

## Newcastle Safeguarding Children Partnership

### Resolving Professional Differences and Escalation

#### 1. General Principles of Resolution

It is every professional's responsibility to 'problem solve'. Communication is extremely important and is the key to resolving professional misunderstandings or disagreements.

- 1.1 Working together on issues as complex as safeguarding means there will, at times, be disagreements. It is essential that there is an effective process in place to resolve disagreements to the satisfaction of workers and agencies, and to maintain a genuine partnership in working together to safeguard children. The focus of this procedure is to ensure resolution and the continuation of good partnership working. Agencies should work to the principle of restoring relationships and disagreements at the lowest possible level so that each agency is satisfied both that their concerns have been listened to and with the outcome for children and families.
- 1.2 Problem resolution is an integral part of professional cooperation and joint working to safeguard children. Professional disagreement is only dysfunctional if not resolved in a constructive and timely fashion. Due to the nature of the work undertaken it is inevitable that there will be disagreements from time to time. Multi-agency debate and respectful challenge should be encouraged to impact positive outcomes for children.
- 1.3 When practitioners are not working well together this may have an impact on a child's development or even place the child at risk of harm. It is therefore important that professionals have a full understanding of each other's roles and responsibilities. Examples where practitioners have concerns about the welfare of children may arise where they perceive other practitioners are:
  - Not recognising need or the signs of harm
  - Not sharing information about a child's welfare
  - Not accepting referrals for services
  - Not delivering services according to the threshold of need
  - Not co-operating in delivering planned interventions
  - Not attending Core Groups or TAC meetings
  - Not producing Plans or minutes quickly enough
  - Not fulfilling their roles and responsibilities as defined in Working Together to Safeguard Children
- 1.4 At no time must professional disagreement undermine the safeguarding of a child. The child's welfare and safety must remain paramount throughout.
- 1.5 When communicating disagreement, professionals should remain respectful of each other and this should be evidenced in both their direct and written

communication, and throughout the escalation resolution process. This may be particularly important when challenging practice or professional standards, and courtesies should be maintained. Where a practitioner does identify a risk to a child, then that practitioner/agency has responsibility for communicating such concerns through agreed child protection

procedures on the same working day. Other issues which may be of concern but do not constitute a risk of significant harm should be raised within an appropriate time frame.

1.6 Disagreements could arise in several areas but are most likely to arise around determining the level of need, roles and responsibilities, and the need for action and communication.

1.7 Escalation should be a means to achieve an outcome within a reasonable timescale. It is therefore important that the person raising the escalation is clear in respect of what they are escalating, what they are seeking to achieve, what they feel the outcome should be and within what timescale they are seeking to achieve it. The timescale may need to be subject to negotiation and in line with the potential safeguarding issues.

## **2. Resolving Disagreements**

2.1 Initial attempts should be taken to resolve the problem; the expectation should be to resolve difficulties at practitioner/case worker level between agencies.

2.2 When there is recognition that there is a disagreement over a significant issue, which impacts on the safety and welfare of a child, the practitioners must identify explicitly what the problem is and have clarity about the nature of the disagreement and what the practitioners aim to achieve.

2.3 Where the practitioner feels they do not have sufficient status or experience to challenge, they must seek guidance from their Safeguarding Lead.

2.4 If unresolved, the problem should be referred by the practitioner to their line manager or lead for safeguarding (for school staff this will be the designated person) who in turn is expected to discuss with their opposite number in the other agency. This must take place within 5 working days of the practitioner becoming concerned about the professional disagreement.

2.5 A clear record must be kept at all stages by all parties to the disagreement. This must include written confirmation between the parties about an agreed outcome of the disagreements and how any outstanding issues be pursued.

2.6 Each partner agency of the LSCP should have their own procedures in place for dealing with concerns within their own setting. On occasions where concerns need to be raised with another agency, practitioners should ensure this happens as soon as possible and that discussions are clearly recorded.

2.7 The Local Authority Children's Safeguarding Standards Unit will offer consultation and advice on cases and will intervene to help resolve issues if that is appropriate.

## **3. Specific Processes where Escalation may be Needed**

### **3.1 Dissent at Referral/Enquiry Stage, for example, disagreement about whether to accept a referral or progress to strategy meeting**

- I. If the professionals are unable to resolve differences through discussion and/or meeting within a time scale which is acceptable to both, their disagreement must be addressed by more senior staff.
- II. If agreement cannot be reached following discussions between the above 'first line' managers (who should normally seek advice from her/his line manager or designated/named/lead officer) the issue must be referred without delay through the line management structure of the respective agency/agencies structure. This should be incremental and not skip lines of responsibility within the individual agency, unless in exceptional circumstances. Escalation is more productive when dealt with by peer colleagues.
- III. In Health services, input may be sought directly from the Designated or Named Professional in preference to the use of line management but they should seek to resolve the issue in the first instance with their first line manager.
- IV. At this point a meeting should be called to discuss the situation involving all parties. Records of discussions must be maintained by all the agencies involved. The outcome of discussions and agreed actions should also be recorded by the agency raising the escalation and shared with all other agencies involved in the discussion / meeting.

