child is likely to have different parenting needs to their brothers and sisters, and different relationships with their wider family members. The adult(s) they live with must be suitable to meet all these needs now, and into the future, including supporting their relationships with their brothers and/or sisters. Families are not expected to do this alone and it is critical that the Team Around the Child is able to identify and anticipate when additional and early help is needed.

10.7 Dimensions to consider

Certain dimensions are important to consider in all assessments.⁶⁶ These include:

● **Warmth, care, love and positive engagement**

These can be explored by considering the extent to which brothers and/or sisters are affectionate and caring to each other, and whether they recognise one another's distress and offer comfort. Additionally, by understanding the extent to which brothers and/or sisters can settle disagreements and be companionable again. Consider whether brothers and/or sisters share their feelings with one another, and how these are received. Do they recognise when each other is upset, and offer comfort? How do brothers and/or sisters describe each other, and who do they identify that they like to spend time with and who likes to spend time with them? Sometimes, parental neglect or abuse can result in strong bonds between brothers and/or sisters, caring for one another or finding love and nurture in these relationships. While such relationships can be very strong, children may also require additional support to respond to needs arising because of parental neglect or abuse. Where children assume a caring role for their brothers and sisters, this should not always be seen as a concern, and indicates how important these relationships are to children. Where there are concerns that a child is undertaking developmentally inappropriate levels of responsibility, this indicates a need for support.⁶⁷ It is unhelpful to use technical language such as 'parentified child' and 'trauma-bond' within assessments, as these terms have specific meanings in psychology, and should not be used without specialist input and assessment.

● **Conflict, aggression and attempts to dominate or bully**

Conflict and emotional intensity are common and to be expected in sibling relationships, particularly where brothers and/or sisters are similar in age or the same gender. Rivalry and conflict are normal within families, but the circumstances whereby some children come into care may have also caused damage in relationships between brothers and/or sisters.⁶⁸ Where brothers and/or sisters have perceived their treatment by parents to be unfairly differential, or where there has been abuse in the household, relationships may be more hostile or resentful. It is important also for practitioners to be alert and mindful to the impact on sisters and brothers who have been exposed to domestic abuse between adults within a household.

65 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

66 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

67 Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.

68 City of Edinburgh Council (2014) *Keeping in Touch: Managing Contact for Looked After Children*. Edinburgh: City of Edinburgh Council. Available at: <https://www.standupforsiblings.co.uk/wp-content/uploads/2018/03/Keeping-In-Touch-Guidance-Edinburgh-City-Council.pdf>.

Examine whether the play and interactions between brothers and/or sisters are lively, energetic and fun; or whether there is underlying aggression or discomfort. Consider how brothers and/or sisters deal with conflict, and how individual children react to pressure. Do some brothers or sisters appear to assume a particular role, for example, as an instigator of conflict, or as a scapegoat? Explore if there is evidence of exploitation or attempts to assert dominance, and consider reasons for this, for example, brothers may attempt to exert dominance over sisters if they have grown up in an environment where males are seen as superior. Whilst all children who are brothers and/or sisters will experience conflict from time to time, this is more concerning if conflict is frequent and there is little emotional warmth underlying the relationship which enables children to make up when they fall out.⁶⁹ Whilst none of these alone are sufficient to support a decision to separate siblings, they may indicate a need for further specialist assessment, particularly skilled care, or therapeutic intervention.

- **Competition and rivalry for adult attention**

Competition and rivalry are common features within most sibling relationships, but the extent to which they feature and how they are experienced may indicate the need for support to develop the relationship. Consider how brothers and sisters manage when another sibling is receiving adult attention. Examine whether there is evidence of a hierarchy of positions, or power imbalance, and any impact this has on brothers and sisters. There may be evidence of one child being 'left out' and unable to re-join the group, or some children 'pairing off' and not allowing other siblings to interact.

- **Early experiences and histories**

Understanding the life experiences brothers and/or sisters have had (as individuals, as well as within their relationships with their siblings) is critical to underpin any assessment. Brothers and/or sisters may have experienced differential treatment, and the impact of this on their relationship should be considered. An understanding of children's histories is the foundation of meaningful assessment, from which plans to support and enable relationships to flourish can be developed.

Children who arrive in Scotland unaccompanied or separated from their parents or guardians, including children who claim asylum or who have been trafficked, have often experienced grave loss and adversity. Their relationships with brothers and sisters (and the new sibling-like relationships they may form with other children because of their care experience) can be a particular source of comfort, identity and importance.

10.8 Children's involvement

Involving children, in a way which is appropriate to their stage of development, is central to making a high quality, rights-based assessment. More guidance is given in Section 8 about how to do this. Through one-to-one sessions with children, their thoughts and feelings can be sensitively understood about their life at home, their hopes for the future, and the important people in their lives and what matters to them. Children who are very young, or who have special communication needs may require additional support to share their views, and this must be provided. It is important for children to see that their views matter, and that they have influence.

Whilst giving children the opportunity to talk about their relationships with their brothers and sisters, including who they would like to live with and who they would like to see, research indicates that it is not best practice to directly ask which of their siblings they do and do not wish to live with:

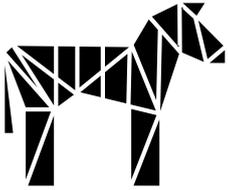
"Asking children directly which brothers or sisters they might want to be placed with is not recommended as good practice... Children should not be given this responsibility but should be helped to express their feelings and to communicate their thoughts about family relationships."⁷⁰

69 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

70 Page 63. Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

10.9 Working together (sisters and/or brothers, parents, carers and practitioners)

Assessments are strengthened by including the views and observations of the people who know children best, who, other than the children themselves, include their parents and/or carers, family, and practitioners with whom they have contact. All will have valuable thoughts, insights and contributions to make about the relationships between brothers and/or sisters, how these have developed, what has impacted on them, and how they can be supported. Involving all parties in making an assessment is a core part of the Getting it right for every child approach and will enable a rich understanding of the child's strengths and needs. More guidance on working together is given in Section 6.



Creative solutions

'We worked with three girls who all lived separately and did not know they had sisters. Through carefully planned life story work, we were able to start exchanging photographs and cards, and later to meet through video-messaging.

The sisters wanted to meet each other face-to-face. We needed to be cautious because of the oldest sister's emotional wellbeing, and we were also aware of the added complexity that the girls – they lived in different parts of the country and had different longer term care plans.

Through careful planning involving family, carers and the Team Around the Child (which included Child and Adolescent Mental Health (CAMHS) practitioners) we were able to make a robust assessment about family time. CAMHS felt some of the difficulties with the older sister's wellbeing related to her limited knowledge of her life story, and knowing she had family but not knowing who or where they were. Seeing her sisters was thought likely to help her. We gradually started family time for the sisters, and this now happens regularly.' (Source: Glasgow City Council)

10.10 Analysis and planning

Assessments are important tools to support analysis and planning. Assessing the many complex aspects of the relationships between brothers and/or sisters is the beginning of a process which highlights unmet needs and must result in a comprehensive plan to meet these needs. It is not sufficient for an assessment to conclude that there is intense conflict and rivalry within a brother and/or sister relationship; what is required is a plan detailing how, in the unique context of the children concerned, their relationship can best be supported to grow safely and healthily.

10.11 Recording information

In terms of recording assessments, access to clear, unambiguous records of relationships between brothers and/or sisters is vital to care planning and decision-making. For example, if a child is placed in secure care, assessments and checks may be necessary before visits can take place. If this information is clearly available, it will minimise any unnecessary delay in ensuring brothers and/or sisters in this situation can spend time together. More guidance is given in Section 12.

10.12 When might it be better for brothers and/or sisters to live apart?

Brothers and/or sisters in care should live together in every circumstance where this is appropriate, unless this does not promote or safeguard their wellbeing. Decisions to separate brothers and/or sisters have serious implications and local protocols should be developed for authorisation of these decisions, with consideration given to seniority in authorisation. For example, it may be good practice for these decisions to require authorisation by the Head of Service who holds the responsibility for the child's care. Research tells us that the decision to permanently separate siblings:

“...should be treated with the same seriousness as the decision to separate children permanently from their birth parents”⁷¹

Difficulties in sisters' and/or brothers' relationships can be supported within caring environments, but there will be relationships which are very difficult to transform, impacting on the extent to which all a child's needs can be met. The benefits and disadvantages of living together or separately for the child throughout their life (not just in the immediate future) must be considered.⁷²

Whilst these are exceptional, there may be circumstances in the interactions between children which indicate brothers and/or sisters should live apart from one another. The following is not an exhaustive list, and decisions must always be taken informed by comprehensive assessment of the children's unique circumstances. Interactions which may indicate a need for brothers and/or sisters to live apart include where:

- Significant safety concerns exist. For example, in situations where brothers and/or sisters have lived with abuse and have mirrored the behaviours of perpetrators of abuse and harmed each other. Depending on the nature of the abuse, it may be necessary to separate children in these circumstances.⁷³ It may be that with specialist therapeutic intervention, brothers and/or sisters may be able to be brought together again.
- Intense rivalry and jealousy preoccupy children and limits how they tolerate one another receiving attention, to the extent that this causes harm.
- Maintaining entrenched roles such as victim, bully or scapegoat, is harming children. This may involve a chronic belief from a child that they are superior to their brother or sister and have a right to exploit them.
- There is highly sexualised behaviour between each other.

Any decisions to separate brothers and/or sisters should include consideration of the possibility of being reunited in the future if the dynamic has shifted and this becomes safe and developmentally appropriate. Therapeutic support to uphold sibling relationships is particularly important in such circumstances. Practitioners need to be given such tools, training, and resources – as well as sufficient time – to support this practice. Looked After Child Reviews and Independent Reviewing Officers also play a critical role in ensuring that such practice is taking place, and in continually keeping the possibility of children living with their sisters and/or brothers under review.

In addition to these indications based on children's interactions, decisions about whether living together promotes and safeguards the wellbeing of the child must also take other circumstances into account. For example, balancing the risks and benefits of sisters and/or brothers living separately from one another, if this means they can live with extended family members in kinship arrangements, with adults they have strong relationships with who will support them to see one another regularly. Consideration of the needs of young (including unborn) children who have older brothers or sisters living in care in settled long-term/permanent placements which are not suitable or available for the child, will also need to be given.

10.13 When might it be better for sisters and/or brothers to live near one another, but not together?

A local authority should place brothers and sisters together or near to each other, where that is considered to be appropriate. When making a decision to place them near to each other, however, the local authority must be satisfied that this would safeguard and promote their welfare better than living together.⁷⁴

Where an assessment clearly demonstrates that it would not safeguard and promote the wellbeing of a child to live together, but it is determined that brothers and/or sisters should be spending time together regularly, they should live near to one another. This facilitates and enables positive and natural opportunities to spend time together. For example, to go to the same school and be part of the same community.

72 Schofield, G. and Simmonds, J. (2009) *The Child Placement Handbook: Research, Policy and Practice*. London: British Association of Adoption and Fostering.

73 Groza, V. et al. (2003) 'Siblings and out-of-home placement: Best practices', *Families in Society: The Journal of Contemporary Human Services*, 84(4), pp. 480–490. Available at: https://journals.sagepub.com/doi/pdf/10.1606/1044-3894.136?casa_token=2AGm4IOLzsAAAAA:XRz5ahGvLaT9O1jQrwbPHcDImBJ7Llc2JPzxbTWUAcwrtmiDvCzQAFwxTCgg2hM4BWA3rx_9tsv5.

74 Regulation 5A(4) of the Looked After Children (Scotland) Regulations as amended by the Looked After Children (Scotland) Regulations 2021.

10.14 What if brothers' and/or sisters' needs and views differ?

The views of all children who are brothers and/or sisters must be listened to and considered when decisions are made, but they may not always agree with each other. By communicating with children in skilled ways which enable each child to share their views and be heard, practitioners can thoughtfully and sensitively develop their assessments. More guidance on how to do this can be found in Section 7.

