

# Perspectives from the frontline: Exploring the implementation of legislative change into social work practice for brothers and sisters in care in Scotland

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## Abstract

Legislative changes aiming to protect and support relationships between brothers and sisters in Scotland's care system came into force in July 2021. These changes strengthened existing duties on local authorities to ensure siblings live together if they are in care, and to support them to keep in touch if they cannot live together. Drawing on literature and theory concerning policy implementation in a social work practice context, particularly the concept of 'street-level bureaucracy', this small-scale qualitative study used focus groups with social workers ( $n = 7$ ) from three Scottish local authority areas one year after the enactment of the legislative changes, and thematic analysis of the findings, to explore the implementation of legislative change into practice. The findings highlight a range of factors facilitating implementation, including increased momentum from broader care system reform in Scotland and enhanced focus on sibling relationships in care planning and review processes. Limited resources were seen to constrain implementation, particularly a lack of suitable placement options for larger sibling groups and limited time for social workers to spend supporting children to have contact with their siblings. The findings inform recommendations in relation to resources, training and learning, and assessment and planning, necessary to facilitate successful implementation efforts.

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*Keywords:* care; children; policy implementation; siblings; social work practice; street-level bureaucracy.

*Accepted: January 2025*

## Introduction

When concerns about a child's care mean they can no longer live with their parents, the importance of staying together with their brothers and/or sisters is widely recognized, and the unique nature and value of the lifelong relationship between a child and their siblings is well established within the literature (Woolley 2020). International rights instruments (including the [United Nations Convention on the Rights of the Child 1989](#) and the [United Nations Guidelines for the Alternative Care of Children 2010](#)) promote the principle of keeping siblings together in order to uphold children's rights to family life. While there will always be exceptions, research evidence indicates living together is often a protective factor for siblings in care (Meakings, Sebba, and Luke 2017; Monk and Macvarish 2018; Wojciak, McWey, and Waid 2018; Herbster and Ocasio 2021). Children continue to highlight the distress caused by being separated from siblings, including many who shared their views to inform recent reviews of care systems in the UK (ICR 2020; MacAlister 2022; Jones 2023). Whilst data representing the extent of sibling separation due to involvement with the care system are not routinely collected throughout the UK, evidence continues to highlight how vulnerable these relationships are to disruption, with research indicating that sibling separation in care remains prevalent (Woods and Henderson 2018; Jones, Henderson, and Woods 2019; Cusworth et al., 2022, de Souza 2023).

Whilst social work services in all UK jurisdictions work within legislative requirements to place siblings in care together where practicable ([Children Act 1989](#); [Children \(Scotland\) Act 1995](#); [Children \(Northern Ireland\) Order 1995](#)), Scotland introduced stronger legislation in 2021, designed to better protect the relationships of siblings in care. This article presents the findings of a small-scale qualitative study into factors affecting the implementation of this legislation, one year after its enactment. Progressive legislation may be well received, but implementing practice change in social work services is a complex task involving numerous challenges and competing demands (McGhee 2017; Shipe, Shdaimah, and Cannone 2022). To ensure positive change is felt by the brothers and sisters whose lives interact with the care system, understanding the challenges and enablers to implementation is crucial.

The last half-century has seen the development of an array of theoretical perspectives on policy implementation, each affording varying emphases to factors determining its success (Pulzl and Treib 2007). Drawing on Michael Lipsky's (1980) theory of 'street-level bureaucracy', this study explores progress on the implementation of new legislation and policy for siblings from the perspectives of frontline social workers practising in statutory children and family roles in three Scottish local authorities. With its focus on ways in which the broader work environment influences the practices and decisions of public service workers, the 'street-level bureaucracy' perspective is useful in enabling exploration of how practitioners navigate a complex role, under changed legislation, within an already challenging work environment, and how and whether their behaviour thus affects policy change in practice. Whilst a range of empirical studies on social work practice and policy implementation are underpinned by Lipsky's theory, none have used it to consider the implementation of new (and arguably complex) legislation in a contemporary social work context. This research thus offers a unique view from the frontline on everyday social work practice in the face of legislative and policy change and generates new knowledge and insights of relevance to both practice and policy.

After establishing the policy context, this article briefly discusses implementation theory and street-level bureaucracy before outlining the method used in the empirical work. Through analysis and discussion of the study's findings, implications are considered and recommendations in relation to resources, training and learning, and assessment and planning, are proposed to overcome key challenges to implementation.

