

Family group decision making in Scotland

SUMMARY OF KEY FINDINGS

**“If this had been
around sooner, we
might never have
got to crisis”**

Parent*





A letter from a family
to decision makers

Dear key decision makers and people in power,

Our family's experience of family group decision making (FGDM) was wonderful. It took a lot of the grey away during a hard time for our family. The workers were nothing but respectful of our children, us and our extended family who were all part of the FGDM process.

FGDM made a difference to our family because we made a plan with all the bottom lines met, which meant for us there was no doubt, we had confidence in our plan, which took away a lot of the unknown from the situation we were in.

The plan made with the help of FGDM was solid. All black and white, no grey areas. This was important to us as a family, because everyone in the extended family was included and we all knew what was possible, what each person offered and our contingency plans. We all had a say and were included which made everyone feel secure in our family's plan. Our three year old was even included, he was asked his opinion and was a part of the process which made him feel included in the family plan, which he loved because he wasn't watching things unfold but being part of it.

We would like this to be available to other families in future because FGDM became involved due to an obvious tough time for our family, not just our children. Through FGDM we had lots of helpful information, resources and our whole extended family (a large family) were really listened to and we got help to create the best possible plan.

We cannot thank Children First enough for the support they gave us and continue to give us. The biggest was allowing us to feel confident in our plan and the general approach of FGDM. Our workers were strangers to our family and it's a scary concept bringing in an outside party to help our family, which turned out not scary at all. We are very grateful for them being available to our family at a time when we needed this support the most to keep our family together with a solid plan.

From,
a family with recent experience of FGDM

FGDM IN SCOTLAND

WHERE DID WE COME FROM?

- In principle FGDM and children's hearings should have a deep compatibility in terms of shared purpose and values. While they developed separately, the origins of FGDM resonate with the children's hearings system and the findings of the Promise. Each respectively had a strong focus on empowering families to support children's best interests, strengthening the opportunities for children to live happily and healthily without the need for intervention.
- The legislative and policy framework in relation to FGDM creates responsibilities for local authorities to offer FGDM services. However, the journey to legislation was relatively complicated and may have lacked impetus on implementation.
- On the basis of Part 12 of the Children and Young People (Scotland) Act 2014, FGDM should be available in all local authority areas however, there are "hurdles" to children and families' entitlement to this service and a lack of ways to "enforce" the requirement where it is not on offer. The existing legislative basis for FGDM means there is a foundation to work from but there is a clear legislative weakness and room for improvement in terms of clarity, specificity, profiling and resourcing.
- FGDM helps public authorities to demonstrate that they have taken steps to respect, protect and fulfil rights obligations under the European Convention on Human Rights and the United Nations Convention on the Rights of the Child.



WHERE ARE WE NOW?

- FGDM is not consistently available across Scotland, despite having existed in some form for more than 25 years. Only two thirds of local authorities currently have services available and many of these offers are limited, which creates unequal opportunities for children and families. There are strong examples where FGDM has been embedded for a number of years and delivered powerful outcomes, but many services are relatively new with a handful of coordinators in place, reflecting vulnerability in current provision.
- The number of families FGDM services are working with varies significantly, with most services taking referrals from social work.
- FGDM services offer a real flexibility working at a range of referral points, including early intervention and post care, with children of all ages including pre-birth work with parents.
- There is a limited amount of information for practitioners and for families about FGDM.
- Survey respondents indicated a level of buy-in and commitment to the principles of FGDM by placing value on voice and restorative approaches. They also recognised clear practical drivers for FGDM, for example reducing the number of children being accommodated.
- From practitioners' perspectives, FGDM offers families real benefit, in particular helping families to feel empowered and have their voices heard. The "distinctness" of the model, and the "independence" of the coordinator help the experience feel meaningfully different to other child protection processes.
- The strong presence of the third sector in delivering FGDM services can help families who feel a distrust towards statutory services engage with the model.
- In areas where FGDM is currently practised, there was a firm view that it helps keep children safe, happy and well and that it could help improve outcomes for children and families. FGDM is clearly valued for its ability to help children effectively share their views and empower families.
- Resources in terms of funding and staff are clear challenges. However, cultural and systemic challenges are also evident, that could be the result of the lack of a clear and secure place within the wider system. This creates challenges for practitioners with confusion around what FGDM is, why it should be considered and when it should be used.
- In areas where FGDM is not currently on offer the perceived strengths of the model are about improving relationships between families and workers, with professionals placing less emphasis on the benefits for children and families' voices.
- Resource is consistently recognised as the primary challenge to offering FGDM.
- FGDM is not yet being consistently prioritised within strategic planning across children's services.