In all care planning, promoting and safeguarding the welfare of the child is always the paramount concern and principle. Where brothers and/or sisters have expressed differing views, and assessment has shown that it would not promote and safeguard the welfare of a child to live together with their brothers and sisters, this must be very sensitively explained to all the children, so that no child feels responsible, rejected or blamed. Everyone in the Team Around the Child must work together to find ways in which brothers' and/or sisters' relationships can be supported in a manner which aligns with the views and needs of the child. Over time, and with love, care and support, children's views may change and their relationships with their brothers and sisters can be supported to develop in line with these changes.

There may be concerns that the needs of individual brothers and/or sisters coming into care may differ, and that placing them together will only meet one child's needs or only the needs of part of the group of siblings. Concerns that keeping brothers and/or sisters together could result in needs not being met or might increase the risk of disruption in their care must be considered seriously but balanced with the risks of separating brothers and/or sisters, which can cause its own trauma.⁷⁵ Through consistent love, care and therapeutic intervention it may be possible for healthier relationships between brothers and/or sisters to flourish, for creative solutions to be found, and for adaptations made to care arrangements to ensure these meet the needs of all children.

75 Groza, V. *et al.* (2003) 'Siblings and out-of-home placement: Best practices', *Families in Society: The Journal of Contemporary Human Services*, 84(4), pp. 480–490. Available at: https://journals.sagepub.com/doi/pdf/10.1606/1044-3894.136?casa_token=2AGm4l0LzsAAAAA:XrZ5ahGvLaT9O1jQrwbPHcDImBJ7Llc2JPzxbTWUAcwtmiDvCzQAFwxTCgg2hM4BWA3rx_9tsv5.

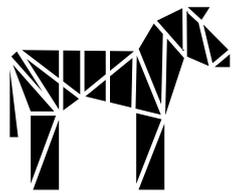
11. Planning and decision-making

“Children, families and the workforce must be supported by a system that is there when it is needed. The scaffolding of help, support and accountability must be ready and responsive when it is required.”⁷⁶

Sensitive planning and well-evidenced decisions are crucial for ensuring the rights of brothers and sisters are upheld. These processes need to be supported by a system that enables positive relationship-based practice, and by senior leaders and corporate parents who emphasise the importance of sibling relationships.

11.1 Early planning

Early and proactive planning is needed to ensure the needs of brothers and sisters are met and their rights are upheld.⁷⁷ This means having clear processes in place for pre-birth planning, children who may need care and protection, and when children are in care, for joined up working between all practitioners supporting a child and their family.



Creative solutions

‘We make sure all children have the same reviewing officer as their brothers and sisters (and all children who live in the same residential house as one another). This ensures their care planning is connected.’ (Source: Glasgow City Council)

11.2 When siblings become looked after

If a child requires care and protection away from their parents, they should be cared for in a home with their sisters or brothers unless there is an identified risk or it is not considered appropriate to do so. It is extremely important, especially at this immediate point of being cared for away from their parents, that practitioners are focused on keeping children together and identifying exactly what might best support them at this uncertain time. For example, would sharing a room with a sibling provide them with more comfort?

Decisions that may be made on an emergency basis could have long-term implications for brothers and/or sisters. Due to the circumstances and short timescale involved when a child comes in to care on an emergency basis, there may have been little opportunity to plan and identify suitable carers who could care for a child together with their brothers and/or sisters. This may mean that brothers and/or sisters may have to be cared for by different carers. This is important to highlight, as often a decision based on immediate need can become the ‘default’ position through time⁷⁸ and this can lead to very difficult decisions having to be made which weigh the benefits of the child being cared for with their siblings, against the potential disruption caused by moving the child from the care of their current carer. When such emergency arrangements are put in place, there must be an expectation that this will only be for a very short time and that practitioners will be reviewing all the children’s plans extremely quickly so that they can live together again, where appropriate, for all children involved.

Collaboration amongst practitioners at this early stage, including between children’s social workers and social workers who have responsibilities for identifying carers for children, is fundamental.

76 Page 110. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

77 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

78 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

11.3 Pre-birth planning

Siblings are not a homogenous group of children. Where children are cared for, some will already know their brothers and sisters and have a relationship with them, and some may have sisters and brothers who have yet to be born and who they will have a right to know about.

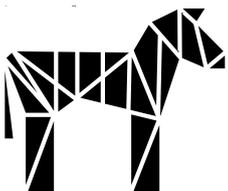
Many infants who require protection from birth may have brothers and sisters in need of care and protection who are being cared for away from their parents. Placing newborn babies with their brothers or sisters may be the best option in terms of the needs of the children concerned but this can also be challenging. A newborn's brothers and/or sisters may live with kinship carers who are not able to care for another child; or they may live with an adoptive family in a different community; or if they are half siblings, their siblings may live with the family members of the parent who they do not share. Early assessment in pregnancy may indicate that an infant will require to become looked after from birth. When this is the case, and the child already has sisters and brothers placed elsewhere, social work should, at the earliest opportunity, explore the possibility of this infant living with their siblings. Wherever possible, local authorities already prioritise kinship options and the adoption of siblings together.

11.4 If it is in children's best interests not to live together

A clear, well-evidenced assessment of family circumstances and sibling relationships may identify that it might not be in a child's best interests for them to remain living with their siblings. More guidance is given in Section 10.

In addition, clear plans for how the children will spend time together must be developed, in collaboration with the children, their parents, carers, and the practitioners supporting them.

The decision for the child not to live with their siblings must be kept under regular review as part of their care planning within the Looked After Child Review processes and ongoing decision-making. By doing so, decisions made about the way in which sisters and/or brothers spend time together, or keep connected with each other, at the point of a child requiring care and protection, do not become fixed as part of their long-term plan without sufficient evidence and assessment. This regular review will enable children being able to live together or keep in touch with each other if it becomes in their best interests to do so in the future.



Creative solutions

'A grandmother who is a kinship carer for her grandson carefully considered whether she could care for a second grandson who was born, and could not live with his mum. Despite loving both her grandsons dearly, and wanting to care for them both, she became clear this would be too much for her to manage. After thorough assessment, adoption was planned for the younger child. The sibling assessment recognised the need for the brothers and their grandmother to remain as significant people in each other's lives, so there were clear expectations that adoptive parents would promote and facilitate this. Now the younger brother is adopted, his adoptive parents and grandmother have an established relationship and work together to promote the brother's family relationships as they grow up.' (Source: Aberdeenshire Council)

11.5 Care planning and permanence planning – children's plans and carers' plans

Care planning and permanence planning go hand in hand. All plans should seek a safe, secure, stable and loving home for the child. The importance of relationships needs to be at the core of all planning and decision-making in the interests of a child. Consideration of who is important to each child and seeking their views in relation to decisions about their brothers and sisters should be included in all planning and decision-making processes. Further guidance on this can be found in Section 7. Within the new legislation this is now a requirement, and local planning and decision-making processes must reflect this.

11.6 Deciding where children should live

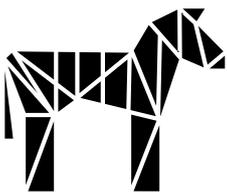
Deciding where children should live – whether that be with their sisters and/or brothers or not – is crucial to planning for children’s welfare throughout their childhood and into adulthood. There is now a duty on local authorities to place brothers and/or sisters together, where appropriate, to support their lifelong relationships. If it would better safeguard and promote the welfare of a child for them not to be placed with their siblings, then they should live near to their brothers and sisters, if that would be appropriate. More detailed guidance on how to assess the needs of children can be found in Section 10.

Before making any such decisions, there is now a duty to ascertain the views of the child’s siblings about the decision, and have regard to them, so far as is reasonably practicable. This needs to be woven into processes – with sufficient time allocated and support allowed – to enable this to happen. More detailed guidance on listening to children’s views can be found in Section 7.

Consideration needs to be given to the interpretation of homes which are ‘near’ to each other to fully uphold this duty. For example, aspects such as being near enough for brothers and/or sisters to attend the same school; or near enough for children’s carers to drive them to see each other; or near enough for young people to perhaps visit their brothers and/or sisters by themselves (where this meets with their wellbeing, and their abilities to do so).

11.7 Siblings spending time together

If children are not living with their brothers and sisters, their plans should reflect the ways in which their personal relationships and direct contact with their siblings are being supported, if appropriate.



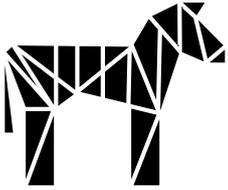
Creative solutions

‘Three older siblings were placed with a foster carer and their new-born sister remained in hospital in intensive care. When the baby came out of hospital, she stayed with foster carers very close to her older siblings. Both sets of foster carers shared lots of pictures and information about the children, held Skype calls and fully embraced the importance of making special memories from the earliest days of the baby’s life. Family time was prioritised, and now all of these children are back home with their parents with a package of community supports.’ (Source: Glasgow City Council)

Sometimes, plans for brothers and/or sisters to spend time together when they do not live together may have been influenced by the geographical location of where the children live. For example, they may only be able to see each other in person once a month because one child lives with their foster carer at a distance from a sibling living in residential child care. The new legal duties ensure that such circumstances should never be barriers to children spending time together, and that resources and support should be put in place to enable children to be together when and where children wish, where considered appropriate by practitioners.

There may sometimes have been assumptions made that sisters and/or brothers might not be able to spend time together if one, or more, of them is adopted. This should not be the case, unless it is in the interests of one or both children not to spend time together. Face-to-face time together should continue if that is what children wish to happen and it is safe for them to see each other. If this is not appropriate, then consideration needs to be given to ‘indirect’ means of keeping connected such as emails, newsletters, social media, video calls, etc. with the reasons for this need to be clearly communicated to children. More guidance on this is given in Sections 7 and 13.

It is not always necessary to wait until a child has ‘settled in’ to a new home before face-to-face time with their brothers and sisters can take place. There may be circumstances where it would be appropriate to wait, but this should not be the assumption. Many children find that spending time with their brothers and sisters has allowed them to keep their close ties and help them settle into their new homes as they can see for themselves that their siblings are feeling cared for too.



Creative solutions

‘We worked with three children who came into care at the same time, they were aged 7 months, 19 months, and 7 years. Initially, and unfortunately due to a lack of resources, the oldest two children were in foster care together, and the baby with separate carers. The carers worked together to arrange regular family time for all of the children so their bonds were not lost. Because there were no family alternatives, the children were all adopted together.

A short time later, the children’s birth parents had another baby. As the parents were unable to care for him, we made contact with the adopters who, after careful consideration, were able to welcome this child into their home so all four brothers and sisters could grow up together.’ (Source: South Ayrshire Council)

11.8 Decision-making for brothers and sisters

Decision-making processes and practices need to enable timely decisions to continue to be made for children to have a safe, secure, stable and loving home, whilst also upholding their rights in relation to their siblings.

Decision-making frameworks should be driven by the rights of children as explained in Section 2 and recognise that every child’s circumstances and needs are unique.

Submissions to all decision-making forums must make clear references as to the ways in which children’s views have been sought and heard, and clearly state the ways in which proposed plans uphold the rights of siblings, and are led by the needs of children, not resources.

11.9 What if children want and need different things and have different permanence plans?

It is important to acknowledge that, where children need and want different things from each other, there may not always be a straightforward answer and that this is an extremely complex part of practice in supporting brothers and/or sisters.

For example, a child may want their newborn brother or sister to live with them, but they may live in residential child care which is in their best interests to meet their needs, but which cannot accommodate the needs of a new baby. In such circumstances, clear and supportive communication with children is key to ensure that all children can understand (as far as is appropriate) the differing needs of their siblings.

Consideration of relationships between sisters and/or brothers is an important part of permanence planning and this is further emphasised in the new duties. Children’s individual needs should also be assessed within the context of their relationships with their brothers and sisters and their identity as a sibling group (if they belong to one). These considerations should be undertaken in a timely way to ensure that children are cared for in a safe, secure, stable, and loving home as quickly as is possible.

In certain circumstances, a choice may need to be made, for example, about whether it would be better in the interests of a child for them to live together with their brothers and/or sisters in a care arrangement able to support them on an interim basis, or whether they should live with long-term carers or prospective adopters but separately from their sibling. In this instance, joined-up working between services responsible for the children’s care, and a holistic approach to their needs, is vital, as is seeking the views of each child. This may also be a factor when children come in to care at different times.