### **3.2 Dissent about Need for Child Protection Conference**

- I. The decision whether to convene a Child Protection Conference rests with Children's Social Care Services. However, those professionals and agencies who are most involved with the child and family, and those who have taken part in a Section 47 Enquiry, have the right to request that Children's Social Care Services convene a Child Protection Conference if they have serious concerns that a child's welfare may not otherwise be adequately safeguarded.
- II. Where the agency is dissatisfied with the response from CSC, contact should be made with the Children's Safeguarding Standards Unit (CSSU) Service Manager to request conference. The CSSU Service Manager will fully review the case, including discussing the issues raised with relevant professionals to make the decision in a timely way in line with the best interests of the child.
- III. Where there remain differences of view over the necessity for a conference in a specific case, every effort should be made to resolve them through discussion and explanation.

### **3.3 Dissent at Child Protection Conferences**

- I. If a Child Protection Conference Chair is unable to achieve a consensus as to the need for a Child Protection Plan, (s)he will decide and note any dissenting views. This will include the situation where there is no majority view and where the Conference Chair exercises his or her decision-making powers as set out in Section 13.4, The DecisionMaking Process of Initial Child Protection Conference Procedure.
- II. Any agency or individual who disagrees with the Chair's decision must determine whether (s)he wishes to further challenge the result and will need to discuss their reasons with their line manager / safeguarding leads, prior to formal written dissents being submitted. The disagreement and the reasons for it must be fully recorded in the minutes of the conference.  
If the professional believes that the decision reached by the Conference Chair places a child at (further) risk of Significant Harm, it is expected that (s)he will formally raise the matter with their line manager and/or Designated or Named Professional in their agency

immediately. Other disagreements that do not constitute a risk of Significant Harm must be put in writing and sent to the Children's Safeguarding Standards Unit (CSSU) Service Manager as soon as possible but no later than 10 working days from the Child Protection Conference. The CSSU Service Manager will review the factors that the professional considers pose a risk of Significant Harm. They will also discuss the factors raised with relevant professionals to make the decision in a timely way in line with the best interests of the child.

### **3.4 Dissent Regarding the Implementation of the Child Protection Plan**

- I. Concern or disagreement may arise over another professional's decisions, actions, or lack of actions in the implementation of the Child Protection Plan, including participation in Core Group meetings.
- II. The Front-line workers should discuss such issues with their peer colleagues in the first instance and attempt to resolve informally. Where this is unsuccessful it should be escalated as per the procedure.
- III. If agreement cannot be reached following discussions between the above 'first line' managers, the issue must be referred without delay through the line management of each agency. The Conference Chair should be copied into all correspondence and consideration should be given to reconvening the Child Protection Review Conference where there are any concerns which may have a detrimental impact on the progress of the child protection plan.
- IV. Advice and guidance may be sought directly from the Designated or Named Professional in addition to the line manager.

## **4. Where Professional Differences Remain**

- 4.1 Escalation should continue throughout the line management to DCS / Chief Executive of the respective organisations but this should only be in exceptional circumstances and the expectation is that agencies will find a resolution in a timely manner. In the unlikely event that the issue is not resolved by the steps described above and/or the discussions raise significant policy issues, it should be brought to the attention to the Chair of Newcastle Safeguarding Children Partnership, via the Partnership Manager, who will determine the appropriate course of action.

## **5. Timescales**

- 5.1 Generally the following timescales should be adhered to at each stage of the escalation process unless the child is believed to be a risk of Significant Harm where the matter should be escalated more quickly:
  - I. Practitioner to practitioner disagreements must be shared, discussed and an outcome reached within 5 working days of the practitioners having a difference of opinion. If there remains a disagreement Stage 2 is implemented
  - II. At Stage 2 the practitioner who is concerned escalates the matter to their line manager or safeguarding/designated lead who will escalate it to the equivalent in the other agency/service. The concern or issue is discussed and an outcome reached within 5 working days of the matter being escalated to the line manager or equivalent. If there remains disagreement Stage 3 is implemented
  - III. At Stage 3 the line manager escalates the concern to the Head of Service or equivalent in their agency who will escalate it to their equivalent in the other agency/service. The concern or issue is discussed and an outcome reached within 5 working days of the

matter being escalated to the Head of Service or equivalent. If there remains disagreement Stage 4 is implemented

- IV. At Stage 4 the Assistant Director or equivalent will escalate it to their equivalent in the other agency/service. The concern or issue is discussed and an outcome reached within 5 working days of the matter being escalated to the Assistant Director or equivalent. If there remains disagreement Stage 5 is implemented.
- V. At Stage 5 the Director or equivalent will escalate it to their equivalent in the other agency/service. The concern or issue is discussed and an outcome reached within 2 working days of the matter being escalated to the Director or equivalent. If there remains disagreement the matter is referred to the Chair of the Newcastle Partnership for resolution

## **6. De-Brief**

- 6.1 It may be useful for individuals to debrief following some disputes to promote continued good working relationships and enhance learning.
- 6.2 When the issue is resolved, any general issues should be identified and referred to the NSCP Partnership Manager who will liaise with relevant sub group chairs for consideration to inform learning and improvement.
- 6.3 Where concerns are identified about the practice of other practitioners, this should be discussed by the concerned practitioner with their own line manager / Safeguarding lead. Consideration should also be given to consulting with the Local Authority Designated Officer (LADO) especially if these concerns are suggestive of a pattern of behaviour that is not in the best interests of the child.

## **7. NSCP Monitoring**

- 7.1 The NSCP has a statutory role to ensure that arrangements are in place to safeguard children. This includes having a specific interest in how well agencies work together.
- 7.2 Therefore the Head of Service (or equivalent) should forward a copy of each escalation notice to the NSCP Partnership Manager. These will then form the basis of a report by the Partnership Manager to the NSCP, setting out issues in the escalations and the consequence for policy on a quarterly basis.