## Background

### Policy context in Scotland

Concerted efforts to improve children's and families' experiences have dominated recent policy and practice developments in children's social work in Scotland. Responding to concerns over the experiences and life outcomes of children and young people with care experience, in 2016 Scotland's First Minister announced an Independent 'Root and Branch' Review to consider the legislation, culture, practices, and ethos of the care system. Differing from previous 'typical' reviews examining children's care (Anglin 2019: 10), the Independent Care Review (ICR) was driven by those with experience of care. The ICR's conclusions, entitled 'The Promise', were published in February 2020, informed by the views of over 5,500 children, young people and adults who had lived in care, as well as carers and the paid and unpaid workforce. In so doing, the ICR heard from children whose contact with the care system led to their

separation from brothers and sisters, and the pain and life-long impact of this (ICR 2020). ‘The Promise’ (ICR 2020) subsequently called for not only a stronger legal framework to acknowledge, protect, and promote sibling relationships and rights but also for support to enable the workforce to undertake high-quality assessments of the relationship needs of siblings and to meet these needs.

The attention the ICR brought to the issue amplified existing work to uphold siblings’ rights. Scottish research evidence demonstrated the extent of the issue of sibling separation, with Jones et al. (2019) and Jones and Henderson’s (2017) analyses of administrative data from the Scottish Children’s Reporter Administration (SCRA) finding seven out of ten children studied were estranged from at least one of their siblings. Additionally, also utilizing SCRA data, Cusworth et al. (2022) reported that only 22 percent of children coming into care who had siblings were placed together with at least one of them. Drawing on such evidence, alongside the powerful testimony of individuals with experience of sibling separation, a range of advocates, campaigners, academics, and organizations in Scotland formed the ‘Stand Up For Siblings’ (SUFS) partnership and intensified calls for change.

## Legal change

Pre-existing law (Looked After Children (Scotland) Regulations 2009) specified that local authorities in Scotland must assess children’s sibling relationships, and ensure they are placed together in care ‘where practicable and appropriate’. Whilst this presumption recognized the principle that siblings should stay together in care, concerns that, in fact, children had few enforceable rights in law brought focus to the need for the law to be strengthened (Jones and Jones 2018). Proposals seeking to better uphold siblings’ rights in care were included in a Scottish Government consultation to review the Children (Scotland) Act 1995 (Scottish Government 2018). This generated ‘overwhelming consensus’ in favour of strengthening the law to enable children to maintain sibling relationships (Scottish Government 2019: 47). As a result, legislative changes for siblings were proposed and subsequently enacted via the Children (Scotland) Act 2020 (the 2020 Act) and the Looked After Children (Scotland) Amendment Regulations 2021 (the 2021 Amendment). These changes require that:

- Where a local authority places a child with a foster carer, kinship carer, or in a residential placement, and any sibling of that child is also being placed in care (or is already in care), they must be placed together, as long as this is appropriate. If it is not appropriate to be placed together (i.e. if doing so would not safeguard and

promote the child's welfare), they should be placed in homes near to one another (2021 Amendment).

- The views of a child's siblings are sought, listened to, recorded and considered when a local authority makes decisions about a child's care, as long as this is reasonably practicable (s13 of the 2020 Act).
- When children are looked after, the local authority must ensure they are supported and helped to keep in touch with any siblings they do not live with. Local authorities must take steps to promote, on a regular basis, personal relations and direct contact between siblings, where appropriate (s13 of the 2020 Act).
- Children's Hearings Scotland [legal tribunals tasked with decision-making in the best interests of children in need of care and protection (Norrie 2022)] consider the involvement of siblings in a Children's Hearing, and facilitate this if decisions about their contact are likely to be made (s14 of the 2020 Act).

The 2020 Act clarifies who is considered to be a sibling, in recognition of the broad range of relationships which children (particularly children living in complex family structures and children in care) may identify as such (Jones and Jones 2018; Baker, Griesbach, and Waterton 2019). In addition to those with whom a child shares a birth parent, siblings are recognized as anyone 'with whom the child has lived and with whom the child has an ongoing relationship with the character of a relationship between siblings' (s13(2)(b) of the 2020 Act). The legal duties apply across the range of sibling relationships, including children who share a step-parent, those who live (or have lived) together in kinship, foster or residential care, and those living together after an adoption.

