

Professional Differences Policy -

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| **Document Owner:** | **Herefordshire Safeguarding Children Partnership** |

Multi-agency resolution protocol / guidance

# 1.0 Introduction

Serious case reviews, nationally and in Herefordshire, have routinely highlighted the importance of professionals challenging decisions to ensure the best outcomes for children and their families. In some cases, professionals may believe that they have challenged a decision; but the process of the review has evidenced that the challenge was not clear or not perceived as such.

The purpose of this policy is to explain what to do when a professional has a concern or a professional difference with another agency’s decision or action related to a child or young person; and how to respond to that challenge. An escalation policy and resolution protocol ensures that all professionals have a quick and straightforward means of resolving professional differences in order to safeguard the welfare of children and young people.

When working with children and their families, professional difference can be positive. On that basis, professionals should expect to be challenged. Respectful challenge allows for review and can foster creative ways of working and improve working relationships. However, poorly managed differences can impact negatively on positive working relationships and consequently on the ability to safeguard and promote the welfare of children. Differences always require resolution.

The Herefordshire Safeguarding Children Partnership (HSCP) supports and promotes a culture of professional challenge and has devised this framework for timely and effective case resolutions.

It is expected that most differences can be resolved, without escalation, by professionals discussing the concerns and agreeing a way forward to meet the child’s needs. In the event that this does not result in a resolution, the formal stages below **must** be followed until there is agreement as to how the issue/concern will be resolved. These stages and procedures are further detailed in the policy below.

## Figure 1: Escalation stages diagram

**Stage 1 Line/Team Manager to Line/Team Manager**

**Stage 2 Safeguarding Lead/Service Manager/Head of Service to**

**Safeguarding Lead/Service Manager/Head of Service**

**Stage 4 Escalation to HSCP Strategic Partners Board, via Chair**

**Stage 3 Executive Leader/Director/Senior Manager to Executive Leader/ Director/Senior Manager**

Within 1-3 working days of initial concern

Within 8 working days of initial concern

Within 13 working days of initial concern

Within 20 working days of initial concern

# 2.0 Overarching Principles

The Herefordshire Safeguarding Children Partnership has agreed that the following principles should underpin this policy and the associated case resolution protocol:

* The safety and wellbeing of individual children and young people is the paramount consideration in any challenge and escalation;
* Effective challenge is a positive action;
* Practitioners should take responsibility for their own cases and actions;
* Any differences between agencies should be resolved as simply and quickly as possible;
* Practitioners should respect the views of others, whatever their level of experience, the role they fulfil or agency they represent;
* Practitioners and managers should always be prepared to review decisions and plans with an open mind;
* Working together effectively depends on resolving differences to the satisfaction of practitioners and agencies, with a genuine commitment to partnership working;
* Resolution should be sought within the shortest timescale possible to ensure the child’s needs are met.

When there is a need to escalate a concern, professionals should:

* Raise the concern with respectfulness, balance and clarity;
* Provide clear evidence or if it is a ‘gut feeling’, say that it is and own it as such;
* Act swiftly and deal with issues and concerns as they arise;
* Ensure concerns are raised correctly using this agreed process – telling colleagues isn’t enough;
* Be open and ready to listen to the responses when provided;
* Focus on the child’s safety and wellbeing at all times;
* Record all agreed outcomes of discussions and actions on a child’s file.

By raising issues of professional difference when you are concerned about a child’s safety, you are exercising:

* Your obligation to provide good safeguarding outcomes for that child
* A fundamental professional responsibility
* A positive proactive approach
* Openness
* Professional curiosity
* Ownership
* Confidence in the way you work
* Good professional practice
* Reflective practice
* Child centred practice …

And you will be respected for your challenge

# 3.0 Overview

This policy is a multi-agency approach to resolving differences and does not replace the need for single agency dispute resolution procedures which should be in place to manage disputes on decisions between internal services, nor is it a substitute for reporting serious incidents that individual organisations have in place.

Differing opinions could arise for a number of reasons, but are most likely to be in relation to:

* levels of need and intervention,
* timeframes for actions or responses,
* lack of understanding of roles and responsibilities,
* the need for action and communication.

**\*When any professional considers a child is at immediate risk of significant harm, then the individual must ensure their concerns are addressed on the same working day using established safeguarding referral procedures.\***

Examples, where the concerns about the child should prompt action, are given below. This list is not exhaustive.

