

Contact

And What It Means For You

Information for you if you have been adopted or are in care, about your rights to contact with your brothers and sisters



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Being part of a family, and knowing who your family is, is a huge part of your wellbeing, your identity and who you are. If you're not living with your birth parents, brothers and sisters, then keeping in touch can be really important.

Contact is the legal word used for the arrangements that are made for family members to keep in touch.

Contact between brothers and sisters is sometimes called 'sibling contact'.

A decision that's made 'in your best interests' may not always be the decision you want, and what you want may change over time.

Brothers, Sisters And Decisions

'In Your Best Interests'

When adults who are responsible for the welfare of children and young people (including Children's Services, Social Workers and Judges) are worried about the children in a family, they have to think about:

- What risks there are to you if you stay in your family
- The relationships between you and your brothers and sisters
- What you and each of your brothers and sisters think about what should happen
- Who it will be best for you all to live with and whether you can be kept together
- What contact arrangements should be put in place if you can't be kept together

The adults responsible for you and for the decisions that are made about you have to keep you safe.

They must make decisions that are in your 'best interests' - as well as in the best interests of your brothers and sisters. This balancing act means that sometimes different arrangements are made for brothers and sisters in the same family, and so they don't live together.

A decision that's made 'in your **best interests**' may not always be the decision you want, and what you want may change over time.

Contact

Arrangements that are made about where you should live, who will look after you, and anything else that you need for your care and support, will be included in your **care plan**. The care plan will also include details of the contact you should have with your birth family, including your brothers and/or sisters.

Contact arrangements that are put in place, and any change in contact, must make sure you will be safe.

Contact arrangements sometimes break down, but you can try and make contact work again.

Contact arrangements do not always happen in the way they are supposed to. They can break down for different reasons, but there are things you can do to try and get contact arrangements working.

Adoption

If you are **adopted**, you become part of your adoptive family. Legally, you no longer belong to your birth family, but you should still know about your background, and have contact with your birth family if it's right and safe for you.

'Life journey' work with social workers and carers is one way you can know about your background. Alongside your life journey work, there will be a plan in place for contact with your birth family. This will usually be '**indirect contact**' – often called letterbox contact – based around exchanging letters.

Indirect contact is designed to help you to settle with your adoptive family and protect you from risks that might come from direct contact with your birth family, but allow you to keep in touch with them. Through indirect contact, you can find out how members of your birth family are getting on and they can find out the same about you. To begin with, this arrangement will be between your adopters and your birth parents and/or brothers or sisters. Your adopters will be able to tell you how often contact happens; you may have already been involved in letters or drawing pictures to send to your birth family.

If you have brothers or sisters who were also adopted, but by a different family, or are still in long-term foster care, or other types of placement, the plan might encourage **direct contact** – meetings and visits – with them.

No one can be forced to continue contact arrangements. Sometimes, birth families don't keep up contact. Equally, although adoptive parents are encouraged to continue contact, there are times when this doesn't happen. You may be able to talk to your adoptive parents about why contact isn't happening or how you'd like it to change but, if you'd feel uncomfortable about this, your adoption agency or Regional Adoption Service can offer you help and support.



Looked After

When the Local Authority has taken some legal responsibility for your welfare, it is called being '**looked after**'.

If you are looked after, the Local Authority should promote contact with your birth parents, and with other brothers and sisters who aren't living with you. Your **care plan** should explain the contact arrangements.

If you have questions about contact, or your wishes about contact change, you can talk to your Social Worker or **Independent Reviewing Officer (IRO)** who is there to make sure that your care plan is working.

Your Social Worker can help you get **advocacy support** to help you make the points you want to make about contact with your brothers or sisters or birth parents.

Social media

Contact arrangements are very unlikely to include using social media, which can be hard to control and can put you at risk of the harm that contact arrangements are designed to prevent. Being contacted by someone from your birth family could feel exciting or frightening – or both. You shouldn't feel pressured into replying straight away. You can talk it through with your adoptive parents, the people caring for you, your Social Worker or IRO if you have one, or one of the organisations listed in this factsheet. They will give you support and help you make the right decisions about how to respond.

In the same way, using social media to get in touch directly with someone from your birth family might not be the best way to go about having contact with them. The person you contact may feel frightened or upset. You might put yourself at risk by contacting someone in this way. The same people mentioned above can help you work out a better way to have contact and help and support you if you make contact but things don't go how you'd like them to.

Family & Friends Care/ Special Guardianship

Sometimes, you might be living with a parent or relative but still be 'looked after' because your family is being supported by the Local Authority.

