Social Work Academy
Safeguarding and Family Support Directorate
**Siblings: Together or Apart
Quick Guide**

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| **LEGISLATION*****Children Act 1989 (23) –*** The local authority must ensure that the placement is such that …if the child has a sibling for whom the local authority are also providing accommodation, it enables the child and the siblings to live together.***Adoption Act 2002 -*** Requires the court to consider “*likely effect on the child (throughout his life) of having ceased to be a member of the original family and become an adopted person”* and *“the relationship the child has with relatives (…) including the likelihood of any such relationship continuing and the value to the child of its doing so”.*The Act also requires the court to consider contact arrangements and allows the child and any relative to apply for contact (s26).  ***Welfare Checklist: Section 1 (4)******The Adoption Agencies (Miscellaneous Amendments) 2014 -*** Where the adoption agency is considering adoption for two or more siblings it must, in carrying out the duties in paragraph (1), consider whether to seek to identify prospective adopters who may be suitable to adopt two or more of the siblings together, having regards to the best interests of each sibling determined in accordance with section 1(2), (3) and (4) of the Act (considerations applying to the exercise of powers in relation to the adoption of a child). ***Adoption Agencies Regulations 12 (A) 2******Rights in International Law*** ***UN Convention on the Rights of the Child*** *Article 8* – Governments should respect children’s right to a name, nationality and family ties ***Human Rights Act 1998*** *Article 8* – right to respect family lifeReinforces the assumption that siblings living together should not be separated. * placement searches (assists in timely progression of children’s care plans, without the need for the sibling assessment to be reviewed or further oversight and direction from the court).
* **No contingency plan in final evidence** - the court will be critical of subsequent care plan changes that have not been agreed in proceedings.
* **LAC review** - can only endorse a care plan of adoption where it is satisfied that the sibling assessment has been completed to a high quality and all other options for the child have been considered and ruled out.
* **Sibling assessment and final care plan** - should be provided to the IRO at least 5 working days before the LAC review in order for the IRO to consider the plan and evidence.
* **Care plan** - considered by the ADM following all these steps being completed and in line with the timetabling.
* **Final care plan decision** - made by the ADM within 6 weeks of the LAC review that endorsed the recommendation.

**Conclusion of proceedings*****Placement Order not made*** * **ADM** - case to be represented to ADM at the earliest opportunity to reconsider *‘should be adopted’* decision.
* **ADM decision** - can place child/children without a LAC review having reconsidered the care plan (reason - new plan agreed in proceedings).
* **LAC review** - should be convened as soon as practicable following conclusion of proceedings to discuss new plan and set new recommendations for progressing the care plan.
* **ADM and LAC review** - should consider whether a review of the sibling assessment is required, depending upon the particular circumstances of the children involved.
 | **GUIDANCE** ***Together or apart decision making*** * **Together or apart decision making tools** - assist social workers and their managers to make evidence based decisions about whether or not a sibling assessment is required.
* **Decision re: whether to undertake a sibling assessment or not**: should be recorded on child’s file; it is **not part of** the local authority’s evidence.
* **Sibling assessment not required -** should bestated in the social worker’s evidence to court, including the rational for this decision.
* **Siblings to be placed together** – no sibling assessment required; analysis of the child’s needs to be included in the social worker’s evidence.
* **Complex circumstances (**e.g. new-borns have older siblings/half siblings already looked after, subject to special guardianship or other orders) - complex circumstances need to be clearly set out in the social worker’s initial evidence, including the rationale for completing a sibling assessment so care planning can be explored fully at the earliest opportunity in care proceedings.
* **Sibling assessment required -**standardised sibling assessment template to be used.

***Preparation of final evidence**** **Sibling assessment** – must be signed off by the relevant CSWM prior to presenting the proposed Care Plan to LAC review.
* **Heads of service** - should consider the sibling assessment in full before agreeing to the final care plan.
* **Final care plan** **(plans of adoption and long term fostering)** - should set out the proposed timescales for an adoptive placement/foster placement, searches and contingencies.
* **Contingency plan**- should include timescales for reviewing together placement searches and whether this is concurrent with or prior to single

***Placement Order made but Care Plan changes afterwards**** **Care plan progression post placement order** - should be reviewed through discussion between the child’s social worker, the IRO and Legal. This may be at a more regular frequency than the statutory timescales for LAC reviews.
* **Care plan of adoption for any child in a sibling group changes post placement order** - consideration should be given to a review of the sibling assessment, using the decision making checklist. Sufficient contingency planning during care proceedings should negate the need for a sibling assessment because all options will have been considered and discussed in the care proceedings.
* **Changes in the care plan** - must be endorsed by a LAC review and ADM to reconsider the *‘should be adopted’* decision, prior to an application being made to the court to revoke the placement order.

**Acronyms** **ADM** – Agency Decision**CSWM** – Children’s Social Work Manger **IRO** – Independent Reviewing Officer**LAC** – Looked After Children  |