* Dispute at the point of referral made by one agency to another due to differing opinions about thresholds/eligibility for services,
* Concern about the action / inaction of another professional in relation to a child or family member or non-compliance with safeguarding procedures/statutory guidance,
* Professional difference about decision making and a course of action to be taken, for example whether there should be a Child Protection Case Conference or, whether a case should be closed including step up – step down,
* Professional difference about the outcome of a Child Protection Conference which had been raised during the Conference and is recorded in the record of the meeting. (NB Family members will use the Council’s complaints process if they disagree with the outcome of a Child Protection Conference),
* Professional difference about the implementation of a child’s plan or its effectiveness in bringing about the necessary changes,
* Professional difference about information sharing,
* Difference of professional opinion over the outcome of an assessment and/or differences about the analysis of information and associated decision making,
* Professional difference about the provision of services,
* Concern that the child’s lived experiences are not informing assessment, decision making or planning,
* Concern that there is drift or unreasonable delay in progressing a case,
* Concerns about the operation of child protection procedures.

# 4.0 Case resolution protocol - a staged approach

It is expected that most differences can be resolved, without escalation, by professionals discussing the concerns and agreeing a way forward to meet the child’s needs. The practitioner with the concern should raise the issue/concern with their counterpart[[1]](#footnote-1) from the relevant agency; they may also wish to discuss the issues with their named safeguarding lead. Discussions can be a telephone conversation or face to face meeting. This is not a formal stage in the protocol and the agreed outcome of discussions or actions must be recorded on the child’s case records and used, should there be a need to refer the concerns to a manager, to activate the case resolution protocol.

In the event that this does not result in a resolution, the formal stages below **must** be followed until there is agreement as to how the issue/concern will be resolved.

Timescales for a resolution will vary from case to case. Timeframes, set out in working days from the initial escalation, are suggested for each stage in the protocol however these are indicative timeframes and, in some cases, the matter will require a swifter response. The needs and wellbeing of the child should be the determining factor in deciding when the issue/concern should be escalated to the next stage of the case resolution protocol and professionals should exercise professional judgement to ensure that matters are addressed in a timeframe commensurate with the child’s needs. The key principle to guide professional judgement is:

**Do not delay if inaction will increase the risk to a child**

At all formal stages of the protocol, agencies should agree the timeframes for when a response to the issue/concern raised will be provided. This should be the shortest possible time needed to explore the issues raised and be informed by the level of concern about the child’s safety and wellbeing. A lack of response within the agreed timeframe may lead the professional raising the concern to escalate to the next stage citing a lack of response at the previous stage of the protocol and ongoing concerns about the child’s safety and wellbeing as the reason for doing so.

## Figure 1: Escalation stages diagram

**Stage 1 Line/Team Manager to Line/Team Manager**

**Stage 2 Safeguarding Lead/Service Manager/Head of Service to**

**Safeguarding Lead/Service Manager/Head of Service**

**Stage 4 Escalation to HSCP Strategic Partners Board, via Chair**

**Stage 3 Executive Leader/Director/Senior Manager to Executive Leader/ Director/Senior Manager**

Within 1-3 working days of initial concern

Within 8 working days of initial concern

Within 13 working days of initial concern

Within 20 working days of initial concern

## 4.1 Stage 1. Escalation to Line or Team Manager

Where practitioners are unable to satisfactorily resolve matters of concerns, the issues must be escalated to a line or team manager. The line or team manager should discuss the issue with their counterpart in the other agency. Respective parties must identify explicitly what the problem is and have absolute clarity about the nature of the professional challenge and what the respective professionals aim to achieve. A summary of the issues and actions agreed including timescales must be recorded on the child’s case file by both parties. Where a child is subject to a Child Protection Plan or is a Looked-After Child, the Independent Reviewing Officer must also be notified.

To ensure a shared understanding of the agreed action, the agencies must agree who will make a record of the agreed actions and share it with the other agency. Agencies should subsequently check that agreed actions have been implemented in the agreed timeframe.

Individual agencies may also have their own internal procedures to record professional difference matters and these should also be followed. A template that could be used to record such matters can be found at Appendix 1.

Stage 1 should be completed within **1-3 working days** however **do not delay if inaction will increase the risk to a child.** Matters that remain unresolved **must** be escalated to Stage 2.

## 4.2 Stage 2. Escalation to Safeguarding Lead/Service Manager/Head of Service

Where matters are escalated to Stage 2, consideration should be given to convening a meeting of relevant professionals to explore and resolve the issues/concerns. The outcome of discussions at Stage 2 must be completed no later than by Day 8 from the initial concern (working days) however **do not delay if inaction will increase the risk to a child.**

Matters resolved or actions agreed including timescales must be recorded on the child’s file by both parties. To ensure a shared understanding of the agreed action, the agencies must agree who will make a record of the agreed actions and share it with the other agency. Agencies should subsequently check that agreed actions have been implemented in the agreed timeframe.

