

Process for Resolution of Professional Disagreements Relating to the Safeguarding & Protection of Children

Multi Agency Escalation Process

Effective working together depends on an open approach and honest relationships between agencies. Problem resolution is an integral part of healthy challenge, professional co-operation and joint working to safeguard children

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CONTENTS

1	Introduction	Page 3
2	Background	Page 3
3	Principles of Resolution	Page 4
4	Process – A Stages Approach	Page 5
5	Appendix 1 – Diagram of Process	Page 7

INTRODUCTION

This process outlines the steps to be taken when there are disagreements between practitioners (from different agencies) in relation to concerns about the safety and welfare of a child or young person, and/or action being taken to safeguard them. This process ensures that all professionals have a quick and straightforward means of resolving professional differences to safeguard the welfare of children.

When working with children and families there will inevitably be times when practitioners have differing views on the best course of action, and when made respectfully, challenge can promote reflection and may foster creative ways of working. However, without appropriate management, disagreements can negatively impact on working relationships and consequently on the ability to safeguard children. Professional disagreements always require constructive management and timely resolution.

To support and challenge constructively, a clear process needs to be in place to ensure that practitioners understand the steps they should take. This process should be measured in its approach to allow practitioners the opportunity to openly discuss their concerns. However, where these remain unresolved there should be a clear and formal process to manage.

BACKGROUND

Effective working together depends on an open approach and honest relationships between agencies. Problem resolution is an integral part of healthy challenge, professional co-operation, and joint working to safeguard children. Case Reviews have highlighted a lack of awareness and use of escalation within agencies. This can lead to drift and delay and means that practitioners are not able to satisfactorily resolve professional disagreements and safeguard children effectively.

This policy applies to all agencies working with children and provides professionals with a framework within which they can raise concerns about decisions/actions in a way that:

- Avoids professional anxiety or disagreement that puts children at risk and potentially obscures the focus of the child
- Resolve the difficulties within and between agencies quickly and openly
- Identifies any areas of practice where there is a need for clarity or review of multi-agency policies/procedures or address training needs

Differences in professional opinions can arise when professionals deem decisions not to be in the best interests of the child – some examples of when this is likely to occur are listed below:

- Levels of need and intervention - differing opinions about thresholds
- Differences in the handling of referrals/requests for services between agencies
- Lack of understanding about roles and responsibilities
- Disagreement regarding decision making and action to be taken
- Differences in opinion with regards to planning
- Concern about the action or inaction of another professional in relation to the safety and wellbeing of a child or family member
- The need for communication/sharing of information
- Concerns that there is a drift or unreasonable delay in case progression
- Disagreement over the provision of services

Throughout our work the safety and wellbeing of the child or young person is the primary concern, and professional disputes must not obstruct this. If you feel that a practitioner or an agency is not acting in the best interests of a child, you have a responsibility to respectfully challenge and to follow this process if required.

PRINCIPLES OF RESOLUTION

When trying to resolve disagreements, practitioners should work within the following principles:

- The safety and wellbeing of the child or young person is paramount
- The child or young person should remain at the centre of all professional discussions
- Ensuring that the right conversations are had with the right people at the right time
- To resolve disagreement using a restorative and solution focused approach which includes appropriate and respectful challenge
- Professionals must share the key information and their interpretation and assessment appropriately, and what may be the likely impact on the child
- Professionals should consider what needs to be achieved to resolve the problem
- Resolving disagreements in a timely manner
- Concerns, actions, responses and outcomes must be recorded and agreed
- The process must be open and transparent
- Avoid professional disagreement which may place children at further risk of obscuring the focus of the child or which may delay decision making

PROCESS – A STAGED APPROACH

Professional to Professional

It is expected that most disagreements can be resolved by professionals discussing the concerns and agreeing a way forward to meet the child's needs; this is good partnership working. Prior to any formal escalation there should be a conversation between the practitioners where the originating professional disagreement exists, applying the principles outlined above. The concerns should be clearly explained and supported with evidence/research, as appropriate, and reference to local thresholds. Please follow any internal guidelines/processes for internal escalation.

An example of professional-to-professional resolution would be: A teacher and a health visitor disagree in a child in need meeting, regarding part of the plan. They discuss it outside of the meeting and having listened to each other's viewpoint they are agreed on the way forward. The health visitor discusses this with her team manager (supervisor) who also agrees the outcome seems appropriate and no further action is required.

