Lambeth:
Children at the Heart of Practice

Dispute Resolution and Quality Assurance Alerts Policy

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Naeema Sarkar AD Quality Assurance

Lambeth

About this document

Title	**Dispute resolution and QA alerts policy**
Purpose	**To set out the policy for IROs and CP Chairs escalating and resolving issues**
Updated by	**Naeema Sarkar**
Approved by	**CSC ADs**
Date	
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This document is only valid on the day it is printed

Date Issued:	Version	Summary of Changes	Created by
Feb 2021	1	Final version	N Sarkar

Intended Audience

This document has been issued to the following people for Review (R) Information (I) and Review and Sign off (S). The Transfer protocol is mandatory and must be shared with all managers, and social work staff and with those holding cases in Early Help.

Name	Position	S/R/I
Alex Kubeyije	Director of Children's Services	S
	Assistant Directors Children's Social Care	S
	Service Managers	I
	All social care staff	I

Contents

1.   Introduction

The purpose of this protocol is to outline the role and responsibilities of **Independent Reviewing Officers** (IROs) and CP Chair in accordance with the QA alerts resolution process. The role of Local Authority's Quality Assurance Service (QAS) within this process and how the protocol will offer guidance to the social work teams within Lambeth.

The following legal framework and guidance underpins the statutory duties undertaken by IRO's/CP chairs within the QAS:

- The 1989 Children Act, The Children and Young Person Act 2008
- The 2004 Children Act
- The Adoption and Children 2002
- Care Planning
- Placement and case Review (England) regulations 2010
- The IRO Handbook 2010
- London Child Protection Procedure 2013
- Any other statutory guidance regarding the looked after children review process and dispute resolution.

2.   What is a QA alert?

Since April 2011, changes to care planning regulations/child protection procedures have strengthened the IRO/CP chair role. IROs/CP chairs are now not only responsible for chairing statutory reviews or conferences but also for monitoring children's plans on an on-going basis.

QA alerts refer to the steps/actions that need to be taken when an IRO/CP chair has identified significant issues during/or outside of a LAC review meeting or Child protection conference.

3.   Roles and Responsibilities of the IRO/CP chairs

The primary statutory duty of IROs/CP chairs is to monitor care planning and safeguarding processes for children/young people and ensure that the local authority is carrying out their statutory functions in a timely way to children/young people in their care or who are subject to a CP plan.

IROs and CP chairs are part of the team of professionals working with every child in care and every child subject to a CP plan, seeking with other team members, to promote the welfare of that child. However, IROs and CP Chairs have an important role in respect of being independent of that team and have particular duties and powers arising from that independence. They are in a unique position within a local authority to carry out a critical monitoring and challenging role. This includes highlighting both positive practice as well as assertively identifying and challenging issues of concern that may be impacting on the delivery of services to children & young people.

The QA alerts protocol is the means by which effective challenges are made. Where problems are identified through the review or conference process (*refer to Appendix A for examples*) the IRO/CP chair has a responsibility to address these issues by raising a practice alert to seek resolution.

4. Roles & Responsibilities of the Local Authority

The local authority decision-making in relation to children's care planning (for the child at home or in the care of the local authority) should be clear and transparent in order to confirm how the needs of the child will be met. The LA must follow a clear process to make decisions in a timeframe appropriate to the child's needs.

When a practice alert has been raised by an IRO/CP chair the respective social workers and managers as well as senior managers have a responsibility to ensure that they respond to the alert in writing within the timescale determined by the IRO/CP chair as outlined in this process.

5. Involvement of Children/Young People

In the event that any issues require a quality assurance alert the IRO/CP chairs must also ensure the child understands that, aside from the IRO/CP chair's planned actions to seek resolution of the issues, a looked after child is entitled to access independent advocacy (commissioned through the local authority) and to make use of the local authority's complaints process to pursue resolution themselves should they wish to do so.