The Report to HSCP: Multi-agency resolution template (Appendix 2) must be completed and submitted to the Partnership team for escalations at Stage 2. The Form must also be sent to the relevant professional in the other organisation. The relevant professional is the Designated Safeguarding Lead / Service Manager / Head of Service (at Stage 2 of the policy) in the organisation to which the challenge is being raised.

If matters remain unresolved at Stage 2, details of dispute **must** be recorded and escalated to Stage 3.

**NB For all escalations in respect of Local Authority Children’s Services, if resolution is not agreed at Stage 2, then before going to Stage 3, the Service Director Safeguarding and Family Support must be informed by the Local Authority Children’s Services manager involved at Stage 2.**

## 4.3 Stage 3: Escalation to Executive Leader/Director/Senior Manager

If matters remain unresolved, consideration should be given to arranging a meeting between Executive Leaders and relevant professionals in order to explore and resolve the issues/concerns. Matters resolved or actions agreed including timescales must be recorded on the child’s file by both parties and to ensure a shared understanding of the agreed action, the agencies must agree who will make a record of the agreed actions and share it with the other agency. Agencies should subsequently check that agreed actions have been implemented in the agreed timeframe

The Report to HSCP: Multi-agency resolution template (Appendix 2) must be updated and submitted to the Partnership team for escalations at Stage 3.

Where Executive Leaders are unable to resolve matters through this process, the matter will be escalated to the Herefordshire Strategic Partnership Board of the HSCP. This stage must be completed by day 13 (working days) from the initial concern, however **do not delay if inaction will increase the risk to a child.**

## 4.4 Stage 4: Escalation to Safeguarding Partners Board (SPG)

If it has not been possible to resolve professional differences following discussion between Executive Leaders, the matters should be referred by the concerned agency for the attention of the Chair of the SPG. The Partnership Team should be informed, through updating the Report to HSCP: Multi-Agency Resolution template (Appendix 2), and the Partnership Team will support arranging the resolution meeting.

The Chair of SPG will request a resolution meeting to be chaired by a member of the Safeguarding Partners Board be convened. The Chair of the resolution meeting should not be from one of the agencies involved in the escalation matter. An agreed plan to resolve the matter should be agreed by the SPG. This stage should be completed by day 20 (working days) from the initial concern however **do not delay if inaction will increase the risk to a child.**

A record will be kept of this meeting and will be kept by the HSCP Partnership Team. A copy should be held within the child’s records in both agencies.

# 5.0 Submitting a record report and logging the escalation

When an escalation reaches Stage 2, a record using the Report to HSCP: Multi Agency Resolution template (Appendix 2) must be submitted to the HSCP Partnership Team by the agency raising the concern, and the Form should also be sent to the relevant professional in the other organisation (Designated Safeguarding Lead, Service Manager, Head of Service, as per Stage 2 guidance).

The Partnership Team will maintain a log of escalations submitted at Stage 2, which will be reported to the HSCP Quality and Effectiveness and MASH Strategic sub-group on a quarterly basis, for information-gathering purposes.

Professionals continue to be responsible for progressing the escalation, including convening meetings, at Stage 2 and beyond. The Partnership Team’s role is not to facilitate the resolution of the issue unless the escalation reaches Stage 4 and support is needed to arrange a meeting of the Safeguarding Partners.

Professionals should continue to update the Partnership Team by updating the form and re-submitting it when the issue is resolved, and/or if the escalation progresses to a higher Stage.

# 6.0 Concerns about the practice of colleagues

If an adult who is working or volunteering with children and young people is subject to an allegation that they may have harmed a child, a referral must be made to the Local Authority Designated Officer (LADO) within 24 hours to report the concern. The criteria for making a report to the LADO are that an individual may have:

* Behaved in a way that has harmed a child
* Possibly committed a criminal offence against or related to a child
* Behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

The LADO referral form, information and guidance on allegations against professionals can be found on the [West Midlands Child Protection Procedures site under LADO / Managing Allegations (3.8)](https://westmidlands.procedures.org.uk/local-content/ygjN/lado-managing-allegations/?b=Herefordshire).

Each agency should also have its own clear and accessible policy in respect of 'whistleblowing' which should be consulted when there are serious concerns about wrongdoings in an organisation. The wrongdoing being disclosed should be in the public interest (ie – it affects other people). If you have exhausted your organisation’s whistleblowing process you should escalate outside the organisation. See more information on [whistleblowing the government webpages](https://www.gov.uk/whistleblowing).