Otherwise, arrangements might be made for you to live with one or other of your parents, another relative, or with friends either through a **Child Arrangements Order** or **Special Guardianship**. Once the arrangement is in place, you won't have an ongoing relationship with a Social Worker or IRO.

If you want to talk about contact with brothers or sisters, or other members of your family, the first place to start is with the people caring for you who may be able to explain more about what has happened, and help establish contact.



'Rights' and the law

The law and how it works in Wales is based on internationally recognised rights that all children and young people have, set out in the United Nations Convention on the Rights of the Child, including

- The right to preserve family relations (*Article 8*)
- If you do have to be separated from your parents, you should still be able to have contact with them, if it's safe for you, and you want to (*Article 9*)
- The right to be able to express your views about what should happen to you, and for those views to be taken into account when decisions are being made about you by. (*Article 12*)
- The right to special protection and assistance if you can't live with your family (*Article 20*)
- If you are adopted, that adoption must be in your best interests (*Article 21*)

Public bodies in Wales must respect these rights, whoever you are - whether you're looked after, adopted, or some other private arrangements are in place.

In Wales, the law around adoption, and around being looked after is contained in:

- Children Act 1989
- Adoption and Children Act 2002
- Social Services and Wellbeing (Wales) Act 2014

Law and practice can change

The law, and the way it's followed, can change. Local Authorities may have dealt with contact issues differently in the past.

Much more recognition is given to the importance of relationships between brothers and sisters now in Wales than it was even a few years ago. The information in this factsheet is based on what happens now – 2019.

Once you're 18...

If you're adopted

Once you're 18, you can access information to apply for your original birth certificate (if you don't already have a copy) which can help you trace your birth parents, and any brothers or sisters, if you don't know where they are.

If you were adopted on or after 30 December 2005, you need to contact the adoption agency that placed you for adoption for this information.

The adoption agency should also be able to provide information to you if you are trying to trace a brother or sister who was adopted.

You can put your details on the Adoption Contact Register - or you can indicate on the Adoption Contact Register that you don't want your details passed on. www.gov.uk/adoption-records/the-adoption-contact-register

If you have any questions about accessing your files or other information about you and your adoption, your Regional Adoption Service can help you.

If you're looked after

As you approach your 18th birthday, your Social Worker will work with you to create a Pathway Plan which can cover contact with your family. You will also have the support of a Personal Adviser who can help you with contact issues until you are 21 (or 25 if you're in full time education).

Children's Services or any of the organisations listed below relating to care (rather than adoption) can offer help and support.

For more help and support:



Regional Adoption Services

Western Bay

0300 365 2222

email: enquiries@westernbayadoption.org
westernbayadoption.org

Vale, Valleys & Cardiff

0800 023 4064

email: contact@adopt4vvc.org
adopt4vvc.org

South East Wales Adoption Service

01495 355753/355764

email: adoption@blaenau-gwent.gov.uk
blaenau-gwent.gov.uk/resident/health-wellbeing-social-care/adoption/adoption-looked-after-children/south-east-wales-adoption-service

North Wales Adoption Service

0800 085 0774/01978 295 311

northwalesadoption.gov.uk

Mid & West Wales Adoption Service

01267 46970

email: adoptionenquiries@carmarthenshire.gov.uk
adoptionmwwales.org.uk

Online Resources

Children's Social Care in Wales

Information about Children's Social Care law in Wales
sites.cardiff.ac.uk/childrens-social-care-law

Children's Legal Centre Wales

Information about the law and how it affects for Children and Young People in Wales
childrenslegalcentre.wales

Other Organisations which can help you

Adoption UK

02920 230319

email: wales@adoptionuk.org.uk
adoptionuk.org/wales

Adoption UK offer a variety of support services for children and young people

Voices from Care

02920 451431

email: Info@vfcc.org.uk
vfcc.org.uk

Children in Wales

(029) 2034 2434

email: info@childreninwales.org.uk
childreninwales.org.uk

NYAS National Youth Advocacy Service

0151 649 8700

email: info@nyas.net
nyas.net

Meic

0808 80 23456

SMS Text: 84001

IM/Online chat: www.meic.cymru
meiccymru.org

TGP Cymru

029 2039 6974

email: admin@tgpcymru.org.uk
tgpcymru.org.uk

Association for Fostering and Adoption Cymru

02920 761155 / 01745 336336

afacymru.org

Children's Commissioner for Wales

01792 765600

email: post@childcomwales.org.uk
childcomwales.org.uk



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This factsheet has been prepared in partnership by the *National Adoption Service* and the *Children's Legal Centre Wales*. It is written on the basis of the law and policy as it stands at July 2019. It is intended as a guide to the law on contact generally. If you need advice about your situation, the organisations listed in this factsheet will be able to help you.