6. Oversight of the Quality Assurance Service

QAS has a key role in the tracking and recognition of good practice as well as dispute resolution to support the local authority's improvement journey, raise standards and improve outcomes for children/young people known to the local Authority.

The IRO/CP chair needs to ensure that copies of all good practice alerts as well as QA practice alerts (and written resolutions) are forwarded to the Team Managers/Service Manager of QAS for monitoring purposes.

QAS will regularly monitor good practice as well as concerns escalated through this protocol which will be a focus of monthly reporting and analysis.

7. QA Practice Alert Process

Where the IRO/CP chair has identified significant issues during/or outside of a LAC review meeting or child protection conference the IRO/CP chair has discretion about which level to initially address their concerns, taking into account the nature of their concerns, the circumstances and the current care plan.

The individual IRO/CP chair is personally responsible for activating the QA alert in Mosaic, even if this action is not in accordance with the child's wishes and feelings but in the professional opinion of the IRO/CP Chair, will promote the child's best interests and welfare and/or will protect the child's human rights.

The QA alert also known as the dispute resolution process is a statutory requirement and the IRO/CP chair is responsible for ensuring that practice alerts are recorded in accordance with local policy and procedure and placed on the child/young person's social care record.

The dispute resolution process is staged process.

Practice alerts:
- **Informal stage -** Social worker/Team Manager
- **Formal stage**
  - o **Stage 1 –** Team Manager
  - o **Stage 2 -** Service Manager
  - o **Stage 3 -** Assistant Director Children Services

- o **Stage 4 -** Director of Children's Social Care
- o **Stage 5** – Strategic Director of Children's Services
- o **Stage 6 -** Chief Executive
- o **CAFCASS** - At any time in the DRP process

Informal Stage

Working collaboratively with the social worker (& team manager as required), the IROs/CP chairs will aim to seek resolution wherever possible at the informal stage. This level of the alert is to support early intervention with regard to resolving matters quickly to prevent formal escalation of a dispute/concern.

The IRO/CP chair will seek to consult with the social worker/team manager to bring to their attention the issue of concern. The dispute issue(s) will be recorded by the IRO/CP chair as an informal alert on the QA alerts form in Mosaic for monitoring and tracking purposes. The alert will be put on hold until the agreed date for completion of the task by the social worker / team manager. The hold date will be visible in the work trays of the CPC or IRO who will check if the task has been completed. If the task has been completed the CPC/ IRO will close the alert in Mosaic.

The IRO will determine the time frame (taking account of the child's needs) in which the informal practice alert is to be resolved and notify the social worker/Team Manager.

In the event that the IRO/CP chair is not given a satisfactory response, or no response at all, the practice alert will be escalated to the formal stage one.

Stage One

The informal dispute issue(s) raised by the IRO/CP chair will be recorded together with the rationale and reasons for formal escalation to stage one to the Team Manager.

The Team Manager will have 4 working days in which to respond to the practice alert.

The alert will be put on hold until the agreed date for completion of the task by the social worker / team manager. The hold date will be visible in the work trays of the CPC or IRO who will check if the task has been completed. If the task has been completed the CPC/ IRO will close the alert in Mosaic.

The IRO will determine the time frame (taking account of the child's needs) in which the informal practice alert is to be resolved and notify the social worker/Team Manager.

Where the IRO/CP chair is not given a satisfactory response, or no response at all, or the task remains outstanding, the practice alert will be escalated to Stage two.

Stage Two

The stage one dispute issue(s) raised by the IRO/CP chair will be recorded together with the rationale and reasons for formal escalation to stage two to the Service Manager.

The Service Manager will have 4 working days in which to respond to the practice alert. The alert will be put on hold until the agreed date for completion of the task by the social worker / team manager. The hold date will be visible in the work trays of the CPC or IRO who will check if the task has been completed. If the task has been completed the CPC/ IRO will close the alert in Mosaic.

The IRO will determine the time frame (taking account of the child's needs) in which the informal practice alert is to be resolved and notify the social worker/Team Manager.