# Appendix 1: Agency escalation Summary Log

The log below can be used if agencies wish to maintain a summary of cases escalated.

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| **AGENCY ESCALATION SUMMARY LOG** |

**(For completion by Line Manager/Safeguarding Lead as appropriate)**

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| --- | --- | --- | --- | --- | --- | --- | --- |
| **Escalation Ref Number** | **Child Details**  **Name:**  **DOB:**  **Age:**  **Unique identifier:** | **Concern** | **Level of Need**  **(if the level of need is part of the challenge, indicate current and proposed level)** | **Summary of Professional Difference** | **Date initial escalation raised** | **Action taken / Progress updates** | **Outcome / Summary of Resolution** |
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# Appendix 2: Report to HSCP – Multi-Agency Resolution template

**Professional Differences Policy**

Completed forms should be sent to the HSCP Partnership Team: [admin.sbu@herefordshire.gov.uk](mailto:admin.sbu@herefordshire.gov.uk), and to the relevant professional at Stage 2 in the organisation to which the challenge is being raised. The relevant professional is the Designated Safeguarding Lead / Service Manager / Head of Service (as per Stage 2 of the policy).

Please note that, after submitting the escalation form, professionals continue to be responsible for progressing the escalation at Stage 2 and beyond. The Partnership Team’s role is to log and report a summary of escalations raised, not to facilitate the resolution of the issue unless a meeting of the Safeguarding Partners needs to be arranged at Stage 4.

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| **Multi-Agency Resolution: Escalation Template – (required from Stage 2)** | |
| Section A: Escalation Information | |
| 1. Child’s information   If the escalation is not about a specific child, complete Section 2: Practice Issue / Themed Escalation | |
| 1.1 Name of child/young person: |  |
| 1.2 D.O.B: |  |
| 1.3 Child’s Address: |  |
| 1.4 Unique child reference number  (e.g. Mosaic I.D) |  |
| 1. Concerns | |
| 2.1 Brief details of professional difference:  Please describe the issue, concerns, and desired outcome. |  |
| 2.2 What are the key themes or practice issues in this matter?  Please note if this is a recurring issue. If so, it is helpful to reference previous escalations. |  |
| 1. Professionals’ Information | |
| 3.1 Name of Professional, role, agency and email contact details of the person escalating a concern: |  |
| 3.2 Name(s) of other professionals involved, roles and agency: |  |
| 1. Level of Need and Action Taken | |
| 4.1 Current level of need (Right help right time, also state any legal orders, CIN / CP Plan, etc.) |  |
| 4.2 Perceived level of need (Right help right time, also state any legal orders, CIN / CP Plan, etc.) |  |
| 4.3 Date of initial concern: |  |
| 4.4 Action taken: |  |

As the escalation progresses, please update Section B:

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| --- | --- |
| Section B: Progress Updates | |
| Progress update (include meetings, agreed actions, timeframes and if escalation moves to higher stages) |  |

After the escalation is resolved, please complete Section C:

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| --- | --- |
| Section C: Resolution Summary | |
| Methodology used to resolve disagreement: |  |
| Difference resolved at:  Escalation Stage:  Date: |  |
| Please indicate lessons learned, themes, recommendations for the HSCP to consider, and any feedback from the resolution process: |  |
| Form completed by: |  |
| Date: |  |

**To be completed by HSCP Partnership Manager:**

|  |  |
| --- | --- |
| Section 4: HSCP Partnership Manager | |
| Date received by HSCP Partnership Manager: |  |
| Actions taken by HSCP |  |

# Appendix 3: Glossary

HSCP

The Herefordshire Safeguarding Children Partnership

SPG

Safeguarding Partners Board

# Document Classification

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**Consultation Log**

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**Version Log**

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| --- | --- | --- | --- |
| **Version** | **Date** | **Description of change** | **Reason for Change** |
| Version 3 | September 2022 | Amended text to condense lengthiness and clarify process.  Updated position titles E.g. Assistant Director changed to Service Director  Added instruction about LADO referrals.  Clarified role of business unit and recording/reporting of escalations  Additional requirement added for Stage 2 Form to be sent to the counterpart in the other organisation.  Updated Referral Form to include recognition of thematic issues and indicate whether issue is resolved or not and the form should be updated and resubmitted as escalation progresses or is resolved. | Regular scheduled review |

1. The counterpart is the individual you have a different professional view to. [↑](#footnote-ref-1)