The needs of a child in care without brothers and sisters also must be considered. A child should not be moved from a settled and loving home to accommodate the needs of a sibling group.

Sensitive practice will be needed when children are introduced to their brothers and sisters who they did not previously know or know about. This should form a key part of planning and decision-making, with input from each child’s carers to ensure their relationships can be supported in ways that meet the needs of all the siblings.

11.10 Looked After Child Reviews

Looked After Child Reviews are one of the key forums that support planning for children, their carers, and their families. Attending to the relationships between brothers and/or sisters should be a standing item on the agenda for all Reviews.

It is helpful to have a clear and robust plan that has been recommended at a Looked After Child Review – and ideally has the support of the child, their family, their carer and the Team Around the Child – before a child's case is taken to other decision-making forums, such as a Children's Hearing. The focus on the rights of brothers and sisters can help to shape such a strong and supportive plan.

11.11 Support after decisions have been made and when children are no longer in the care of a local authority

To ensure that sisters' and/or brothers' relationships are upheld beyond the point they need support for their care and protection from a local authority, careful consideration needs to be given. This will be relevant to post-adoption support plans, kinship care arrangements and in aftercare services.

Practitioners need to continue asking 'who is important to you?' and 'how do you want to spend time with them?' to support these relationships to continue, at all stages in their role of supporting children and young people. Post-adoption support plans should outline what support adoptive parents will require to uphold their child's relationships with their sisters and brothers. Practitioners will need to know that adoptive parents are confident to do this themselves with their child's siblings' parents or carers. Practitioner support should be offered to help to sensitively establish these relationships between the children, their adoptive parents, birth parent and carers as appropriate.

11.12 Complaints and redress

To reflect the importance of these duties, organisations should strengthen their complaints and redress processes to ensure that these duties are included. Children must be told about their rights and these redress processes. These should be readily accessible and written in child-friendly language so that children know how to get the support they need when they need it. This includes support to contact a solicitor and/or advocacy worker to help with this process where needed. Children should also be reminded of their rights throughout the time they are looked after.

12. Recording

12.1 The purpose of recording

Recording of information about the relationships between brothers and/or sisters includes information identifying who a child's brothers and sisters are (including those they have a 'sibling-like' relationship with); ongoing assessments of the needs of children in a sibling group and how these relationships are being supported; children's views about their needs and relationships; the views of other adults around them, including carers and professionals; and what these professionals and carers may need to support the wellbeing and uphold rights of that child.

Practitioners, carers and corporate parents record information about a child in the form of 'care records' that help tell the story of a child's life, their feelings, views and relationships. These records are fundamentally important to a person with care experience.^{79 80}

Information about a child is also recorded to give clear and concise records about their current needs, to those who care for them. This information must be accessible to the different people and teams who work collaboratively to support a child, and the information must be up-to-date, whilst also reflecting the change in children's lives and their relationships.

Recording has a range of functions that can sometimes be practically and emotionally difficult to reconcile, but these different functions enable us to protect the wellbeing of a child and the relationships that matter to them, in the present and in the future.

12.2 The importance of recording to children and adults with care experience

In "The Promise" the Independent Care Review reflected on the importance of recording data about children to support good decision-making, and the need to reflect the value of brothers' and/or sisters' relationships and their life stories in their records,⁸¹ but that sometimes recording can meet the needs of the 'care system' before it meets these needs.⁸² The importance to people with care experience having a sense of ownership over their records, and for records to be written clearly with the assumption that a person with care experience will read these later in their life, has implications for what and how information about brothers and sisters, and relationships between brothers and/or sisters, is recorded.

Accessing care records can be a significant point in the lives of people with care experience.⁸³ Person-centred support when accessing records can enable people with care experience⁸⁴ to recover from trauma,⁸⁵ as well as to understand their early life and family, including discovering or knowing more about

79 Hoyle, V. et al. (2019) 'Children's social-care recording and the information rights of care-experienced people: A recordkeeping perspective', *British Journal of Social Work*, 49, pp. 1856–1874. Available at: https://watermark.silverchair.com/bcy115.pdf?token=AQECAHi208BE49Ooan9kkhW_Ercy7Dm3ZL_9Cf3qfKAc485ysgAAApwwgggKYBgkqhkiG9w0BBwagggKJMIIChQIBADCCAn4GCSqGSIB3DQEHATAeBglghkgBZQMEAS4wEQQMod-jtyIN1kLTDPhAgEQgllCT3MRrMTOCMqKG_ATir8hmslz-YS6HjEkim9UoY_gNORR-P4.

80 Who Cares? Scotland (2019) *Our Lives Our Stories Our Records: A Records Access Campaign*. Glasgow: Who Cares? Scotland. Available at: <https://www.whocarescotland.org/wp-content/uploads/2019/04/WCS-Report-Care-Records-Access-Campaign-March-2019-1.pdf>.

81 Page 63. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

82 Page 31. Independent Care Review (2020b) *The Promise*. Glasgow: Independent Care Review. Available at: <https://www.carereview.scot/wp-content/uploads/2020/02/The-Promise.pdf>.

83 Horrocks, C. and Goddard, J. (2006) 'Adults who grew up in care: Constructing the self and accessing care files', *Child and Family Social Work*, 11, pp. 264–272. Available at: https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1365-2206.2006.00432.x?casa_token=a5qwpPF_OiQAAAAA:YmfGR0VSEvDwZP2VoxwukuEli9xp2qv4g3w4ePXrSspBxfCQlo459FLcV-UU4ti2L7vkYjL9gCBJng.

84 Hoyle, V. et al. (2019) 'Children's social-care recording and the information rights of care-experienced people: A recordkeeping perspective', *British Journal of Social Work*, 49, pp. 1856–1874. Available at: https://watermark.silverchair.com/bcy115.pdf?token=AQECAHi208BE49Ooan9kkhW_Ercy7Dm3ZL_9Cf3qfKAc485ysgAAApwwgggKYBgkqhkiG9w0BBwagggKJMIIChQIBADCCAn4GCSqGSIB3DQEHATAeBglghkgBZQMEAS4wEQQMod-jtyIN1kLTDPhAgEQgllCT3MRrMTOCMqKG_ATir8hmslz-YS6HjEkim9UoY_gNORR-P4.

85 Duncalf, Z. (2010) *Listen Up! Adult Care Leavers Speak Out: The Views of 310 Care Leavers Aged 17-78*. Manchester: Care Leavers Association. Available at: <https://strathprints.strath.ac.uk/27410/5/strathprints027410.pdf>.

their brothers or sisters.⁸⁶ Good recording practices can play a part in supporting people who have brothers and/or sisters, keeping information about their experiences, views and feelings about their brothers and sisters safe so that these can be accessed or explored in life story work at a time that is right for that child or adult.

12.3 Redaction of information about brothers and/or sisters

Whilst every person has a right to access information about themselves, this right does not automatically extend to information about other people who are written about in their records. Therefore, information relating to other people, such as a person's brothers and sisters, can sometimes be redacted from care records. Redaction of information can be confusing and distressing to people with care experience,⁸⁷ especially if it relates to their brothers and sisters. [Guidance](#) has been developed by the Scottish Children's Reporters Administration on how redaction of information in care records held by them, including about family members, can be reduced.⁸⁸

Supporting sisters' and/or brothers' relationships means that in addition to life story work with children with care experience about their brothers and sisters, practitioners should consider how they can 'future proof' the ways that they record information about the brothers and sisters of a child about which a record is made. This can include ensuring that information about who has parental responsibilities and rights for a child's brothers and sisters be recorded in their file. This will help practitioners obtain consent to disclose information about their siblings. This can minimise the possibility of redaction of information about their family and identity in the future.

12.4 What should be recorded?

Regulations 42 of the [Looked after Children \(Scotland\) Regulations 2009](#) ("the 2009 Regulations") and the associated guidance describe what should be included in the written case record for a child with care experience (referred to as a looked after child in the legislation). Guidance on the 2009 Regulations draws particular attention to the importance of recording links to information about a child's brothers and sisters and the significance of doing so, with particular attention to larger groups of brothers and/or sisters or those of different ages who may not have lived together. This reflects on the lifelong difficulties experienced by brothers and/or sisters who were not able to live together and who have never formed relationships or those who did not know about each other, for whom their care records may be the only way they will learn about each other's existence.⁸⁹

Evidence shows that currently, when a reason why a brother or sister cannot live together is recorded, too often this is brief and generalised, with insufficient recording about children's views of their relationships and how their views have informed decision-making.^{90 91} It is crucial that changes to recording practices are made to support the rights of sisters and/or brothers.

86 Duncalf, Z. (2010) *Listen Up! Adult Care Leavers Speak Out: The Views of 310 Care Leavers Aged 17-78*. Manchester: Care Leavers Association. Available at: <https://strathprints.strath.ac.uk/27410/5/strathprints027410.pdf>.

87 Who Cares? Scotland (2019) *Our Lives Our Stories Our Records: A Records Access Campaign*. Glasgow: Who Cares? Scotland. Available at: <https://www.whocarescotland.org/wp-content/uploads/2019/04/WCS-Report-Care-Records-Access-Campaign-March-2019-1.pdf>.

88 Scottish Children's Reporter Administration (2020) *Subject Access Requests: How the Scottish Children's Reporter Administration Will Deal with Your Request for Personal Information*. Stirling: Scottish Children's Reporter Administration. Available at: <https://www.scra.gov.uk/wp-content/uploads/2020/11/Subject-Access-Requests-How-SCRA-will-deal-with-your-request.pdf>.

89 Page 127. The Scottish Government (2010) *Guidance on Looked After Children (Scotland) Regulations 2009 and The Adoption and Children (Scotland) Act 2007*. Edinburgh: The Scottish Government. Available at: <https://www.gov.scot/publications/guidance-looked-children-scotland-regulations-2009-adoption-children-scotland-act-2007/>.

90 Jones, C. and Henderson, G. (2017) *Supporting Sibling Relationships of Children in Permanent Fostering and Adoptive Families*. Glasgow: University of Strathclyde. Available at: https://strathprints.strath.ac.uk/60547/1/Jones_Henderson_2017_Supporting_Sibling_Relationships_of_Children.pdf.

91 Porter, R. B. (2020) 'Recording of children and young people's views in contact decision-making', *British Journal of Social Work*, 50, pp. 1796–1815. Available at: https://watermark.silverchair.com/bcz115.pdf?token=AQECAHi208BE49Ooan9kKhW_Ercy7Dm3ZL_9Cf3qfKAc485ysgAAArUwggKxBgkqhkiG9w0BBwagggKiMllCnglBADCCApCgCSqGSib3DQEHATAeBgIghkgBZQMEEAS4wEQQMZRJPAzwUrDgo7eNeAgEQglCaKxoCk4fZCEvPdjjpulclmRZqGLtgZi1T7CWawoAIZ4ca.

12.5 Key elements of recording systems

Recording systems must be based on the needs of a child or children. To facilitate a collaborative, multi-agency approach to supporting brothers and sisters with care experience and uphold their rights, the following elements are needed in the recording systems and processes used:

- All recording systems should be designed within the overarching framework of Getting it right for every child. Recording in a child's file needs to reflect their current legal status, and who has responsibilities and rights in relation to where they should live and who they can spend time with.
- The design of all recording systems must support practice around supporting sisters and brothers. This includes capacity to produce and store genograms (a form of 'family tree') for each child, the inclusion of fields on all relevant forms and report templates that prompt and allow for the recording of information about brothers and sisters, the connection of information about groups of brothers and sisters in information systems, and enable access to this information by the child if this is sought.
- Recording should focus on the needs of an individual child, but systems should be capable of incorporating information about relationships and the needs of different brothers and sisters in a sibling group. If information is duplicated in records within a sibling group, this must be accurate and efforts should be made to 'future proof' to mitigate the redaction of third party information relevant to a person's identity.
- Recording about relationships between brothers and/or sisters should be clear and written in plain English, contribute to the narrative of that child's life story, including details of their day-to-day life with their brothers and sisters, such as moments of joy and activities between brothers and/or sisters, and not be limited to difficult circumstances or documentation of risk.
- Recording of a child's behaviour and support needs should take a trauma-informed and responsive approach.
- Recording systems must be capable of recording information from the point at which a child or family first receives support, such as at a Team Around the Child meeting, through to their support in adulthood such as in throughcare and aftercare.
- Recording systems must be capable of recording any significant change in children's lives and their relationships with brothers and sisters, whilst also giving up-to-date information clearly and concisely.
- If a child arrives in Scotland unaccompanied or separated from their parents or guardian, it is crucial to source and record information about their brothers and/or sisters (as well as any other family member), connecting with other agencies such as the Scottish Guardianship Service or family tracing services to do so. It must also be noted that, for some unaccompanied children and young people, they can form strong 'sibling-like' relationships with the children and young people they live with (in residential homes, for example). These relationships may be incredibly important to these children and young people as they are not in contact with their parents or other family members.
- At all relevant times, recording should include information on the steps taken to uphold the rights of children, outlined in Section 2. This must include specific information about what steps were taken, and will be taken, to avoid circumstances where these rights cannot be upheld, such as when it is not in the best interest of a child to live with their brothers and sisters.