Where the IRO/CP chair is not given a satisfactory response, or no response at all, or the task has not been completed, the practice alert will be escalated to Stage three.

Stage Three

The stage two dispute issue(s) raised by the IRO/CP chair will be recorded together with the rationale and reasons for formal escalation to stage three to the Assistant Director.

The Assistant Director will have 4 working days in which to respond to the practice alert. The alert will be put on hold until the agreed date for completion of the task by the social worker / team manager. The hold date will be visible in the work trays of the CPC or IRO who will check if the task has been completed. If the task has been completed the CPC/ IRO will close the alert in Mosaic.

The IRO will determine the time frame (taking account of the child's needs) in which the informal practice alert is to be resolved and notify the social worker/Team Manager.

Where the IRO/CP chair is not given a satisfactory response, or no response at all, por the task has not been completed, the practice alert will be escalated to Stage four.

Stage Four

The stage three dispute issue(s) raised by the IRO/CP chair will be recorded together with the rationale and reasons for formal escalation to the Director of Children's Social Care.

The Director of Children's Social Care will have 4 working days in which to respond to the practice alert. The alert will be put on hold until the agreed date for completion of the task by the social worker / team manager. The hold date will be visible in the work trays of the CPC or IRO who will check if the task has been completed. If the task has been completed the CPC/ IRO will close the alert in Mosaic.

The IRO will determine the time frame (taking account of the child's needs) in which the informal practice alert is to be resolved and notify the social worker/Team Manager.

Where the IRO/CP chair is not given a satisfactory response, or no response at all, or the task has not been completed, the practice alert will be escalated to Stage five.

Stage Five

The stage four dispute issue(s) raised by the IRO/CP chair will be recorded together with the rationale and reasons for formal escalation to the Strategic Director of Children's Services.

The Strategic Director of Children's Services will have 4 working days in which to respond to the practice alert. The alert will be put on hold until the agreed date for completion of the task by the social worker / team manager. The hold date will be visible in the work trays of the CPC or IRO who will check if the task has been completed. If the task has been completed the CPC/ IRO will close the alert in Mosaic.

The IRO will determine the time frame (taking account of the child's needs) in which the informal practice alert is to be resolved and notify the social worker/Team Manager.

Where the IRO/CP chair is not given a satisfactory response, or no response at all, or the task remains outstanding, the practice alert will be escalated to CAFCASS or the LSCP (if not already done so).

Stage Six

The stage four dispute issue(s) raised by the IRO/CP chair will be recorded together with the rationale and reasons for formal escalation to the Chief Executive.

The Chief Executive will have 4 working days in which to respond to the practice alert. The alert will be put on hold until the agreed date for completion of the task by the social worker / team manager. The hold date will be visible in the work trays of the CPC or IRO who will check if the task has been completed. If the task has been completed the CPC/ IRO will close the alert in Mosaic.

The IRO will determine the time frame (taking account of the child's needs) in which the informal practice alert is to be resolved and notify the social worker/Team Manager.

Where the IRO/CP chair is not given a satisfactory response, or no response at all, or the task remains outstanding, the practice alert will be escalated to CAFCASS or the LSCP (if not already done so).

CAFCASS/LSCP

At any stage of the dispute resolution process the IRO/CP chair will need to consider whether to refer the matter to CAFCASS under Section 118 of the Adoption & Children Act 2002 or the LSCP (**Local Safeguarding Children Partnership** following consultation with Senior Management and ensuring that the Director of Children's Social Care is aware.

Additionally, the IRO/CP chair may need to consider seeking legal advice independent from the local authority's legal team during any stages of the escalation process.

The IRO guidance states that the dispute / problem resolution process should allow for no action prejudicial to the child (e.g. change of placement or de-accommodation) to be taken until a resolution has been reached. Depending on the outcome of this, it may be necessary to reconvene the child's LAC review to confirm any agreed changes to the care plan.