### Practice complexity

Social work decisions about the best interests of children are rarely wholly straightforward, and the complexity of decision-making for sibling groups, all the while ensuring that each child's best interests are held at the forefront, is often far greater still. The close, long-lasting nature of sibling relationships are generally characterized by care and love, as well as conflict and rivalry (McHale, Updegraff, and Whiteman 2012), though there are often complex and unique influences on the relationships between siblings with care experience (Beckett 2021). The experience of adversities in childhood and early trauma within families can impact the relationships between brothers and sisters, sometimes to the extent that it is not in their best interests to live together. Determining this requires complex, dynamic, and skilled assessment, and decision-making which can 'weigh heavily' on those involved (Beckett 2021: 3).

Recognizing the practice complexity in this area, national guidance was published by the Scottish Government in July 2021 with the aim of supporting practitioners tasked with implementing the strengthened legislation. The guidance notes:

decisions about appropriateness [of living together or keeping in contact] 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. ([Scottish Government 2021](#): 13)

Such complexity cannot be negated by passing legislation. Furthermore, the guidance acknowledges a range of structural issues contributing to the complexity of implementation, including the need for more staffing, greater financial and material resources, and the provision of placements to enable children to live together with their siblings ([Scottish Government 2021](#)). Arguably there is recognition within the guidance that practitioners may not have access to all they need to ensure its consistent implementation. In light of this, the Scottish Government established the Staying Together and Connected (STAC) National Implementation Group (on which the author, in a previous role within a national organization supporting improvement and implementation in children's care services, was co-chair) to guide and support ongoing implementation at a national level. At the practitioner level, however, the manifold legal requirements, which apply to a broad and flexibly defined set of individuals, were introduced into a complex area of practice, in a context featuring structural challenges. A need to understand the ways in which social workers were navigating this, and how they could be better supported to implement the law and guidance, and thus uphold siblings' rights, underpins the rationale for this research.

## Implementation—street-level bureaucracy

Analysis of factors affecting policy implementation is informed by the wealth of existing literature developed to address questions of the 'implementation gap' between governmental policy as designed, and as delivered ([Fixsen et al., 2005](#); [Eccles 2011](#); [Burke, Morris, and McGarrigle 2012](#)). Failure to do so risks basing conclusions on a partially sighted view of a complex array of influences and interdependencies and, as a result, failing to focus ongoing implementation support where it may be most needed.

Michael Lipsky's seminal work, 'Street-Level Bureaucracy: Dilemmas of the individual in public services' (1980), offers a useful theoretical framework from which to analyse implementation in this case. It reflects a 'bottom-up' perspective on the implementation gap, considering the influences on action by those enacting policy in their frontline practice, rather than those setting it at the governmental level ([Pulzl and Treib 2007](#)).

Referring to these practitioners as ‘street-level bureaucrats’, Lipsky outlines how their decisions, routines and ways in which they adjust their practices to cope with uncertainty and work pressure ‘effectively become the public policies they carry out’ (2010: xiii). Whilst their work is framed by governmental policy, they often must improvise in order to respond to the particular needs of individual ‘clients’ in a given situation. Because of factors such as limited time, information and resources, high demand for their service, or conflicting policy goals, street-level bureaucrats exercise ‘discretion’ in their behaviour and interactions (Lipsky 1980). This discretion often involves the development of ‘coping mechanisms’ in response to broader work environments, where constantly facing situations in which ideal practice is not possible forces practitioners to adjust either their attitudes or their behaviours, and deliver services which stray from original policy intentions.

Whilst the theory has not previously been drawn on in relation to the role of social workers in supporting children’s sibling relationships, the examination and theorization of social workers as street-level bureaucrats continue to underpin numerous empirical studies into their behaviour and coping strategies (Collins, Amodeo, and Clay 2007; Kirton, Feast, and Goddard 2011; Alden 2015; Baviskar and Winter 2017; De Corte et al., 2019; Jansen et al., 2021; Shipe, Shdaimah, and Cannone 2022). In a social work context, the use of ‘discretion’ and ‘coping strategies’ are understood as responses to the dilemmas and complexities of practice in the face of changing policy, scarce resources, organizational limits and varying senior management approaches (Nothdurfter and Hermans 2018). ‘Discretion’ and ‘coping strategies’ are neither necessarily positive or negative acts, and cannot be dichotomized between actions intended to favour service users and those intended to do otherwise (Nothdurfter and Hermans 2018).