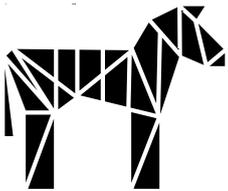
13. Supporting relationships

Whether brothers and/or sisters are living together or apart, their relationships with one another must be supported throughout childhood to realise their lifelong potential.

13.1 Nurturing positive relationships

There are both positive and negative aspects in the ways most brother and/or sister relationships are experienced, and these can change frequently.⁹² Confusing and contradictory feelings can be amplified for brothers and/or sisters living together away from home, who may find one another's presence simultaneously a comfort and a source of discomfort, connected to previous experiences or trauma; a protective presence, but also a source of rivalry; a confidant, but also an individual who holds deep personal information which they could choose to share.⁹³ These complex dynamics, often combined with the impact of pre-care experiences on their relationships, mean that children with brothers and/or sisters need the right care, support, and attention to enable their relationships to develop, and to flourish.

Providing a home environment where children can develop a sense of trust and security is a core foundation of life, from which relationships between brothers and/or sisters can grow and thrive.⁹⁴ Warm, receptive and consistent interactions with caregivers, and a reduction in any perception of unfair differential treatment of brothers and/or sisters, can help to ensure sibling relationships can improve over time.⁹⁵



Creative solutions

'We had never seen quite such a strong "parent" role towards her younger sisters as K showed. She would not allow adults in, and during the time they spent together her sisters fought with one another for her attention – it was stopping them all from enjoying their relationships as sisters. Over time, K got to know us and opened up to us about how sad she was and how unfair everything felt. As trust developed, K started to tell her sisters to "ask the grown ups" when they wanted help, their relationships became strong and appropriate, and although they do not all live together, they remain in each other's lives and have a strong and healthy bond.' (Source: STAR, Siblings Reunited)

Where children have experienced early adversity, they may find it harder to get along with their brothers and sisters, having had limited opportunities to develop some social-emotional skills.⁹⁶ Activities and interactions which build certain skills are helpful to supporting the development of brothers' and/or sisters' relationships, including:

- co-operating (e.g. in play)
- communicating (e.g. conversing, asking questions, responding)
- turn-taking (e.g. in games)
- sharing (e.g. toys)
- problem solving (e.g. negotiating, managing conflicts verbally)

92 McDowall, J. J. (2015) *Sibling Placement and Contact in Out-of-Home Care*. Sydney: CREATE Foundation. Available at: https://create.org.au/wp-content/uploads/2021/04/Sibling-Report_LR.pdf.

93 Leichtenritt, J. (2013) "It is difficult to be here with my sister but intolerable to be without her": Intact sibling placement in residential care', *Children and Youth Services Review*, 35(5), pp. 762–770. Available at: https://www.sciencedirect.com/science/article/pii/S0190740913000510?casa_token=CaE9kvBUDJcAAAAA:CpkKBxuuH3YuEPI15TAo_G8_y1L-zapgsFWEbHuLedGn1TqTz1mgMtiG6e4yBj_kXJuPKbe_DDA. In McDowall, J. J. (2015) *Sibling Placement and Contact in Out-of-Home Care*. Sydney: CREATE Foundation. Available at: https://create.org.au/wp-content/uploads/2021/04/Sibling-Report_LR.pdf.

94 Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.

95 Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.

96 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

Additionally, caregivers using consistent approaches in response to any aggression, and in maximising the use of positive attention, are both helpful in supporting the development of brothers' and/or sisters' relationships.⁹⁷

Focusing on support which reduces any conflict and/or aggression between brothers and/or sisters is core to improving their relationships, for example, through effective mediation by the caregivers, and being exposed to (and supported to make) positive affirmations about themselves and their brothers and sisters.⁹⁸

The potential of brothers and/or sisters to act as 'therapeutic agents'⁹⁹ for one another should be maximised. Researchers and practitioners emphasise the value of working with brothers and/or sisters together. This can involve therapeutic sessions where necessary (and depending on the similarity of the developmental stages of the brothers and/or sisters),¹⁰⁰ or less formal arrangements in the everyday, using play, art, and family-centred activities that build pro-social interactions.

In cases where brothers and/or sisters have experienced high levels of distress and trauma, or where there are mental health concerns, supporting the development of their relationships with their siblings may require specialist knowledge and skills from a clinical psychological-developmental perspective.¹⁰¹

Multi-agency working is required to ensure the timely provision of appropriate levels of support where brothers and sisters experience high levels of conflict within their relationship. Therapeutic interventions to support these relationships are invaluable in ensuring groups of brothers and/or sisters continue to live together.¹⁰²

13.2 Supporting new brother and sister relationships

It is often the case that there will be children already living in the home environment which a child joins when the child comes into care. For example, the biological children of kinship carers or foster carers, or other children living in their care. As relationships develop, children in this situation may begin to see one another as brothers and sisters, and these bonds may last a lifetime.

There are many positive aspects to these new relationships for all the children involved. Children may gain companionship and friendship fundamental to their wellbeing and development. There are also aspects which children can find difficult, such as sharing adult attention and affection, perceiving differential treatment, and sharing their space and possessions.¹⁰³ Decisions which have the potential to create new sister and/or brother relationships are significant and must be matched with the right level of support to enable these relationships to thrive.¹⁰⁴ Children may require support to navigate and develop their new relationships, and the quality and nature of these relationships is important to the success of placements. Strategies for parents and carers to use include:

- Finding shared interests, spending time playing and doing fun activities together with the support of parents and carers

97 McBeath, B. *et al.* (2014) 'Intervening to improve outcomes for siblings in foster care: Conceptual, substantive, and methodological dimensions of a prevention science framework', *Children and Youth Services Review*, 39, pp. 1–10. Available at: https://www.sciencedirect.com/science/article/pii/S0190740913003885?casa_token=lkuwbYlsq4QAAAAA:OwUQatB-rR3Uua3rm8tEU_rCmxKbPuwDaFfyjZ79FR_DCLy1bwgxFcOvgdVxNfmMywAdSBI26PA.

98 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

99 Sanders, R. (2004) *Sibling Relationships: Theory and Issues for Practice*. Basingstoke: Palgrave MacMillan. In Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.

100 McBeath, B. *et al.* (2014) 'Intervening to improve outcomes for siblings in foster care: Conceptual, substantive, and methodological dimensions of a prevention science framework', *Children and Youth Services Review*, 39, pp. 1–10. Available at: https://www.sciencedirect.com/science/article/pii/S0190740913003885?casa_token=lkuwbYlsq4QAAAAA:OwUQatB-rR3Uua3rm8tEU_rCmxKbPuwDaFfyjZ79FR_DCLy1bwgxFcOvgdVxNfmMywAdSBI26PA.

101 Saunders, H. and Selwyn, J. (2011) *Adopting Large Sibling Groups: The Experience of Adopters and Adoption Agencies*. London: BAAF Adoption and Fostering.

102 Saunders, H., Selwyn, J. and Fursland, E. (2013) *Placing Large Sibling Groups for Adoption*. London: CoramBAAF.

103 Advocacy in the (2008) *Policy Paper: Fostering Families: Supporting Sons and Daughters of Foster Carers*. London: The Fostering Network. Available at: <https://fostercarerresources.files.wordpress.com/2014/12/fostering-families-supporting-sons-and-daughters-of-foster-carers.pdf>.

104 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

- Ensuring children have enough focused time and attention from the adults caring for them
- Listening to the views and feelings of each child
- Facilitating access to groups where children are living in similar circumstances or having the chance to talk to other children whose parents are also carers
- Teaching children the skills to resolve their own disputes
- Encouraging reciprocity and sharing
- Seeking specialist help where there are serious conflicts.^{105 106 107 108}

13.3 Considerations for sisters and brothers who live apart

Where it is considered better for their relationship for brothers and/or sisters to live apart from one another, careful planning to ensure they keep in touch and that their relationships are supported to grow and develop is required. Planning is required to determine how, how often, and for how long brothers and/or sisters are in touch. This must be based on assessment, and consider a range of factors, principally, the nature of their relationship, future plans (e.g. any longer-term plans for brothers and/or sisters to live together), and the views and wishes of the children concerned.¹⁰⁹

There may be exceptional circumstances in which brothers and/or sisters live apart, not due to concerns about their relationship, but because of a lack of homes available where they can stay together. Brothers and/or sisters in this situation must be able to live together again as quickly as possible, and in the intervening time, to spend as much time together as possible, in line with their views and wishes.

When brothers and/or sisters do not live together, supporting them to spend quality time together is critical to maintaining and developing their relationships.¹¹⁰

Where brothers and/or sisters live apart, spending time together can raise a range of different emotions, and each child may need support and encouragement to express their feelings and know that these will be acknowledged.¹¹¹ Section 11 of this guidance is focused on planning and facilitating good quality family time for brothers and/or sisters who do not live together.

13.4 Knowing and understanding levels of contact with siblings

Children who have less contact with some or all their brothers and sisters must be supported to know and understand the reasons for this, in a way that is sensitive to their developmental needs. Without this reassurance, children may imagine they are at fault or to blame in some way, feel guilty, or feel rejected by their brothers and sisters. If decisions are not properly communicated to children, there is likely to be an adverse impact on their relationship with their brothers and sisters.¹¹²

105 The Fostering Network (2008) *Policy Paper. Fostering Families: Supporting Sons and Daughters of Foster Carers*. London: The Fostering Network. Available at: <https://fostercareresources.files.wordpress.com/2014/12/fostering-families-supporting-sons-and-daughters-of-foster-carers.pdf>.

106 Targowska, A., Cavazzi, T. and Lund, S. (2015) 'Fostering together – The why and how of involving and supporting biological children of foster carers', *Children Australia*, 41(1), pp. 29–38. Available at: https://www.researchgate.net/profile/Stephan-Lund/publication/282634032_Fostering_Together-The_Why_and_How_of_Involving_and_Supporting_Biological_Children_of_Foster_Carers/links/5db3e717a6fdccc99d9d629c/Fostering-Together-The-Why-and-How-of-Involving-and-.

107 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

108 Child Welfare Information Gateway (2019) *Sibling Issues in Foster Care and Adoption: Bulletin for Professionals*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. Available at: <https://www.childwelfare.gov/pubs/siblingissues/>.

109 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

110 Child Welfare Information Gateway (2019) *Sibling Issues in Foster Care and Adoption: Bulletin for Professionals*. Washington, DC: U.S. Department of Health and Human Services, Administration for Children and Families, Children's Bureau. Available at: <https://www.childwelfare.gov/pubs/siblingissues/>.

111 Saunders, H., Selwyn, J. and Fursland, E. (2013) *Placing Large Sibling Groups for Adoption*. London: CoramBAAF.

112 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

13.5 Supporting relationships where brothers and sisters don't know one another

Where children have grown up apart, they are likely, at some stage, to want to know more about any brothers and sisters they have. It is important that information about family is recorded so this can be shared in the right way and at the right time.¹¹³ Children may have worries about their brothers and sisters and they need to be sensitively supported with this. It may be that, for example, for some children being able to see a photograph of their brothers and/or sisters at any time helps them with their feelings.¹¹⁴

In other cases, brothers and/or sisters may feel ready to have direct contact with one another, whether by phone, social media, or in person. Planning this carefully with the full involvement of all the children concerned will give children a sense of agency and help them to know what to expect. Preparing children appropriately, discussing with all the parents and carers involved, and managing children's expectations are important components of successful contact. Giving children multiple opportunities to reflect and share their thoughts and feelings after they have met with their brothers and sisters can help them to manage any difficult emotions they may feel.