Timescales:

The IRO will determine the timeframe for resolution when raising an informal practice alert which should take account of the child's needs and timescales.

The total number of working days to fully complete the formal dispute resolution process is **20 working days.**

It is important that the timescale for each stage is adhered to and it is the responsibility of the individual IRO/CP chair to ensure adherence or to appropriately escalate the dispute.

Escalation by IROs to partners

In the first instance the Independent Reviewing Officer (IRO) will escalate concerns to the Operations Manager, Children Social Care who then escalate issues with the manager of partnership agency. This is based on the existing Lambeth Safeguarding Children Partnership, Multi-Agency Escalation Policy. The policy was reviewed in May 2020 and will be reviewed again in May 2022.

At no time should professional disagreement detract from ensuring that a child is safeguarded. The child's welfare and safety are paramount, and all professionals and agencies are responsible for communicating such concerns as per the guidance provided in Working Together to Safeguard Children (2018) and the London Child Protection Procedures.

IROs must always record escalations to partner agencies on the child's file on Mosaic. IRO Handbook 6.1. the IRO will, in the first instance, seek to resolve the issue informally with the social worker or the social worker's managers. The IRO should place a record of this initial informal resolution process on the child's file. If the matter is not resolved in a timescale that is appropriate to the child's needs, the IRO should consider taking formal action.

Circumstances where the policy is over-ridden

There are certain instances where the escalation policy described here should be over-ridden and the Director for Children's Services (DCS) and the Lambeth Safeguarding Children Partnership should be made immediately aware by whoever first comes to know. These are instances of:

• Child death

• Life changing injury

• Abduction of child on CP plan or in care

• Immediate threat of judicial review; or

• Imminent threat of media attention

Commissioning:

Stage 1 – IRO to email Marcele Henry Thomas   MHenryThomas@lambeth.gov.uk (Commissioning) and copy respective service manager and team manager.

Stage 2 – IRO to email Dan Stoten daniel.stoten@nhs.net (Assistant Director Commissioning)and copy respective Assistant Director.

Stage 3 – IRO to email Director of Commissioning & Community Safety (Abi Onaboye) and copy Director (Alex).

Education:

Virtual School:

Stage 1 – IRO to email Head of Virtual School and copy respective service manager and team manager

Stage 2 – IRO to email Maggie Harriot MHarriott@lambeth.gov.uk AD Virtual School and copy respective Assistant Director and SEN Borough child placed and virtual head.

Stage 3 – IRO to email Cathy Twist CTwist@lambeth.gov.uk Director Virtual School and copy Director (Alex).

SEN:

Stage 1 – IRO to email Service Manager (SEN Lambeth) and copy SEN where child is placed, Lambeth Virtual School Head, respective team service manager and team manager.

Stage 2 – IRO to email Assistant Director (SEN Lambeth) and copy SEN where child is placed, Lambeth Virtual School Head respective team Assistant Director and team manager.

Stage 3 – IRO to email Director (SEN Lambeth) and copy Director (Alex).

Health Admin:

Stage 1 – IRO to email Sheila Admin at Mary Sheridan Centre and copy named GP, respective service manager and team manager.

Stage 2 – IRO to email Designated CLA Dr (Efun Johnson) and copy Designated Nurse and respective Assistant Director.

Stage 3 – IRO to email Clinical Director and copy Director (Alex).