The theory and its relevance to social work have drawn critiques too, such as the limited attention it pays to the role of professionalism (Nothdurfter and Hermans 2018) and the argument that discretion is inevitable for practitioners because social work is complex, knowledge is contested, and there is no one single way to interpret policy in a given practice situation (Evans and Harris 2004). Despite these critiques, it remains a useful lens through which to consider operational social work practice in this case, and the behaviours used to navigate its complex context. Its use in relation to social workers’ role in supporting children’s sibling relationships, in the face of legislative and policy change, has the potential to generate new knowledge and insights of relevance to both practice and policy.

## Methodology

This study examined factors affecting the implementation of legislative changes one year after their enactment, from the perspective of frontline

social work practitioners. This, together with the researcher's own ontological and epistemological stance, favouring critical realism (Bhaskar 1986), pointed clearly in the direction of methods associated with the qualitative tradition. Whilst both semi-structured interview and focus group methods enable the elicitation and exploration of experiences and opinions, the additional advantage that focus groups provide to consider group interaction, collective sense-making, and areas of consensus and divergence informed the decision to follow this approach to data collection (Litosseliti 2003).

External constraints on the research, specifically of time and resources (given it was undertaken as a master's degree dissertation), limited the project's scale and scope. Through purposive sampling, three Scottish local authority areas were selected from which to recruit participants. In order to gather as wide an understanding of the barriers and enablers to implementation as possible, areas with diversity in dimensions which affect the working environment and context of social work practice were selected (including local authority size, levels of deprivation, rate of looked after children, and geography (urban/rural/proximity to central belt)). Ethical approval, by the Humanities and Social Sciences Ethics Committee at the University of Strathclyde, was granted on the basis that the three areas remain anonymous, but are referred to as LA1LargeUrban, LA2LargeRural, and LA3SmallUrban, on account of their relative size and urban/rural nature.

Utilizing existing professional networks at the strategic leadership level in each local authority area selected, participants (statutory social work practitioners in either 'children and families' or 'family placement' roles who had experience of working with siblings since the legislative changes were enacted) were recruited for focus groups. The length of time the participants had been practising in statutory children's social work settings ranged from two and a half to seventeen years. Focus groups were held with practitioners from within the same local authority to enhance openness and support deeper discussion about factors affecting implementation, without the fear of external judgement by practitioners from other areas.

Despite significant efforts at recruitment, small numbers participated in the focus groups. Nine practitioners gave their informed consent to participate, five from LA1LargeUrban, and two from each other area. Due to practitioners' diary commitments, two separate focus groups were arranged for participants from LA1LargeUrban. Due to participant sickness and technical issues respectively, the focus group with LA2LargeRural and one of the focus groups with LA1LargeUrban proceeded with a single participant, essentially resulting in them being interviews. To compensate for the inherent lack of group interaction in these cases, the perspectives and issues raised in other groups were drawn upon in order to maintain a discursive feel to the discussion. The focus groups lasted between sixty and ninety



minutes. A topic guide was utilized to elicit participants' experiences and perspectives on the barriers and enablers to implementing the new legislation in practice, though a semi-structured approach gave participants scope to direct much of the discussion. For convenience and cost-effectiveness, all focus groups were held online via Microsoft Teams in July 2022. Whilst participants' data was pseudo-anonymized at the point of transcription, given the nature of focus group discussions, assurances of full anonymity were not possible.

As an approach which allows the experience and perspectives of participants to be brought to the fore, thematic analysis, as outlined by [Braun and Clarke \(2006\)](#), was utilized to analyse the data. This involved familiarization with the data by the author, achieved by transcribing each focus group, reading the transcripts, and taking notes. Next, using a spreadsheet in Microsoft Excel, initial codes were ascribed to each relevant extract of data. Coding was approached inductively, prioritizing the issues brought forward by practitioners, rather than imposing an external coding framework. This aligns with the broader critical realist stance underpinning the methodology. Once coded, the data were examined in relation to one another to identify themes, which were further defined and named, before the written analysis of each theme was undertaken, supported by extracts from the data in the form of illustrative quotes.

## Findings

Four themes were developed, with factors affecting implementations (both enablers and barriers) evident within each.