13.6 Support for families and carers

The importance of caregivers in influencing the development of relationships between brothers and/or sisters is clear and unequivocal.¹¹⁵ To meet children's needs, those who provide their day-to-day care (whether carers or family members) need support to understand a child's developmental needs in the context of their relationship with their brothers and sisters. This support must be available through discussions with their family, social workers, teachers and health professionals in the Team Around the Child. In cases involving attachment difficulties and trauma, the input of specialist therapeutic services may also be required to support families and carers to understand, plan for and meet children's needs.

Families and carers require access to significant ongoing support, across a range of areas (including emotional, practical and financial) to care for brothers and/or sisters and ensure the needs of children can be met. For more detailed consideration of the support required and how to provide them, please see Section 8.

113 Saunders, H., Selwyn, J. and Fursland, E. (2013) *Placing Large Sibling Groups for Adoption*. London: CoramBAAF.

114 Saunders, H., Selwyn, J. and Fursland, E. (2013) *Placing Large Sibling Groups for Adoption*. London: CoramBAAF.

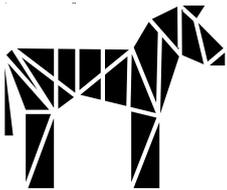
115 McBeath, B. *et al.* (2014) 'Intervening to improve outcomes for siblings in foster care: Conceptual, substantive, and methodological dimensions of a prevention science framework', *Children and Youth Services Review*, 39, pp. 1–10. Available at: https://www.sciencedirect.com/science/article/pii/S0190740913003885?casa_token=IkuwbYIsq4QAAAAA:OwUQatB-rR3Uua3rm8tEU_rCmxKbPuwDaFfYjZ79FR_DCLy1bwgxFcOvgdVxNfMywAdSbi26PA.

14. Spending time together

Brothers and/or sisters who live apart must be supported to keep in touch and see one another regularly, so that their relationships continue and develop. This is set out in the 2020 Act¹¹⁶ of the Children (Scotland) Act 1995, which establishes that where a child in care does not live with any or all of their brothers and sisters, the local authority must take such steps to promote and facilitate 'direct contact' between them and their brothers and sisters on an ongoing, regular basis, wherever this is appropriate. The presumption is that in every case this is appropriate, unless an assessment (which takes full account of the views of the brothers and sisters concerned) clearly demonstrates otherwise.

There are many ways in which brothers and/or sisters can see one another and spend time together. What is important is that, in every case, this happens in line with the child's needs and wishes, rather than being constrained by wider systems, bureaucracy or the plans or needs of adults. Whilst evidence is clear that children and young people with care experience know who they wish to see, there is also evidence that they are generally not satisfied with the arrangements in place to facilitate this.¹¹⁷

If brothers and/or sisters do not live together in care, they should live near to one another which will make seeing one another and spending time together frequently more straightforward than if their homes are further apart. More guidance is given in Section 13.



Creative solutions

'The two foster families who care for two siblings who are separated have a very simple but effective arrangement. One child goes every Friday to their sibling foster family for tea. If one carer is taking a child swimming or to the park for example, they will pick up the phone and ask the other carer and invite the other child along too.' (Source: East Ayrshire Council)¹¹⁸

14.1 Quality time

The specific ways in which brothers and/or sisters see one another, keep in touch and spend time together should be based on their individual needs, wishes and best interests. Notwithstanding this, there are some overarching principles to ensure that time spent together or in touch is a positive experience. These include:

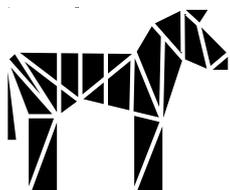
- **Being child-centred** – plans should be based on the wishes, needs, personalities, likes and dislikes of the children at the heart. Spending time together as children, playing, having fun and being together in a relaxed environment free from any external pressure.
- **Ensuring protected time** – spending time together with brothers and sisters should be exclusive time spent, and not conflated or merged with other times they may be together (such as at school) or when seeing other family members, such as parents. In line with the views, needs and wishes of children it may be positive to spend time with other family members together with brothers and sisters, but this should be in addition to time spent together, rather than instead of.
- **Predictability** – children should have a key role in choosing, and must know about, when, where, how and how often they will spend time or keep in touch with their brothers and sisters. This should be reliable, predictable and consistent, and avoid gaps in seeing one another and unknown plans. Children must be able to access advocacy and support if they feel this is not happening.

¹¹⁶ section 13, which amends section 17 of the Children (Scotland) Act 1995.

¹¹⁷ Baker, C. (2017) 'Literature Review: What Would the Best Care System in Scotland Look Like to You? The Views of Children and Young People, their Parents, Carers and Professionals', in Independent Care Review (ed.) *Evidence Framework Feb 2017 – Feb 2020*. Glasgow: Independent Care Review, pp. 224–306. Available at: https://www.carereview.scot/wp-content/uploads/2020/07/ICR_Evidence_Framework_v2-1.pdf.

¹¹⁸ We note that this may not be possible in every circumstance, such as if a carer has other children or commitments. Additional support and/or resource may be required to support this practice. Section 13 outlines further guidance on how practitioners can support families.

- **Being flexible** – in line with children’s needs and views, flexibility around spending time together should be facilitated. Ensuring predictability does not equate to a need to be rigid. If children had planned to go for a bike ride, but when the time comes they agree they prefer to go the park, they should be supported to go to the park.
- **Ensuring appropriate support** – where required, time together should be supported and facilitated by trusted adults (e.g. the carers of the children). Some brothers and/or sisters who wish to, for whom it would be safe and developmentally appropriate, and who feel secure in their relationships with one another, should be supported to organise and spend time together themselves. For some, having an activity to participate in will be important. For others, a high level of support and skilled facilitation may be required.
- **Proper resourcing** – if children require bus fares to meet one another, car lifts or support with other forms of transport; or money for drinks, snacks, or activities, these should be made available in a flexible and accessible way. This requires thought and planning by the Team Around the Child. For the local authority, this may involve joint working across teams, for example, in cases where children are meeting older brothers and sisters who are care leavers, sharing responsibilities for finances between children’s social work and throughcare and aftercare teams.
- **Being individualised** – plans should take account of the child’s individual needs, their life histories, and their developing relationships with their brothers and sisters, which will be informed by ongoing comprehensive assessment (see Section 10).
- **Ensuring natural and everyday experiences** – whilst recognising and meeting their individual relationship needs (which may be complex), brothers and/or sisters should be supported to spend time together in a natural and everyday way. In most cases this should include everyday childhood experiences such as spending time in one another’s homes, going round for a meal together, and having sleepovers. The levels of support which children need, and which parent and/or carers require to facilitate this, will differ depending on the individual children concerned.



Creative solutions

‘Two older sisters were placed in foster care together, while their younger siblings remained at home. The foster carer supported all four children to spend time together, arranging birthday and Christmas lunches; and arranged overnight visits for one of the sisters who wanted this. The carer took the older girls on holiday to the same caravan park as their birth mum and younger siblings so they could spend time together, but also have their own space in line with the children’s wishes.’ (Source: Barnardo’s Scotland)

14.2 Purposeful time together

From the perspective of adults, there may be different purposes and reasons for children to spend time and keep in touch with their brothers and sisters, depending on children’s needs and longer-term plans.^{119 120 121}

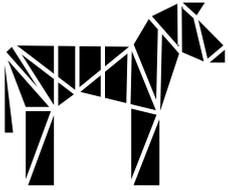
Of utmost importance, however, is the value, meaning and purpose which children themselves attach to the time they spend with, or ways that they are in touch with, their brothers and sisters. This can change over time and should be frequently discussed and revisited.¹²² From the perspective of children, their brother and sister relationships have lifelong potential, so strengthening and maintaining these should be the primary goal.

119 Contact After Adoption (2018a) *Practice Briefing: Sibling Contact*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).

120 City of Edinburgh Council (2014) *Keeping in Touch: Managing Contact for Looked After Children*. Edinburgh: City of Edinburgh Council. Available at: <https://www.standupforsiblings.co.uk/wp-content/uploads/2018/03/Keeping-In-Touch-Guidance-Edinburgh-City-Council.pdf>.

121 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

122 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.



Creative solutions

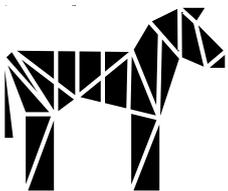
‘Our group of 4 brothers and sisters were really struggling with where and how to meet up together due to their multiple disabilities. STAR worked well for them and they particularly loved the woods and making bonfires and baking together.’ (Source: STAR, Siblings Reunited)

14.3 Choice, variety and needs

Sisters and/or brothers should be supported, enabled and encouraged to use a variety of methods to stay connected, maintain and develop their relationships, either to complement spending face-to-face time with one another, or as the main method of keeping in touch where face-to-face contact is not part of current plans.

From spending time together in one another’s homes, playing in the park, doing arts and crafts, playing computer games, going out for tea, going shopping, to going to the cinema, there are countless ways in which brothers and/or sisters can enjoy spending time together. Being able to spend ‘normal’ time together is important to children.¹²³ Children should be at the centre of deciding how they spend their time with their brothers and sisters, and the planning and support required to facilitate this will vary depending on the needs of the children at the centre.

Some brothers and sisters, who are comfortable and secure in their relationships are readily able to spend positive time together in whatever way they choose – be this in one another’s houses, in the school playground, in the local community, on holidays together, or other ways which are right for them. Such arrangements may need to be facilitated by parents and/or carers, depending on the ages and developmental stages of the children involved.



Creative solutions

‘A 12-year-old young person, supported by their advocacy worker, asked to attend a family meeting to share their wish for more contact with their siblings inside their family homes, rather than in public spaces. As a result, home contacts were put in place and support was provided by staff to the siblings if they needed this. A plan was also created to increase time together with the aim of overnights being started in time for Christmas holidays. Social workers involved were supportive with this process and purchased an extra bed for one of the homes, so the siblings could stay overnight together. The young person was happy with this progress and getting to have overnight visits regularly with their siblings.’ (Source: Who Cares? Scotland)

Given brothers and/or sisters who are in care will be living together unless there is a clear welfare reason that it is better for them not to be, it is likely that for many brothers and/or sisters who live apart, additional support with their relationships, the time they spend together, and the ways they stay connected, will be required. Where children have complex or difficult relationships or have not seen their brothers and sisters for some time, feelings of nervousness and anxiety can be alleviated through careful planning and preparation. Where children require encouragement to communicate and build their relationships, activities which facilitate this can be planned, such as visiting a farm or zoo. To begin with, activities which involve little direct communication might be appropriate, such as going to the cinema.¹²⁴

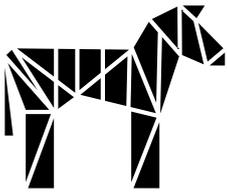
123 Parker, P. and McLaven, G. (2018) “‘We all belonged in there somewhere’”: Young people’s and carers’ experiences of a residential sibling contact event’, *Adoption & Fostering*, 42(2), pp. 108–121. Available at: https://journals.sagepub.com/doi/pdf/10.1177/0308575918773037?casa_token=yPm4RsWn5elAAAAA:KLEnv06sysjio55Kv48Pmvu0KaECn0kgKmsVGj91UUMbQk0QgOca7kQIgjSRw-gp-4lhvJB8vs54.

124 Contact After Adoption (2018a) *Practice Briefing: Sibling Contact*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).

14.4 Indirect Time Together

The COVID-19 pandemic has accelerated the use of digital communication as a tool to keep in touch with family. Virtual interactions have been very important to children in care in maintaining connections with their family, including brothers and sisters.¹²⁵ Rather than replacing in-person face-to-face time, having access to video calling platforms can enhance opportunities to see and speak with brothers and sisters living elsewhere. Children's experiences of virtual contact are affected by how the adults caring for them support and manage this. For example, younger children may benefit from some input from carers, or the use of a child's favourite things to frame the conversation, such as toys or a story book.

