

## **‘Escalating for the right Outcome’**

### **Professional Disagreement Procedure**

#### **Introduction**

Effective safeguarding of children is based on practitioners and front-line staff wanting the very best for children. They need to be ready to stand up in the best interests of children to enable collective responsibility for problem solving, even if this brings them into disagreement with other practitioners, with other organisations or with their own managers and employing bodies.

This document sets out how significant case disagreements will be managed in Northamptonshire. In nearly all instances, it should be possible to resolve differences within the line management arrangements of the strategic leads and relevant partner agencies and this will be the expected approach. Rightly, it will be exceptional that cases need to be progressed through a more formal procedure.

#### **The Protocol**

Escalating concerns about a child is an expected part of partnership working. There is often no right or wrong answer when it comes to safeguarding children and judgements and decisions should be made by way of robust challenge, discussion and debate about the most effective way forward to ensure the child receives the best possible outcome.

Children’s cases can only be successfully escalated or conflicts resolved if those involved are willing for that to happen and genuinely want resolution to be the outcome.

For all organisations, this means:

- Senior leaders are expected to listen impartially to the issues raised and demonstrate tolerance and mutual respect in order for this procedure to be successfully embedded into the local culture;
- Case disagreements are welcomed and their resolutions are considered likely to improve outcomes for children;
- There is an expectation that there is a collective responsibility for problem-solving, regardless of where that specific issue lies and;
- That external mediation can be useful when needed and can be provided by one of the strategic leads of the Northamptonshire Safeguarding Children Partnership not involved in the case.

At an individual level, it means:

- Ensuring that only the best interests of children drives the escalation;
- Concerns have been thought through with the agencies’ own safeguarding leads prior to escalation;
- They are raised with respectfulness, balance and clarity;
- That clear evidence is provided or if it is a ‘gut feeling’, say it is and own it as such;
- Understanding any personal motivation that might be driving the escalation;
- Understand where there might be over-identification with one family member at the expense of another;
- Tenacity is not the same as stubbornness or inflexibility;
- Don’t ‘save up’ concerns – deal with them in the present;
- Ensure your concerns are addressed where they belong – telling your colleagues isn’t enough;
- Be clear about the difference between what individuals do and are responsible for and what their organisations do and are responsible for; and
- Be open and ready to listen to the responses when provided.

Professionals raising issues with each other can almost always result in an agreed way forward. When they do not, there is an expectation that resolution will be sought through manager-to-manager dialogue and that resolution

continues up hierarchies until a resolution is reached. If necessary, this should be up to, and include, senior managers and leaders in organisations.

Understanding the pattern of conflicts and conflict resolutions is an important part of understanding the robustness of the system. Of equal, if not greater importance, will be the need to understand should it occur, an absence of escalations occurring might indicate lack of appropriate challenge and scrutiny in the system. The NSCP, through the MASDIG (Multi-Agency Service Delivery & Improvement Group) and its Quality & Governance Sub Group, will have an overview of escalations.

### **Areas of Conflict**

Disagreements and conflicts can arise at a number of different stages and around a variety of areas in casework with children and families. Below are examples of some of the most common areas where you may find a disagreement has occurred, this is by no means an exhaustive list and demonstrates areas where professional robust challenge is often needed:

- A referral not considered to meet the threshold for assessment by Children's Social Care;
- A referral not considered to meet the threshold for intervention by a specific Health service;
- Children's Social Care conclude that further information should be sought by the referrer before a referral is progressed;
- There is a disagreement as to whether the child protection procedures should be invoked;
- Different interpretations on the need for significant agency response in relation to a child protection enquiry;
- There is a disagreement over the sharing of information and/or provision of services;
- There is a disagreement over the outcome of any assessment and whether the appropriate action plan is in place to safeguard and promote the welfare of the child.
- There are different views about what the right level of intervention is at different times

Disagreements could also arise in a number of different areas, but are most likely to arise around:

- Levels of need;
- Roles and responsibilities;
- The need for action; and
- Communication.