Whilst the process is usually linear and should be a tiered approach- **If there are significant concerns for the child's well-being and safety at any stage of this process and there is potentially no resolution, then the case should be escalated directly to the safeguarding partners (stage 3).** Additionally, it should be noted that the 5 working days referred to is for guidance only, and whilst we would expect resolution within this timeframe, there may be circumstances where it is acceptable/unavoidable and deemed safe to go outside these parameters. **Moreover, there will be situations where it will not be appropriate/safe to wait before proceeding to the next level.**

Calling a Case conference

In respect of case conferences, If children's social care decides not to proceed with a child protection conference, then other practitioners involved with the child and family have the right to request that social care convene a conference if they have serious concerns that a child's welfare may not be adequately safeguarded. As a last resort, the safeguarding partners should resolve the difference of opinion.

FORMAL ESCALATION

Stage One: If not already consulted, both practitioners should discuss with their **safeguarding lead/manager**¹. If after this discussion it is felt there is a need to escalate, the following process should be followed.

An example of formal escalation would be: The safeguarding named midwife has raised concerns with the social worker about the birth plan for an unborn baby as she does not feel it addresses the multiple risks. After several days the social worker has not responded, and the midwife has not been able to contact her by phone. The baby is due to be born within the week and so the safeguarding midwife decides to escalate the concerns to the Service Manager and alerts the Head of Safeguarding and the Head of Social Work to ensure an urgent response.

A discussion should then take place between the respective safeguarding leads/managers and a resolution sought within **5 working days**. The lead/manager initiating the process should **complete the 'Record escalation of child safeguarding issue' form online at: <https://my.barnsley.gov.uk/form/record-escalation-of-child-safeguarding-issue/page-1>**

Please note, to complete this form fully, the person recording the escalation will need to enter details of the direct Line Manager of the person that the escalation concerns. Notification will be sent to the BSCP central inbox that an escalation has been logged, and the form will then be sent to the relevant safeguarding leads / managers (as detailed on the form) to encourage a resolution. The person recording the escalation will also receive an acknowledgement via email.

¹ For agencies where there is no safeguarding lead, a line manager should take on this function or for the voluntary/faith sector, a member of the committee.

Where an acceptable resolution is reached, the receiving line manager will confirm the agreed outcome of the concern and how any outstanding issues will be pursued. This must be documented, in writing to their counterpart, within a further 5 working days. **The Safeguarding Partnership should be updated via a summary of progress to barnsleysafeguardingchildrenpartnership@barnsley.gov.uk** by the end of the 5th working day. The BSCP will update their escalation tracker accordingly. The manager must also ensure that the worker who first raised the initial concern is aware of the resolution.

Stage Two: If it has not been possible to reach a satisfactory solution at stage one; the lead/manager will **progress the discussion with the next tier of management**. This progression should continue until it reaches a resolution and will culminate at the Head of Service (or equivalent). At this stage the organisations **representative on the Safeguarding Partnership (and for Health the Designated Nurse)** should be made aware of the escalation to provide intervention/support as appropriate. As with stage one, this should take no longer than **5 working days**, with a summary of updates being sent to the **Safeguarding Children Partnership inbox BarnsleySafeguardingChildrenPartnership@barnsley.gov.uk** and the tracker updated. The agreed outcome should also be recorded and notified as in stage one.

Stage Three: In rare circumstances where a resolution has not been achieved the Heads of Service or equivalent (in the case of health the Designated Nurse) should escalate the case to the Safeguarding Partners for resolution. The Safeguarding Children Partnership should inform all involved of the conclusion reached.

Stage 1, 2, 3 are all formal stages of the escalation process and as such a notification will be automatically made to the Partnership Manager at commencement (on submission of the online form). Thereafter the initiating safeguarding lead/manager should update the Safeguarding Children Partnership, (using the partnership inbox email address) regarding progress made at each step of the process or every 5 working days. Additionally, any learning should be extracted and be addressed as appropriate i.e. any perceived policy changes or training would be escalated to the Policy and Workforce Development (PWD) subgroup of the Partnership. As a consequence, we would hope to achieve sustainable resolutions. .

Please note whilst this is generally a tiered approach, if there are significant concerns for the safety and welfare of the child, they should be escalated straight to level 3.

Please also note any agency can request a case conference is held, when children's social care have made a decision not to proceed.

If local authority children's social care decides not to proceed with a child protection conference, then other practitioners involved with the child and family have the right to request that local authority children's social care convene a conference if they have serious concerns that a child's welfare may not be adequately safeguarded. As a last resort, the safeguarding partners should have in place a quick and straightforward means of resolving differences of opinion.

MAXIMUM TIMESCALES

Do not delay if inaction will increase the risk to a child. Where there are significant and urgent concerns these must be expedited and progressed straight to level 3 if required.