As we go forward with the implementation of these legislative changes it will be important to continue to attend to the needs of parents, carers and children for assistance with digital support (including the provision of equipment, broadband and data support and help to build confidence in using digital devices as a way of enabling positive communications between brothers and sisters).



Creative solutions

'We supported two brothers, who initially did not know they had a new baby sister, to meet her over Skype. They now have regular calls to read her a story and say hello during the pandemic. This has worked so much better than using unfamiliar rooms in a social work office as everyone feels natural and comfortable.' (Source: City of Glasgow Council)

The quality of pre-existing relationships affects children's experiences of virtual communication.¹²⁶ Some children may find virtual interactions to be less overwhelming and more manageable and enjoy the normalised and familiar way of communicating that this has become.¹²⁷ Showing brothers and sisters their homes on a video call can be positive for some children, whilst for others, without the right support, this may feel intrusive. Virtual interactions may be less meaningful for some children, very young children for example and children with additional communication needs. Each child is different, and their unique circumstances, views and needs should be central to all plans and decisions about keeping in touch. Whether the child's brothers and sisters have access to devices, connectivity and technical skills to operate these must also be considered, and steps taken to overcome any of these barriers.

In addition to video messaging, a wide variety of online communications can be utilised for brothers and/or sisters to enjoy spending time interacting together, such as gaming, messaging platforms, and social media. For all children, online communications require careful attention to internet safety by parents/carers. Resources to support parents and carers can be found in [Stop it Now – Kinship Cyber Resilience Training](#).

More traditional forms of keeping in touch, such as sending and receiving cards, letters and photographs can be important and experienced very positively, especially where face-to-face contact is not planned. Having regular news about family members can be very important to children.^{128 129}



Creative solutions

'The social worker for a family of 4 children who all live separately started a "round robin" phone call system. She has also encouraged them to make "newsletters" to share with each other to keep one another updated.' (Source: Aberdeenshire Council)

125 Neil, E., Copson, R. and Sorensen, P. (2020) *Contact During Lockdown: How are Children and their Birth Families Keeping in Touch?* London: Nuffield Family Justice Observatory. Available at: <https://www.nuffieldfjo.org.uk/resource/lockdown-keeping-in-touch>.

126 Neil, E., Copson, R. and Sorensen, P. (2020) *Contact During Lockdown: How are Children and their Birth Families Keeping in Touch?* London: Nuffield Family Justice Observatory. Available at: <https://www.nuffieldfjo.org.uk/resource/lockdown-keeping-in-touch>.

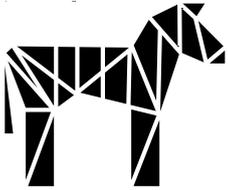
127 Neil, E., Copson, R. and Sorensen, P. (2020) *Contact During Lockdown: How are Children and their Birth Families Keeping in Touch?* London: Nuffield Family Justice Observatory. Available at: <https://www.nuffieldfjo.org.uk/resource/lockdown-keeping-in-touch>.

128 Neil, E., Copson, R. and Sorensen, P. (2020) *Contact During Lockdown: How are Children and their Birth Families Keeping in Touch?* London: Nuffield Family Justice Observatory. Available at: <https://www.nuffieldfjo.org.uk/resource/lockdown-keeping-in-touch>.

129 Contact After Adoption (2018a) *Practice Briefing: Sibling Contact*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).

For some children who do not wish to see their brothers and sisters in person, or for safeguarding reasons are not able to, indirect communication should be explored, established, and supported in line with children's needs and wishes. Less intensive communication, such as through sending cards or photographs, may be more suitable.

Some children may find virtual interactions less full-on and more manageable, and enjoy the normalised and familiar way of communicating that this has become, following the COVID-19 pandemic.¹³⁰



Creative solutions

'A 9-year-old young person living in residential care asked their advocacy worker if they could share their views in their upcoming review meeting, that they would like more contact with their younger sibling via FaceTime. Their sibling lives far away from them and at the review, it was agreed that the sibling's foster carer would arrange for photos, drawings and cards to be sent to the young person from their younger sibling. The young person was delighted to be receiving the letters and pictures from their sibling and the advocacy worker felt progress was made on realising importance of being in touch with their sibling for the young person.' (Source: Who Cares? Scotland)

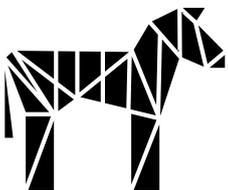
14.5 Planning for Time Together

Brothers and/or sisters who live apart will, by definition, be living in different circumstances to one another. To support and facilitate the best possible experiences for brothers and/or sisters when spending time together, it is crucial that family members, carers and practitioners involved in the child's life work together as a team, with the child, to plan and provide support for before, during and after the time they spend together. Consideration is required in terms of:

- the length and frequency of when the children meet
- the timing of meetings (considering other events in the child's life, such as meeting other family members or other notable events)
- the ways in which time spent together will be most meaningful and positive.

All these factors should be expected to change over time, therefore, frequent review of plans is required in every case, taking full account of the views and wishes of children and their brothers and sisters.

Through working collaboratively together, the adults involved in children's care can ensure strong plans are in place to support children. Without working closely together for the benefit of the brothers and sisters involved, such planning and positive experiences risk being undermined. Parents and carers should be fully prepared for and supported through this part of their role. More detailed information about this support is given in Section 13.



Creative solutions

'Three children had lived with the same foster family for some time but the difficult decision was taken that due to the high level of care needs the children have, one of the children would move to another foster family. While there had been a high degree of conflict between the children, it was evident they had had a very strong sibling bond and it was imperative to ensure these were repaired after the separation. The Foster carers understood that initially family time within the carer's homes would be too emotionally intense and they needed to inject fun back into the children's relationships. This included planned activities and days out together, this is currently fortnightly. The carers hope to be able to have each other's children over for tea and sleep-overs in the near future and be able to be more spontaneous.' (Source: East Ayrshire Council)

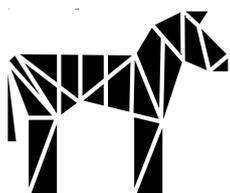
130 Neil, E., Copson, R. and Sorensen, P. (2020) *Contact During Lockdown: How are Children and their Birth Families Keeping in Touch?* London: Nuffield Family Justice Observatory. Available at: <https://www.nuffieldfjo.org.uk/resource/lockdown-keeping-in-touch>.

Supporting parents and carers to develop ideas and solutions requires skill and is important to achieving quality time and positive relationships between brothers and/or sisters.¹³¹ Careful thinking about places and activities which are suitable to meet the needs of all children, as well as planning to ensure children feel safe and supported during the time they spend together are required.¹³²

There may be situations where, for safeguarding reasons, it is not possible for children to spend time alone with their brothers and sisters. Forming robust plans which have children's views at their heart, are carefully considered, well negotiated, understood by all and properly supported, are crucial to upholding children's rights and ensuring a child's time spent with their brothers and sisters is positive.¹³³

Attention to overcoming practical barriers is a key part of planning. By working closely together, the Team Around the Child (including parents and/or carers) should identify and plan to resolve any practical issues which might interfere with the smooth running of brothers and/or sisters spending time together. This includes determining:

- who will provide support and oversight during the time spent together (if this is required, in line with children's views, and their relationships, needs and developmental stages)
- how any financial costs (for example for travel, activities, drinks, snacks etc.) will be met
- how and when brothers and/or sisters will travel to and from the place they will spend time together (if required).



Creative solutions

'One child's foster carers took great care to arrange positive family time for a child with her grown-up sister who lived some distance away. They supported the arrangements and drove the child to meet her sister, stayed in the area while they spend time together, and then drove her home again.'

The carers also made sure the child's younger sister was able to come to her birthday party, and stay after the party had finished to have one-to-one time together, seeing her bedroom and meeting the family pets. This has led to more plans for going to one another's houses for tea and having sleepovers in the summer holidays.' (Source: Aberdeenshire Council)

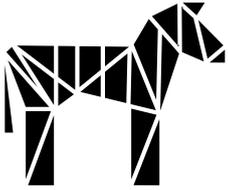
With the busy lives of parents and carers comes inevitable challenges to organise activities and opportunities for children to be together, and it is inevitable that one approach will not always ideally suit everyone involved. It is only by working together and being flexible with one another that the adults who care for and about the children involved can ensure the time they spend together is meaningful and free from any additional stress.¹³⁴ Children's views about how and who they would feel most comfortable about arranging and supporting the time they spend with their brothers and sisters should be given full consideration.

131 Contact After Adoption (2018a) *Practice Briefing: Sibling Contact*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).

132 Contact After Adoption (2018a) *Practice Briefing: Sibling Contact*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).

133 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

134 Contact After Adoption (2018c) *Practice Guide: Supporting Direct Contact Between Siblings*. Available at: <https://contact.rip.org.uk/topics/contact-with-siblings/> (Accessed: 29 June 2021).



Creative solutions

‘We need to make sure children aren’t exposed to institutional language and unnecessary barriers. One young person who had been seeing her sister only in the social work office asked me if she could have “unsupervised contact” with her sister.

Simply by agreeing with the young person’s foster carer to be around at the beginning of visits, to check both girls are happy and have all they need, these sisters could spend family time together in a much more natural way.’ (Source: Glasgow City Council)

14.6 Areas for special attention

Each child’s history and current situation is unique and must be considered carefully and holistically to ensure the best plans are in place to maintain and ensure the development of relationships with their brothers and sisters. There are some specific areas which can impact on brothers’ and/or sisters’ experiences that should be considered carefully in cases where they arise. These include:

- **Some children living with parents (or other family members)** – some children living away from their parents may have brothers and sisters who continue to live in the family home. Equally, some children who can no longer live with their parents may be living with kinship carers, whilst other brothers and sisters live with foster carers or in residential care. Spending time with their brothers and sisters in different situations may reinforce and provoke difficult feelings which children require sensitive and attuned support to understand and manage.
- **Time together with birth parents** – depending on their individual circumstances, special attention may need to be paid to the dynamics and relationships between brothers, sisters and birth parents. Where brothers and/or sisters who live apart from one another in care spend time together with their birth parents, this can be positive and enjoyable family time, but also holds the potential to pull children into previous roles, thoughts and behaviours which were part of their past experiences of how their family functioned where there may have been neglect or abuse. This can be detrimental to their relationships with their brothers and sisters and should be carefully considered and appropriate support put in place if this type of family time is planned.
- **Feeling safe** – where there have been histories of intra-sibling abuse (emotional, physical, or sexual), if the brothers and/or sisters involved are going to spend time together, their feelings and experiences of safety are of primary importance. Patterns of dominance or exploitation can resurface during visits, and plans must be in place to ensure children’s safety and sense of emotional security is not compromised.
- **Secure care settings** – when a child is in a secure care setting, they have the same rights to see and maintain their relationships with their brothers and sisters as any child in any form of care which is appropriate for their care and protection. Practitioners working within secure care settings must work together with the Team Around the Child to ensure suitable places and spaces are available for children to spend time with their brothers and sisters.
- **A child may have a brother or sister who is in prison** – such a situation should not of itself preclude contact between them taking place.

14.7 Risks and benefits

Within the Team Around the Child, there may be concerns about the risks of brothers and/or sisters spending time together, particularly the potential impact on the stability of children's placements. For example, for children in long-term foster care or who are adopted, there may be concerns that spending time with brothers and sisters can limit children's ability to feel part of the family they live with. The welfare of the child must always be at the centre, and their long-term placement stability is an integral part of this. It must also be remembered, however, that there are risks associated with a child not having a relationship with their brothers and sisters, with similarly lifelong implications.¹³⁵

Several factors can help to minimise risks and maximise the benefits of spending time together. Firstly, ensuring that, from the beginning, parents and carers (kinship, foster, residential and adoptive parents) understand and are comfortable with the concept that for all children maintaining relationships with their brothers and sisters generally has important lifelong benefits them. Secondly, ensuring parents and carers feel supported and empowered to find arrangements which work for their families (taking the views and wishes of children into account) to facilitate brothers and/or sisters to keep in touch. The Team Around the Child have an important role to play in encouraging and promoting the value of brothers and sisters relationships, and where carers are finding things challenging, offering support, in both practical and emotional terms.¹³⁶

14.8 Role of specialist organisations

In most circumstances, brothers and/or sisters can be supported to stay connected and spend time together by their family, carers, and the Team Around the Child (which may include specialist professionals with a specific focus on supporting the relationships between brothers and sisters, such as clinical psychologists or other specialised therapists).