Health CLA Nurse:

Stage 1 – IRO to email specific nurse

Stage 2 – IRO to email named Nurse (Yvette Newman)

Stage 3 – IRO to email Designated Nurse and Dr (Yvette Newman and Dr Efun Johnson)

Health Visitor / School Nurse / Family Nurse Partnership (Safeguarding Issue):

Stage 1 – Email/F2F dialogue with practitioner

Stage 2 – Line manager and safeguarding supervisor

Stage 3 – Named Nurse for Safeguarding Hannah Bracey Hannah.Bracey@gstt.nhs.uk

Health Visitor / School Nurse / Family Nurse Partnership (CLA or Universal Issue):

Stage 1 – Email / direct conversation with practitioner

Stage 2 – Team lead /clinical Matron

Stage 3 – Head of universal Services Monica Sherry Monica.Sherry@gstt.nhs.uk

Health GP / Practice:

Stage 1 – Email/speak to GP – can also copy to generic email address

Stage 2 – Practice Manager

Stage 3 – Named GP in borough – currently Dr Alison DAVIDSON, (NHS LAMBETH CCG) alison.davidson1@nhs.net

Health Doctors CLA concern / Specific Dr:

Stage 1 – IRO to email specific Dr Firstname.surname@gstt.nhs.uk

Stage 2 – IRO to email Named Dr for CLA Dr Anna Battersby/ Dr Emily Wilson on return from Maternity leave

Stage 3 – IRO to email Dr Efun Johnson Designated CLA

Health Doctors Generic concern:

Stage 1 – IRO to email specific Dr

Stage 2 – IRO to email Clinical lead Dr Narad Mathura

Stage 3 – IRO to email Clinical Director Bidisha Lahoti

Health Doctors Safeguarding concern:

Stage 1 – IRO to email specific Dr

Stage 2 – Senior Dr on call for CP/ Clinical lead/line manager – Narad Mathura

Stage 3 – Named Dr for safeguarding Dr Ayanda Jolobe / Designated Dr for Safeguarding

Dr Davina Mckenzie

Health Doctors Clinician CLA Administrative concern e.g. reports, appointments etc:

Stage 1 – LAC generic inbox

gst-tr.LAC@nhs.net

Stage 2 – Sheila Mulwanyi, Assistant service manager and cc – if Dr Named Dr for CLA Dr Anna Battersby/ Dr Emily Wilson on return from Maternity leave

Stage 3 – Designated Dr for Safeguarding Dr Efun Johnson   / Yvette Newman cc Sheila and Anna

Police:

Stage 1 – IRO to email Missing Units Sergeant (Tim Hillier) tim.hiller@met.police.uk and CSE Sergeant (Dick Nation) Dick.Nation@met.police.uk copy Missing and CSE Coordinators and respective service manager and team manager.

Stage 2 – IRO to email Station Detective Sergeant and copy respective Assistant Director.

Stage 3 – IRO to email Station Commander and copy Director (Alex).

Other Police Forces outside Lambeth:

Stage 1 – IRO to email Missing Units in authority were child is placed and copy Missing and CSE Coordinators and respective service manager and team manager.

Stage 2 – IRO to email Station Sergeant in authority were child is placed and copy respective Assistant Director.

Stage 3 – IRO to email Station Commander in authority were child is placed and copy Director (Alex).

Lambeth Youth Offending Service:

Stage 1 – IRO to email Team Manager YOS, copy Operations Manager YOS.

Stage 2 – IRO to email Assistant Director YOS, copy Operations Manager.

Stage 3 – IRO to email Director of Commissioning & Community Safety Abi Onaboye and copy Director (Alex) and Assistant Director (Ellanora) YOS.

Out Borough Youth Offending Service:

Stage 1 – IRO to email Lambeth YOS Operations Manager / Team Manager and copy Out of Area Operations Manager

Stage 2 – IRO to email Assistant Director / Head of YOS and copy local link Youth Justice Board and Out of Area Assistant Director.

Stage 3 – IRO to email Youth Justice Board local link and copy Lambeth CSC Director (Alex), Director of Commissioning & Community Safety (Abi Onaboye) and Out of Area Director.

Appendix:

https://www.gov.uk/guidance/youth-offending-teams-london

CCGs

https://www.england.nhs.uk/ccg-details/

Local Authorities in England and Wales

https://www.local.gov.uk/our-support/guidance-and-resources/communications-support/digital-councils/social-media/go-further/a-z-councils-online

Escalations to Partner Agencies

In child protection cases CP Chairs will use the escalations policy signed up by the LSCP. This can be found on the LSCP website.

https://www.lambethsaferchildren.org.uk/escalation-policy

The CP chair will make a note of this in Mosaic.