**The safety of individual children is the paramount consideration in any professional disagreement and any unresolved issues should be addressed with consideration to the risks that might exist for the child.**

### **The Process**

The flowchart below details the steps all organisations should go through when conflict in cases occurs in order to resolve these in a timely manner. Timescales for a resolution will vary from case to case. The expectation is that resolution is timely and not drawn out and, in some cases, a speedy resolution will be required. Timescales are included within the flowchart however, these are expected to be the maximum time to resolve a conflict with many conflicts expected to be resolved as quickly as possible within these times.

It should be noted that the flowchart (below) is to be used as a guide when escalating concerns, in some organisations some professionals will need to represent the agency at all stages while others may have multiple levels of management to resolve a conflict. For example a head teacher within a school may need to act at all levels of the process while the Local Authority has multiple layers of management that may be able to resolve a case.

The success of this procedure is only possible with the full co-operation of all organisations and a professionalism displayed by all working with children in Northamptonshire, this includes communicating clearly and effectively. Practitioners should avoid using terms such as 'complaint' to describe escalating a case to a management level to resolve a conflict.

Requests to provide management contact details should also be dealt with without delay, unfortunately it is not possible to have contact details in this procedure due to the size of the partnership, and recognising staff will change over time.

When escalating a concern up to stage 2 and further stages in the process evidence should be submitted to managers / senior staff that attempts to resolve the disagreement have taken place at the previous stage and been exhausted with no agreement found.

### **Recording and Communication**

At all stages of the process actions and decisions must be recorded in writing and shared with relevant personnel, to include the worker who raised the initial concern. In particular this must include written confirmation between the parties about an agreed outcome of the disagreement and how any outstanding issues will be pursued.

A key element for the NSCP is that everyone has the ability to learn from good practice and resolved conflicts that have occurred within the partnership. Where partners feel that a conflict has been resolved successfully to the benefit of the children / families involved we would like to hear examples via the Business Office so these examples can be recorded and shared with other members of the partnership.

### **Conclusion**

Arriving at this form of conflict resolution, through changing behaviours and culture, is the sign of a confident and mature partnership.

## Flowchart

Escalations should be raised in a variety of methods either via telephone, face to face or other type of virtual meeting. All escalations should be recorded to ensure that the procedure is effective, transparent and for auditing purposes. Escalation via e-mail is not recommended as effective multi-agency working requires professional challenge and discussion in a suitable format and in the most timely way possible.. Any escalation should follow the steps below within the maximum timescales stated. Before progressing an escalation through the stages of this process, evidence should be provided that all efforts at the previous stage have been explored.

### Stage 1 – Direct Professional to Professional Discussion

Initial attempts should be taken to resolve the conflict. This should normally be between the people who disagree who will try to achieve a shared understanding and agree a local resolution, in line with the plan or to ensure a plan is developed if needed. This must occur immediately with an acknowledgement and mutually agreed plan of action, including timescales within **48 hours (2 working days)**. It should be noted that some professionals may need support when raising a disagreement.



### Stage 2 – Direct Manager to Manager Discussion

If unresolved the problem should be referred to each professionals' own line manager in their organisation, who should review the concerns and discuss with their opposite number in the other agency. At this stage it may be useful for the line managers/safeguarding children leads to agree a meeting between themselves and the concerned practitioners to assist with the exploration. The discussion between managers must occur within **5 working days** of stage 1, with a mutually agreed plan of action including timescales agreed.



### Stage 3 – Senior Manager to Senior Manager Discussion

If the problem remains unresolved the line managers will refer to their line managers for consideration. This should continue through an organisation's management structure. In all circumstances of escalation through a management structure the case should be reviewed with agreed actions and timescales agreed. Each Manager to Manager discussion should take place within **5 working days** of the previous stage.



### Stage 4 – Director / Chief Executive Discussion

The final stage for escalation with agencies will be to Directors / Chief Executive level of partners. Should a disagreement reach this stage a mutually agreeable plan of action including timescales should be in place within **48 hours (2 working days)**. This may involve a resolution meeting to ensure any learning points are recorded and brought forward.



### Stage 5 – Partnership Resolution

In the rare circumstances where the problem cannot be resolved through partner's line management arrangements, the matter will be referred to the Business Office of the Safeguarding Children Partnership where one of the Strategic Leads will offer mediation within 5 working days of notification to the Business Office