There are circumstances in which more intensive support arrangements are required to enable brothers and/or sisters to spend time together, especially where they have experienced traumatic histories and/or have not been in contact for extended periods of time. Specialist organisations may have a role in these cases, and have been found to be of most benefit where:

- There are informal opportunities for brothers and/or sisters to meet and participate in activities
- There is support to ensure safeguarding, but the setting/supervisions does not feel imposed or formal
- Volunteers are trained and supported to facilitate visits
- Funding is in place to enable travel and activities¹³⁷

In Scotland, the [Siblings Reunited](#) (STAR) project provides such a service for brothers and/or sisters who have been separated and need specialist support to spend positive time together. STAR provides opportunities for positive shared experiences in a safe and natural environment with the support of skilled volunteers.

135 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

136 Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

137 Sebba, J. (2017) *Evaluation of the Siblings Together Buddy Project: Final Report*. Oxford: Rees Centre, University of Oxford. Available at: <http://www.education.ox.ac.uk/wp-content/uploads/2019/06/Siblings-Together-Final-Report.pdf>. In Beckett, S. (2021) *Beyond Together or Apart: Planning for, Assessing and Placing Sibling Groups*. Second ed. London: CoramBAAF.

Staying Together and Connected: Getting it Right for Sisters and Brothers **National Practice Guidance**

Part 3

15. Children in Fostering Families – Exceptional Circumstances

Amendments to the Looked After Children (Scotland) Regulations 2009 have been introduced to remove a barrier to children living together in foster care, where this meets their needs and is the right thing for each of them. What is best for each child is the primary consideration, and is itself dependent on whether the foster care family has the capacity to meet all of the children's needs without becoming over-burdened.

Where more than three unrelated children are placed together in foster care on a short term or emergency basis the amendments enable a greater degree of flexibility to enable them to continue living together. To consider and decide if there are exceptional circumstances which mean such placements should continue in the longer term is complex work, requiring skilled assessment of children's needs and foster carer's capacity, strong collaborative working, and sound professional judgement.

Prior to this, the final report of [Scotland's National Foster Care Review](#), published in 2013, recommended the introduction of a maximum placement limit for foster care for unrelated children.¹³⁸ In order to improve the quality of care to individual children, and to help reduce the burden placed on some carers, a maximum limit of three unrelated children in a fostering household was recommended. The Review recommended the limit be subject to some exemptions in emergency situations, or to provide children with short-term placements. Such exemptions must be for no longer than 28 days. The Scottish Government agreed with these recommendations, and that the placement limit should be entered into statute.¹³⁹ In recognition of the need to keep brothers and sisters together, groups of three or more siblings were not, and are not, subject to this placement limit. The placement limit was introduced by the [Looked After Children \(Scotland\) Amendment Regulations 2014](#), which introduced [Regulation 27A: Placement Limits](#) to the [Looked After Children \(Scotland\) Regulations 2009](#) (the 2009 Regulations).

Regulation 27A(1) sets out that a local authority must not place a child with a foster carer where the placement would result in more than three children being placed with that foster carer at the same time. Regulation 27A(2) outlines the exceptions to this, namely: in cases of emergency or for short-term arrangements of less than four weeks (27A(2)(b)); and when a group of more than three siblings are being placed in foster care (27A(2)(a)). Regulation 2 of the 2009 Regulations (as amended by [Looked After Children \(Scotland\) Amendment Regulations 2021](#)) establishes that the interpretation of siblings includes those who have at least one parent in common, and those with whom a child has lived or is living, and with whom they have an ongoing relationship with the character of a relationship between siblings. For more detailed guidance about definitions and interpretations of siblings relationships, please see Part 1: Chapter 5 of this guidance.

In the wake of Covid-19, due to growing concern that increasing numbers of children could require foster care placements for reasons associated with the pandemic, the placement limit was temporarily removed. This was via paragraph 10(5) of [Schedule 3 of the Coronavirus Scotland Act 2020](#), which stated that Regulation 27A of the 2009 Regulations should be treated as if it was repealed. This temporary provision expires on 30th September 2021, due to no longer being necessary and proportionate in relation to the pandemic.

138 Looked After Children Strategic Implementation Group [LACSIG] (2013) *National Foster Care Review: Final Report*. Edinburgh: LACSIG. Available at: <https://hub.careinspectorate.com/media/1277/national-foster-care-review-final-report.pdf>.

139 The Scottish Government (2014) *Scottish Government Response to the Findings by the Foster Care Review*. Edinburgh: The Scottish Government. Available at: <https://www.gov.scot/binaries/content/documents/govscot/publications/corporate-report/2014/01/scottish-government-response-findings-foster-care-review/documents/00442537-pdf/00442537-pdf/govscot%3Adocument/00442537.pdf>.

16. Current legislative arrangements

Rather than reverting to the pre-Covid-19 legislative arrangements in relation to the three-child placement limit, an improvement has been introduced to provide greater flexibility into the care planning of children in need of foster care placements, whilst continuing to ensure they receive high-quality care from foster carers who are not over-burdened. The need for a further layer of exemption from the placement limit, for specific children in specific circumstances, has been highlighted, and was incorporated into the 2009 Regulations via the Looked After Children (Scotland) Amendment Regulations 2021 which introduced [Regulation 27B](#) to the 2009 Regulations.

Regulation 27B establishes that:

- if a child is residing with a foster carer under an emergency or short-term arrangement which involves more than three unrelated children all residing with that foster carer (under Regulation 27A(2)(b))

and

- exceptional circumstances exist so that the welfare of the child, and of any other child placed with the foster carer, would be safeguarded and promoted by continuing the placement, such placements can continue (subject to referral to the fostering panel as set out below and in section 5).

If such a situation arises, the local authority must make a referral to the fostering panel within four weeks of the date that the child was placed with the foster carer (or as soon as practicable thereafter). As is required practice for all referrals to the fostering panel, the local authority must provide the panel with information about the foster carer, their household and family (under [Schedule 3](#) of the 2009 Regulations), and any other information the local authority considers to be appropriate.

The result of these changes is that, where previously it was only possible for more than three unrelated children to reside with the same foster carer for a four-week period, such arrangements can now continue in the longer term, if this arrangement is appropriate for the child and all other members of the household, including the foster carers. This adds a degree of flexibility which will be of benefit to children in certain circumstances. Bearing in mind the original purpose of the placement limit, this is rightly only possible in exceptional circumstances: where such an arrangement safeguards and promotes the welfare of all of the children in the placement. Clearly, if this would overburden the foster carer, it is unlikely that this will safeguard or promote the welfare of the children.

17. Transitional arrangements

Some children were placed with foster carers (where this resulted in more than three unrelated children residing in the household) during the period in which paragraph 10(5) of Schedule 3 of the Coronavirus Scotland Act 2020 was in force (4th April 2020 to 30th September 2021), i.e. whilst the three-child placement limit had been temporarily removed.

Local authorities will be aware that on 30th September 2021, this provision expires. For children placed under this emergency legislation, 30th September 2021 is considered to be the beginning of the four week period in which the local authority must make a referral to the fostering panel if exceptional circumstances exist and the placement is sought to continue.¹⁴⁰ If the placement should not continue in the longer term, the child can remain there for up to four weeks from 30th September 2021 (under Regulation 27A(2)(b) of the 2009 Regulations) to ensure planned transitions are facilitated.

¹⁴⁰ Under paragraph 1(8) of the Transitional and Savings Provisions Schedule of the Coronavirus (Extension and Expiry) (Scotland) Bill, available at <https://www.parliament.scot/-/media/files/legislation/bills/s6-bills/coronavirus-extension-and-expiry-scotland-bill/stage-3/bill-as-passed.pdf>

18. Exceptional circumstances

Only in exceptional circumstances will it be right for more than three unrelated children to live with the same foster carer(s) for longer than four weeks. As is currently the case, care planning for each individual child must pay close attention to the risks to children's wellbeing of entering into a short-term placement arrangement which may not be appropriate to continue beyond four weeks. It is only in exceptional circumstances that it will be in all the children's best interests for such placements to continue longer-term, and it must not be assumed that all emergency placements of this type can (or will) become permanent arrangements. Assessment of the risks to the child of potentially introducing an additional placement move must be balanced with the risks of not making an emergency placement at all, and with making a different placement entirely.

All children need the same core care components to thrive: a stable home, the right support, and consistent loving relationships. Each child who is living in foster care has their own distinct and complex history, and consequently their own unique needs from those caring for them. For foster carers to provide each child in their home with the care they require to thrive involves considerable attention, energy, time and dedication. This becomes harder to provide with more children, and where more than three unrelated children are living with them, this could result in foster carers becoming overburdened in trying to respond to and meet all of their needs in a therapeutic and trauma-skilled way. To meet the needs of children, foster carers must be supported and enabled to care without being over-burdened and experiencing excessive stress or pressure. Any assessment and care planning for children must take this into account as a matter of priority.

With this in mind, there are nonetheless circumstances where more than three unrelated children can live together in foster care placements which are stable, where all the children's needs can be met, and the foster carer(s) have the resources and support in place to ensure they do not become overwhelmed. **These circumstances will be rare, and so are the exception, rather than the norm.** In individual situations, where robust assessment during the initial four weeks demonstrates that the welfare of all the children involved will be safeguarded and promoted by continuing such a placement beyond four weeks, these circumstances are exceptional, and a referral to the fostering panel should be made to consider the continuation of the arrangement.

To ensure robust assessment is made and the best care planning decisions are taken, the following aspects are especially important when considering exceptional circumstances:

- *Needs of children.* The needs of each child must be fully and holistically assessed in order to ascertain whether the continuation of the placement is most appropriate to safeguard and support each child's welfare. Whilst the needs of each child will have been assessed prior to the initial placement being made, in emergency situations or for short-term arrangements, assessments may be less detailed and robust than is required to establish their longer-term continuation. The relationships between all the children in the household are an important part of this assessment, as well as their individual needs and whether these can be met living in a busy household with several other children. In addition to children's needs in the here and now, consideration must be given to how these may be likely to change over time as each child grows and develops. Information pertaining to assessing relationships, planning and decision making, and supporting relationships is provided in Part 2 of this guidance. Whilst written from the perspective of considerations for brothers and sisters, this information will also be helpful to inform approaches taken in this context.
- *Views of children, and of families.* Children's views must be taken into consideration in all decisions which affect them.¹⁴¹ Listening to the wishes, feelings, worries and needs of children when decisions are being made about their care is fundamental to upholding their rights. This includes the views of all children living with the foster carer(s), including any birth children of the foster carer(s). Detailed information to support practitioners in listening and talking with children can be found in Part 1: Chapter 7 of this guidance. In addition to considering children's views, the views of their family are also key

141 Article 12, United Nations Convention on the Rights of the Child (1989) (UNCRC)

considerations, and must be taken into account. Under Sections 17(3)(a) and 17(4)(a) of the Children (Scotland) Act 1995, there are legal requirements for the local authority to (as far as practicable) ascertain and give regard to the views of the child, their parents, and their siblings before making decisions about a child's care. The views of other important family members should also be listened to, valued, and taken into account.