### Conflicting commitments

All participants presented a deep commitment and desire to treat sibling relationships as a priority, and shouldered their responsibility to do so. However, most participants voiced concern, and at times frustration, that not all colleagues afforded the issue priority:

Different people within organisations have different values and put terms of priorities where that sits within the [pause] how can you say it? [pause] Within the priority of working your cases (LA2LargeRuralP1)

This suggests a commitment to prioritizing sibling relationships, now more deeply enshrined in legislation, is not reflected evenly across priorities for all practitioners. Varying degrees of commitment to sibling relationships were reflected in the extent to which practitioners kept themselves informed about the legal changes. Discussions suggested that there were limited training and learning opportunities about the new laws and guidance available, meaning self-directed learning was required,

but this was discretionary and dependent on whether practitioners chose to prioritize spending their time finding out more. This not only meant that learning was individualized, resulting in varied interpretations of the guidance between practitioners (even those who read the same information), but also absent and/or limited when practitioners did not prioritize self-directed learning about the issue. This was seen as contributing to further variance in terms of practitioners' knowledge about the changes, and how to put them into practice.

'You try to understand yourself what it's going to mean for your practice, but even at that—that's going to be your own interpretation of that, rather than, you know, somebody who's got a good knowledge of it and a good grasp of what it means from practice coming in and sharing that with everybody else'. (LA1LargeUrbanP2)

Participants identified wider contextual factors as instrumental in enhancing the prioritization of sibling relationships in their practice context. For example, in addition to the legal changes themselves, *The Promise* (ICR 2020) was viewed as integral in generating momentum around changes to the ethos of planning and decision-making, from being bureaucratic and systems-led, to being child-led and prioritizing loving relationships. This contributed to changes in thinking and embracing more creative approaches in practice. One practitioner reflected on a case where creative thinking meant that a sibling group could stay together in an emergency situation, rather than be separated, even temporarily.

I think what we managed to get was a blow-up bed, and three of them sharing the dining room that weekend. But we're thinking more creatively, and I felt when I went to senior management, our head of service about this, about could we do this? The response I got was immediate: Let's make this work. So, there is a shift and people are being more creative ... I think previously would I have asked that carer about her dining room? I don't know. (LA1LargeUrbanP1)

This example illustrates the influence of the wider environment on professionals' thinking, and whether the context for policy implementation is more enabling or supports the status quo.

## Resources

Despite their commitment, participants reflected that implementation of the legislation, and their capacity to explore and nurture sibling relationships, is impacted by practitioners' time, other workload pressures, and the capacity of agencies to source and finance adequately sized housing for siblings to live together. The impact of resources on implementation formed a strong theme.

It's very rare that when children are accommodated that they're kept together and that would be a resource issue over anything else. (LA1LargeUrbanP2)

Yeah, changing the legislation, in ideal circumstances... [pause] but in actual fact what we have: they don't match. (LA1LargeUrbanP4)

Limits to time, finance and physical space were cited as preventing practitioners from keeping siblings together, and from seeing one another regularly, especially in settings that are child-friendly. The lack of carers with large enough homes to care for larger sibling groups, and with the skills and capacity to meet differing and often complex needs of siblings, was raised in each focus group.

Our pool of foster carers isn't maybe that diverse to kind of approve to manage some of the level of need or age range. (LA3SmallUrbanP1)

Logistical challenges were a common experience across all focus groups, with particular challenges articulated by practitioners located furthest from Scotland's central belt. If children live at a distance from each other, spending time together involves travelling for long periods, which not only negatively impacts their experience, but is a practical challenge for social workers:

So when they aren't placed together. The biggest issue is logistics. Like 100%, no doubt about it. (LA3SmallUrbanP1)

Being unable to implement the legislation and guidance due to these constraints caused stress and frustration.

And now it's really difficult as a social worker, isn't it? Where we're really trying to work to our values and the policy changes, and just, you know, what's best for children. And when that's a conflict of what the reality of the system is, and what's out there and how things operate and work, and the barriers that we come against. That is difficult to... [pause] It has a big impact on, uh, our morale, doesn't it, really, at times? (LA1LargeUrbanP3)

## Good practice: complexity and constraints

Closely linked to the theme of resources, a third theme related to social work practice. Participants all discussed their use of practice skills, particularly in relation to undertaking complex and dynamic assessments of children's needs and best interests. This was often within the context of family relationships characterized by complexity, and uncertainty for practitioners tasked with weighing up significant decisions about children's lives.