In relation to Children Looked After the IRO will us the multiagency escalations workflow in Mosaic.
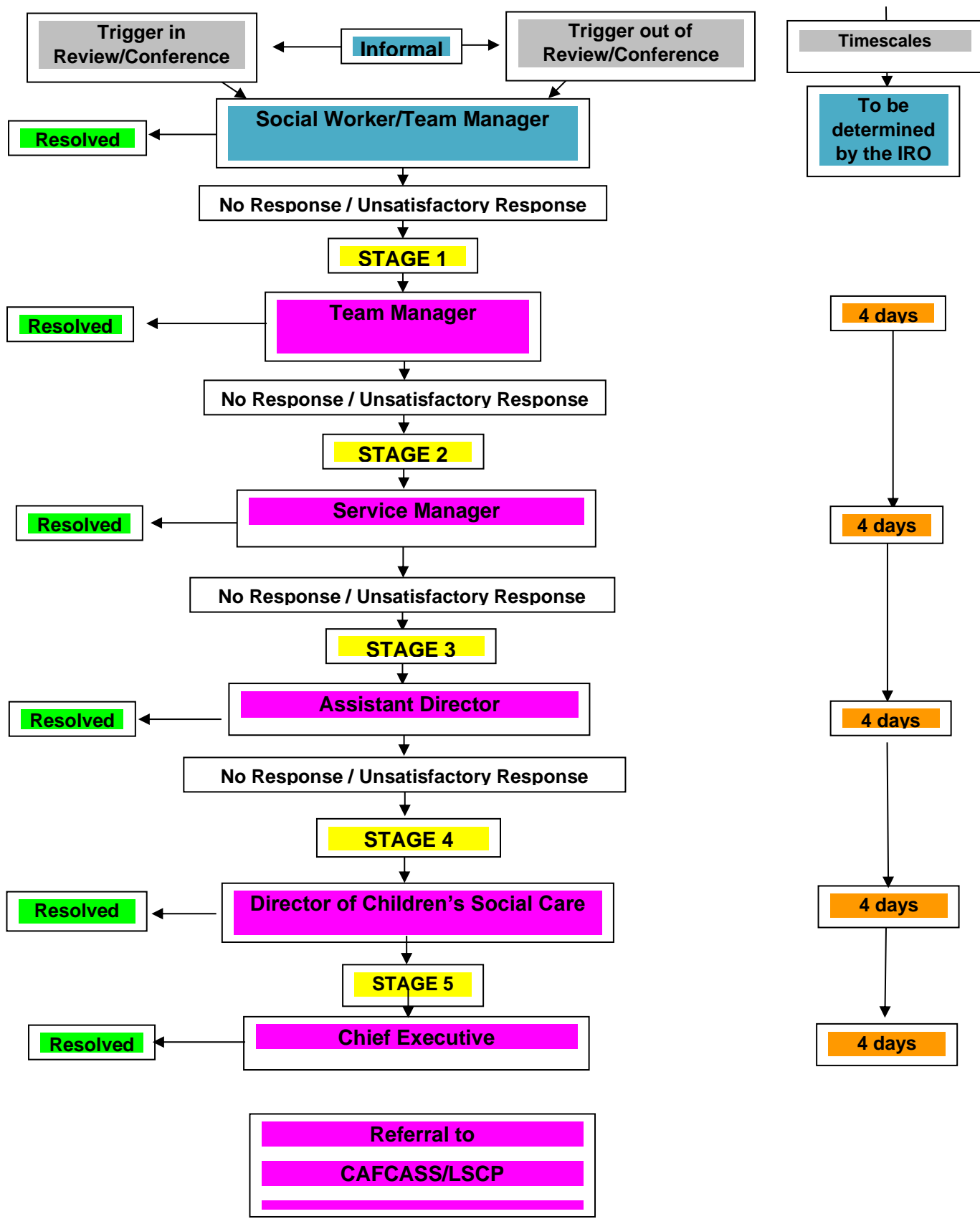
If a response is not received from the relevant agency the IRO will ask the Team Manager to follow up. If no responses are received the matter will then be escalated to Service Manager; then Assistant Director and finally the Director of Children's Social Care. A record of the escalations will be maintained by the IRO in Mosaic.