WHERE TO NEXT?

- The mandate for mainstreaming of FGDM within a country can take up to three different forms legislation, procedure and good practice.
- Analysis of the extent of FGDM in other countries suggests that where there is a stronger level of mandate for FGDM, through clearly defined legislation, this generally leads to a higher level of provision.
- Where the mandate for FGDM is rooted in good practice “there is no appeal against a failure to apply the principles in day-to-day practice.” This means there is a lower level of impetus for FGDM and appears to result in a lower level of provision of services.
- New Zealand clearly has the strongest mandate in favour of FGDM and as a result has a high level of consistent use.
- Where other countries have taken different approaches to legislation, there is generally a high degree of clarity about when and how FGDM is to be used. As examples such as Australia and the Republic of Ireland suggest, placing FGDM within legislation strengthens the position of FGDM within children’s care and protection systems.
- The 2014 Act suggests that Scotland has a legislative mandate for FGDM, but the issues highlighted by a legal opinion, relating to lack of enforcement and accountability mechanisms, suggest that the mandate for FGDM in Scotland arises from good practice. This type of mandate results in the lowest level of impetus for FGDM and the most vulnerability of service provision.
- There are opportunities to move forward with FGDM through guidance, local direction and legislation. Regions or local authorities with a procedural mandate can often be effective within the area concerned however, a lack of national mandate can have limitations on the impact beyond the region.
- FGDM’s existing place in Scots law and policy mean that steps can be taken quickly to grow the beneficial impact, but it needs a clear and certain place in legislation and policy, so children facing life changing decisions have the best opportunity to ensure their families and communities are involved.

CONCLUSION

With around two thirds of local authorities offering FGDM, and references in both legislation and policy, there is a clear foundation to build on, with strong commitment from a range of professionals who are already helping families benefit from this model of practice.

However, there are also clear limitations in Scotland's framework that may act as barriers, leading to gaps in practice. This means that instead of acting as a support to Scotland's care and protection system, with a clear and consistent offer made to families where that is the right thing for them, these opportunities are sporadic and highly dependent on local champions who have interest, capacity and resource.

This means that there are unequal opportunities for families across Scotland to benefit from FGDM. This challenges a core idea at the heart of Scotland's Getting it Right for Every Child framework: that children and young people will be supported by offers of the right help at the right time from the right people.

FGDM and the children's hearing system are compatible and should be able to work effectively alongside each other. FGDM can work to strengthen family networks, improve communication and gather children's views, in line with work that should happen in advance of a children's hearing anyway. Compulsory measures of intervention may, of course, still be needed but many children and families across Scotland would benefit from consistent offers.

In some places, this already happens. In areas where FGDM is currently practised, there was a firm view that it helps keep children safe, happy and well, and that it could help improve outcomes for children and families. Empowering families and strengthening their voices are consistently referenced as key benefits.

However, the current legal and policy framework does not offer enough support to help these systems synchronise at a national scale. There is a missing mandate, which leaves current provision vulnerable, which is shown by consistent reports of resource challenges limiting offers.

"I would 100% recommend this as a way of working with other families, it has helped us hugely."

Family member*

"I didn't even know it was a thing... [FGDM service]..., I think that FGDM should be offered in school before it even reaches social work. It would have been good to have had this before it even got to this point, instead of after my son was taken away from me, people should know about this service, it might have stopped this from happening."

FAMILY MEMBER*

RECOMMENDATIONS:

- 1** **FGDM, in line with the National Standards, needs a clear and certain place in legislation and policy, so children facing life changing decisions have the best opportunity to ensure their families and communities are involved.** A clear legislative mandate should be pursued, which ensures FGDM is consistently offered to families before compulsory interventions like children's hearings. This should be supported by statutory guidance (which clearly sets out the core components in line with the National Standards and Practice Guidance) and a sustainable funding model or central fund.
- 2** **Steps should be taken to address the fact that one third of local authorities in Scotland do not offer FGDM, based on existing policy and legislation.** National and local government resources should prioritise ensuring FGDM services are available to families across Scotland when Children's Service Plans are updated, in 2025.
- 3** **Opportunities to build on the existing work in areas where FGDM is already offered should be explored simultaneously, to support effective implementation.** Learning from children, families and professionals should be built into a national development plan. 'Show and Tell' sites, that can help national learning should be established, so that services can better learn from one another.
- 4** **A sustainable funding model or central fund for FGDM in Scotland should be put in place to support implementation of the recommendations above.** Regardless of whether they currently offer FGDM services, resource is consistently recognised as the primary challenge to offering FGDM by practitioners.