I mean it becomes all those nuances in terms of practice. Yes, I think we can blanket say sibling relationships are important or paramount, but then you have to look at the minutia of it (LA2LargeRuralP1)

It depends on the dynamic within the sibling relationships, because you have some families where they maybe have a 16-year-old, a four-year-old and a one-year-old, you know. And in terms of the siblings, the 16-year-old actually can remain at home because some of those risks aren't as relevant. So if you think about it in that context, like that kind of throws some things up, thinking about those relationships and the different care needs between them. (LA3SmallUrbanP1)

This reflects the crucial role of assessment in determining care plans, which are in the best interests of children, especially where siblings have differing needs and/or views. Legislation and guidance provide principles and a framework for practice, but ultimately within this, practitioners must use their professional knowledge and skills to make incredibly complex and significant decisions about children's lives.

Changes to legislation were viewed as prompting increased attention to sibling relationships within assessment and practice, and the introduction of new assessment frameworks and accountability structures locally was seen as influential in guiding practitioners to ensure sibling relationships were fully incorporated into assessments and plans.

Before, we would just assume that's what's probably going to happen. But the thing now it's you've got to evidence that you're, you know, I guess local authorities have got to evidence that they're making these efforts to do these things, so we're definitely, it's in paperwork it's, you know. (LA3SmallUrbanP1)

However, a common problem was the limited impact of high-quality assessments, where resource constraints and procedural barriers restricted how and whether they were actually implemented.

They absolutely should be placed together. There's no reason, needs led, why they wouldn't be. And you can write that report 'til you're blue in the face. But all we are getting back is 'oh sorry, we can't facilitate that, there's no resources'. So what's the purpose in doing it if it's actually meaningless? (LA1LargeUrbanP2)

## Carers, family, and family time

The varying degrees to which families and carers understand and prioritize sibling relationships, and the impact this could have on children's lives, and on social workers' workloads, were highlighted in each group.

The bit that I find difficult is, I have a girl in foster care. None of her other five siblings are open to social work. Family won't let us in to

... speak to them. She wants to see her siblings. We have no way of doing that .... (LA3SmallUrbanP2)

There was a consensus that family time for siblings is preferable when it is natural and ‘organic’, and that this is best achieved with as minimal formal social work presence as possible, yet there can be resistance to this from parents/carers for a range of reasons, from the practical/logistical, to the personal/emotional. Participants felt an important part of supporting siblings who do not live together is promoting the development of their relationship through natural and normalized family time.

When they do spend time together, can it not just be at each other’s houses where they live, rather than, you know, this huge extravagant activity that puts pressure on everybody and then they all fall out because it’s just too overwhelming. So just like more natural time to spend together. (LA3SmallUrbanP1)

Participants viewed that this was best achieved without social work presence, but this relied upon children’s carers taking the lead in facilitating family time for siblings. Participants reflected that some carers do not see this as their role, or are limited practically, while others work closely with families to establish effective plans and arrangements for children to keep in touch with their brothers and sisters.

All those foster care and kinship carers are in contact with each other without us saying you need to be in contact. They send WhatsApp photos on their birthdays and whatnot. They have, it’s only three contacts a year, but you know, they do that. It’s so much more natural. (LA1LargeUrbanP4)

Raising awareness with carers about the benefits of supporting brothers and sisters’ relationships, and offering training and support to do so was suggested by a number of participants.

## Discussion

Each theme contains a range of barriers and facilitators to the implementation of legal and policy changes for siblings, over the first year of their enactment. Several concepts span across the themes, including how the importance of sibling relationships is understood and prioritized, the complexity of children’s and families’ lives (and therefore of the social work task), and the challenge of working on the frontline within a progressive and ambitious policy context, whilst being constrained by limited resources.

The theoretical perspective taken to consider policy implementation affects the way the implementation gap is understood and explained (Hupe and Hill 2016). Through its consideration of Lipsky’s ‘street-level bureaucracy’ and by exploring the perspectives and experiences of

frontline practitioners, this research takes a ‘bottom-up’ perspective, focusing on the influence of practitioners’ frontline practice on policy implementation. Lipsky (2010) suggests the difficulties and pressures of public service work, such as time constraints, high demands on services, and lack of access to appropriate resources, mean that ideal practice is often not possible, so practitioners respond by using discretion. Applying this perspective, evidence of social workers balancing policy ideals with the reality of needing to manage time, resources, skill levels, and training and knowledge gaps through the use of discretion can be seen here. Some ‘coping strategies’, which frontline practitioners use to manage the difficulties in their work are also evident. For example, practitioners may categorize sibling relationships to make them more manageable, for instance, into siblings with smaller and larger age gaps between them, potentially whose relationships are perceived to have different priorities. They may seek to conserve time by minimizing their role in logistical tasks, such as arranging family time for siblings, in favour of carers taking responsibility for this. Taking Lipsky’s perspective, something of a policy and practice paradox is highlighted in social workers’ efforts to implement laws and guidance for siblings, where ideal practice cannot always be carried out due to the constraints identified, leaving practitioners to do the best they can with what they have. Some practitioners will invariably try to prioritize this, but discretion plays a role in how consistent this is across the workforce, in the face of competing workload priorities and scarce resources.