Appendix A Examples of Cases/Issues Requiring Resolution

- **Failure to meet LA Statutory Responsibilities:**

  - Non-allocation of a social worker.
  - Children not being visited regularly and/or seen alone in their placement by the social worker.
  - Children subject to child protection plans not being visited regularly, and/or seen alone.
  - There have not been sufficient core group meetings between child protection conferences (CP).
  - Health assessments or PEPs not being carried out within statutory timescales.
  - Poor preparation for review/conference and decisions not being implemented.

- **Unacceptable Drift in Care Planning:**

  - No clear care plan in place.
  - Avoidable drift/delay in the implementation of the child's care plan.
  - Care plan not meeting the individual needs of the child.
  - Failure to implement a significant element of the child's care plan.
  - Failure to notify the IRO of significant changes in the child's care plan such as:
    - Decision to change the child's care plan.
    - Decision to change the child's placement.
    - Decision (with reasons) not to implement significant recommendations made by the IRO at the child's review.

- **Dispute Regarding Provision of Services**

  - Concern about whether appropriate resources have been allocated to meet the child's individual needs.
  - Concern around the suitability of the placement.
  - Concern around professional practice.

- **Safeguarding**

  - Avoidable drift/delay in implementing the child protection plan.
  - S47 enquiries not initiated when there are new child protection concerns/incidents.
  - Protocols/guidance not being recognised for children missing or at risk of CSE.

Appendix B : ESCALATION QA ALERTS / DISPUTE RESOLUTION FLOW CHART

| Trigger in Review/Conference | ←→ Informal ←→ | Trigger out of Review/Conference | | Timescales |

Social Worker/Team Manager → Resolved

To be determined by the IRO

No Response / Unsatisfactory Response

STAGE 1

Team Manager → Resolved

4 days

No Response / Unsatisfactory Response

STAGE 2

Service Manager → Resolved

4 days

No Response / Unsatisfactory Response

STAGE 3

Assistant Director → Resolved

4 days

No Response / Unsatisfactory Response

STAGE 4

Director of Children's Social Care → Resolved

4 days

STAGE 5

Chief Executive → Resolved

4 days

Referral to

CAFCASS/LSCP

Appendix C – Practice Alert form

<table>
<tr><td colspan="2" align="center">DISPUTE RESOLUTION PROCESS
PRACTICE ALERT</td></tr>
</table>

Level of practice alert: [ ]

Child's Name:	
ID:	
Social Worker:	
Team Manager:	
Team:	
IRO/CP chair:	
Date of Practice Alert:	

DRP alert Category
1. Failure to meet LA statutory responsibilities   [ ]
2. Unacceptable drift in care planning   [ ]
3. Dispute regarding provision of services   [ ]
4. Safeguarding concern   [ ]

Identified Practice Concerns:

Have these concerns been verbally discussed with the SW or other? With whom and when?

Actions recommended by the IRO/CP chair:

Local Authority Response:

Outcome:		
Resolved		**Date:**
Escalated [ ]	**Date:**	**Stage [ ]**
Name:		
Actions recommended by the IRO/CP chair:		
Local Authority Response:		
Outcome:		
Resolved [ ]		**Date:**
Escalated [ ]	**Date:**	**Stage [ ]**
Name:		
Actions recommended by the IRO/CP chair:		
Local Authority Response:		
Outcome:		
Resolved [ ]		**Date:**