- *Views and needs of foster carer(s).* In determining whether placements resulting in more than three unrelated children living together with a carer should continue for longer than four weeks, it is essential to listen to and fully consider the views of the foster carer(s). Foster carers must be sensitively and carefully supported to explore and express their views. They should feel safe and assured that they will be listened to and respected to ensure that they do not experience feelings of guilt, or perceive pressure upon them to continue with arrangements that are unmanageable. Consideration should be given to practicalities and resources that may be identified as potential barriers to a child being cared for longer-term. Full and thorough assessment of the foster carer's(s') skills and capacity to meet the needs of every child in their care must be given detailed attention, as individuals but importantly, as a group. As for all placements, robust matching is essential to ensure carers can provide the care that each child needs. Each situation will be unique and will be strongly influenced by the assessment of the needs of each child, and the care and support they require as individuals, and as a group of children living together. Where assessment identifies (as it is likely to do) that additional supports for carers are required to enable such placements to continue, these must be provided. These can include (but are not limited to) practical help, for example, access to a large enough car to transport the household; domestic support; financial assistance, for example, to make changes to the home to ensure everyone has enough space; peer support; and ensuring time for carers to pay attention to their own wellbeing, for example by going out to meet a friend, which may require additional adults as approved helpers. Further information about supporting families, including foster carer families, can be found in Section 8, Part 1 of this guidance.
- *The Team Around the Child, joint and multiagency working.* In order to make thorough and robust assessments of children's needs and determine if exceptional circumstances exist such that it is in the best interests of all the children involved to continue a foster care placement involving more than three unrelated children, it is essential for the Team Around each Child to work together in a coordinated way. In most cases, it is probable that the children involved will have different social workers, who must work closely together and with the foster carer's(s') supervising social worker to make an assessment. There may also be other parents and carers (foster, kinship and residential) whose views (and the views of whose supervising social workers, where applicable) should be considered, for example, those looking after any siblings of the children in other households. The professional opinions and observations of health, education, and other specialist practitioners (e.g. psychologists, play therapists, early years practitioners) are also required to inform a holistic and multidisciplinary assessment. All those involved in the assessment should be mindful of the potential impact on the children and foster carer(s) of numerous visits and meetings with professionals while assessments are undertaken. Ensuring the participation of children and foster carer(s) is essential but must be coordinated and planned in agreement with all involved and undertaken in a manner which does not overly disrupt day-to-day life. Further information regarding joint working can be found in Section 8, Part 1 of this guidance.
- *Implications for all children and young people involved.* As well as the views and needs of the children who are formally 'looked after' by the local authority, the views and needs of any other children in the household (such as any birth or adopted children of the foster carer(s)) must form a crucial part of any assessment. Children may require additional support to navigate and develop these new relationships, and for placements to be successful this support must be made available (for further information, please see Part 2: Chapter 13 of this guidance). Furthermore, the needs and views of any young people who are part of the foster carer's(s') family or household should be considered. This could include any young person living in the household in a Continuing Care arrangement, or a young person who was previously 'looked after' by the foster carer(s) and now visits and/or stays in the household regularly. The holistic family and household picture is critical to bring out in assessment, in order to make the right care planning decisions to safeguard and promote children's welfare.

- *Alternative options.* In every circumstance, robust assessment must evidence that the continuation of a placement of more than three unrelated children with a foster carer serves the needs of all the children in the household and the foster carer has the capacity and support to manage this in the longer term. An important part of this assessment is consideration of the alternative options, and whether these would better safeguard and promote the welfare of the children involved.
- *Facilitating quality care.* In making an assessment, practitioners should consider the extent to which continuing a placement of more than three unrelated children in one foster care placement enables children's experiences of care to be aligned with the [Health and Social Care Standards](#).¹⁴² Consideration of the relevant quality indicators contained in the Care Inspectorate's [Quality Framework for Fostering, Adoption and Adult Placement Services](#)¹⁴³ will be particularly useful.

142 The Scottish Government (2017) *Health and Social Care Standards: My Support, My Life*. Edinburgh: The Scottish Government. Available at: <https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2017/06/health-social-care-standards-support-life/documents/00520693-pdf/00520693-pdf/govscot%3Adocument/00520693.pdf>.

143 Care Inspectorate (2021) *A Quality Framework for Fostering, Adoption and Adult Placement Services: For Use in Self-Evaluation, Scrutiny and Improvement Support*. Dundee: Care Inspectorate. Available at: [https://www.careinspectorate.com/images/documents/6098/A quality framework for fostering and adoption and adult placement services May2021.pdf](https://www.careinspectorate.com/images/documents/6098/A%20quality%20framework%20for%20fostering%20and%20adoption%20and%20adult%20placement%20services%20May2021.pdf).

19. The role of the Fostering Panel

If, following assessment, it is felt there are exceptional circumstances which mean that a child may continue to live with a foster carer, and that this results in the foster carer looking after more than three unrelated children; and this situation should continue for longer than four weeks, then the local authority must refer the case to the fostering panel under Regulation 27B(2) of the 2009 Regulations. This referral must be made within four weeks of the date that the placement of a child resulted in more than three unrelated children living together in foster care (or as soon as practicable thereafter).

As with all referrals to the fostering panel, it is essential that the local authority provides information about the foster carer, their household and family (under [Schedule 3](#) of the 2009 Regulations), and any other information the local authority considers to be appropriate. In cases such as these which are considered to be exceptional circumstances, to enable them to make their recommendation the local authority should provide the fostering panel with comprehensive detail outlining

- the specific circumstances of the individual child's needs and why this is an appropriate match in exceptional circumstances
- the nature and conclusions of the assessment of all the needs of all the children living in the household (as individuals and as a group)
- the foster carer(s)' capacity to meet them
- the views of the children and foster carers involved

In addition to their recommendations about the suitability of the foster carer(s) to continue to care for the children, the fostering panel may wish to make recommendations about any resources or support that are required to enable the continuation of the placement. Upon receipt of any recommendation of the fostering panel, the local authority must take this into account and make a decision on whether the foster carer is suitable to care for the children concerned within fourteen days, and notify the foster carer within seven days. If the decision made by the local authority is contrary to the recommendation of the fostering panel, the reasons for this must be clearly recorded in writing.

20. Decision making in complex cases

In each unique and complex circumstance, practitioners and managers should be guided by an unwavering focus on making care planning decisions which are in the best interests of each child, with their need for stability in the long term always at the forefront. This is inextricably linked with the capacity of those caring for the child to meet their needs, during the complexity and challenge which come from caring for multiple children (as individuals and as a group), each with their own history and needs. As discussed in Part 2: Chapter 11 of this guidance, there are sometimes circumstances in which the needs and best interests of different children in the same household or placement do not align, and difficult decisions must be made in order to ensure the welfare of each child is safeguarded and promoted.

There are likely to be multiple perspectives from the different professionals involved (for example, different children's social workers and carers' supervising social workers) who, despite collaborative and multiagency working, may not always reach an agreement on the care planning decisions to be taken. In these circumstances, there is a key role for team managers to provide leadership in decision making. As outlined in Part 1: Chapter 9 of this guidance, where a child's care planning is intricately connected to that of other children, ensuring all the children have the same Independent Reviewing Officer can ensure consistent oversight and consideration of the views and needs of all the children. Such oversight will be invaluable in supporting decision making in complex cases.

21. Regular and ongoing review

Where there are exceptional circumstances and a placement involving more than three unrelated children living together in foster care is sought to continue, a referral should be made to the fostering panel within four weeks, or as soon as practicable afterwards. Where children have been placed with a foster carer on an emergency basis, a review of the placement is required within the first three days in alignment with Regulation 38(2) of the 2009 Regulations, and a following review must be held within six weeks (Regulation 39(3) of the 2009 Regulations).

Following the referral, there may be a period before the fostering panel is able to convene and make their recommendation, during which time it is important to continually assess and review the suitability of the placement to meet the needs of all the children. This assessment is additional to the formal reviews required by the 2009 Regulations, and is necessary to ensure that the placement continues to safeguard and promote the welfare of each child, and that the foster carer is receiving sufficient support to guard against them becoming over-burdened. Any additional support identified for the children and/or foster carer(s) can then be put in place timeously. In cases where there are felt to be exceptional circumstances, it is good practice to have visits undertaken at least fortnightly by a qualified social worker. Wherever possible, these visits should be made jointly by the children's social worker(s) and the foster carers supervising social worker to ensure the needs of all of the children, and the capacity of the foster carer(s) to meet them, are reviewed in the round. It may be helpful to discuss and agree the frequency and content of these ongoing review visits with the child, family, carer(s), and the Team Around the Child as part of (or immediately after) the initial three-day review required by Regulation 38(2) of the 2009 Regulations and in accordance with Schedule 4 of the 2009 Regulations, forming part of the Placement Agreement.

In many cases, much more frequent visits, conversations, and provision of professional support will be required to ensure that each child continues to have their needs met, and that foster carers have all that they themselves need to continue to provide the care each child requires individually, and as a group. Practitioners must be enabled to have the time and resource to provide such continual assessment, review and professional support. Alongside the child's needs and views, and those of the foster carer(s), ongoing review should also consider the views of the child's family; those of all professionals in the Team Around the Child; and those of other parents and carers (and their supervising social workers, where applicable) whose views are relevant, for example, those looking after any siblings of the children. All of these perspectives enrich and inform robust assessment, and should play an integral part of continued assessment, review and care planning.

Appendix A: Contributors

This guidance was informed and drafted by a national process led and facilitated by CELCIS, the Centre for Excellence for Children's Care and Protection.



Appendix B: Useful resources

Adoption and Fostering Alliance Scotland (AFA): <https://afascotland.com/>

Adoption Taskforce, CELCIS: <https://www.celcis.org/knowledge-bank/search-bank/adoption-task-force/>

Adoption UK (Scotland): <https://www.adoptionuk.org/scotland>

Advocacy for Children and Young People, Hearings Advocacy: <https://www.hearings-advocacy.com/>

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Children's Hearings Scotland (2021) *Legislative Changes: July 2021. Briefing Note for Partnership Engagement with Local Authorities*. Edinburgh: Children's Hearings Scotland.

Clan Childlaw: <https://www.clanchildlaw.org/>

Contact with Siblings, Contact After Adoption: <https://contact.rip.org.uk/topics/contact-with-siblings/>

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Foster Line, The Fostering Network in Scotland: <https://www.thefosteringnetwork.org.uk/advice-information/advice/fostering-network-helplines>

Getting it right for every child (GIRFEC), The Scottish Government: <https://www.gov.scot/policies/girfec/>

Kinship Care Advice Service for Scotland, AFA & Adoption UK (Scotland): <https://kinship.scot/>

Lifelong Links, Family Rights Group: <https://frg.org.uk/lifelong-links/>

Mockingbird, The Fostering Network in Scotland: <https://www.thefosteringnetwork.org.uk/policy-practice/projects-and-programmes/mockingbird-programme>

National Trauma Training Programme, NHS Education for Scotland (NES): <https://learn.nes.nhs.scot/37896/national-trauma-training-programme>

Parent Line, Children 1st: <https://www.children1st.org.uk/help-for-families/parentline-scotland/>

Rees Centre, University of Oxford: <http://www.education.ox.ac.uk/rees-centre/publications-resources/>

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Scottish Children's Reporter Administration (2021) *Legislative Changes: July 2021. Briefing Note for Partnership Engagement with Local Authorities*. Stirling: Scottish Children's Reporter Administration.

Scottish Kinship Care Alliance: <http://scottishkinshipalliance.com/>

Stand Up For Siblings: <https://www.standupforsiblings.co.uk/>

The Fostering Network in Scotland: <https://www.thefosteringnetwork.org.uk/about/about-us/our-work-in-scotland>

The Independent Care Review: <https://www.carereview.scot/>

The Promise: <https://thepromise.scot/>

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Edinburgh: The Scottish Government. Available at: <https://www.gov.scot/publications/advocacy-childrens-hearings-system-national-practice-model-guidance/pages/4/>

Therapeutic Education Support Service in Adoption (TESSA), Adoption UK (Scotland):
<https://www.adoptionuk.org/tessa-in-scotland>

Appendix C: Legislation

National legislation named in this Guidance

Adoption and Children (Scotland) Act 2007

Children (Scotland) Act 1995

Children (Scotland) Act 2020

Children and Young People (Scotland) Act 2014

Children's Hearings (Scotland) Act 2011

Coronavirus (Scotland) Act 2020

Looked After Children (Scotland) Regulations 2009 as amended by the Looked After Children (Scotland) Regulations 2021

International legislation and guidelines named in this Guidance

European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR)

United Nations Convention on the Rights of the Child (UNCRC)

United Nations Guidelines for the Alternative Care of Children

Appendix D: Bibliography

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