Practitioners’ perspectives in this study highlight the limits to individual agency in implementing these changes within a system where, in spite of progressive policy and momentum for change, the recommendations from highly skilled needs-led assessments cannot be implemented due to lack of resources, meaning brothers and sisters cannot be kept together. The lack of resources (particularly financial resources, social workers’ time, and availability of suitable care placements) formed barriers to keeping siblings together, while logistical challenges, and limited child-friendly and affordable places and spaces, posed barriers to facilitating quality family time for siblings living apart. Despite advocating for resources to meet children’s needs, their availability is something frontline social workers may have little control or agency over. From a practitioner’s perspective, this, coupled with limits to their own time in the face of complex family dynamics, high workloads, and inconsistent training on legislative changes, are key limiting factors to implementation.

Enshrining new duties in legislation, and building in accountability measures through reporting, reviews, and assessment frameworks, were cited by practitioners as drivers of practice change, and the findings demonstrate that changes to local policy and practice have had a positive impact in terms of increased attention in assessments, plans, and recording of children’s sibling relationships. Some examples of creative thinking and flexibility in procedures were also evident, and participants

reflected that increased attention to the agenda and motivation driven by broader policy changes in the context of The Promise (ICR 2020) were also facilitators to implementation.

In the midst of all these factors, by positioning social workers as ‘street-level bureaucrats’ we can see the challenging position they are faced with, balancing policy (and practice) ideals in an under-resourced and complex working environment.

## Implications for social work policy, practice, and research

There are recognized limitations to the research design and method. As a small-scale study involving practitioners from three local authority areas, the findings do not represent either a comprehensive local or national picture. They do, however, provide a rich insight into experiences on the frontline of the challenges and enablers to implementation from social workers’ perspectives. Many of the findings align with recommendations from the STAC National Implementation Group’s final report (Scottish Government 2023). The findings indicate a need for attention to resourcing, so practice can be enacted in line with the national guidance. Resources are needed to protect social workers’ time, so they can assess and support children’s sibling relationships and manage logistical challenges; to recruit and support carers who are committed to supporting sibling relationships, including through facilitation of family time if siblings do not live together; to increase the availability of larger homes for siblings to stay in together if they are in care; and to increase the availability of child-friendly, relaxed, affordable places and spaces for siblings to spend quality time with each other if they do not live together.

The findings also indicate the need for development of training and learning opportunities, with and for the social work workforce, so there is increased consistency in understanding the legislative changes and guidance, and how to integrate them into assessment and planning.

The benefits of assessment and review materials which brought focus to sibling relationships in care planning were highlighted by these findings. Given that written records tend to reflect matters seen as holding the most importance in social work (Hoikkala and Pösö 2020), local authorities should ensure that reporting materials focusing on siblings are in use. Consideration when measuring outcomes or evaluating performance should be given to the extent to which the recommendations within assessments of siblings’ needs match the care plans in place.

In terms of further research, given the empirical work for this study was undertaken 12 months after the enactment of legislative change, follow-up work to explore factors affecting its ongoing implementation from a frontline perspective is recommended. This would enable consideration of practice change over time, whether the same issues remain, and how the

discretion and coping strategies of practitioners influence this. Such insights would be useful in informing continued implementation work in this case. More broadly, taking a street-level bureaucracy theoretical lens to policy implementation in social work practice enables an understanding of the discretionary behaviours and coping mechanisms practitioners utilize, and sheds light on issues which interfere with their ability to implement law and policy as intended. Applying this lens to other policy areas can provide fresh insights to inform implementation support, and ensure practice can be delivered in line with progressive policy intentions.

*Conflicts of interest.* None declared.

## Funding

None declared.

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British Journal of Social Work, 2025, 00, 1–18

<https://doi.org/10.1093/bjsw/bcaf015>

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