

Case / Conflict Resolution 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 being reported as this might indicate lack of appropriate challenge and scrutiny in the system. The NSCP, through the Quality and Governance Sub Group, will have an overview of formal escalations and areas of dispute and seek to challenge and identify any themes emerging. There will be a standing item based on this procedure at Quality and Governance Sub Group meetings, providing the opportunity for agencies to feed in their experiences and identify any areas of concern.

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. The flowchart also details when organisations need to inform the NSCP of the conflict and the outcome reached.

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.

As detailed in the flowchart any disagreement that has reached stage 2 (immediate line management), details of the resolution should be reported to the Business Office for reporting at the Quality and Governance Sub Group of the Safeguarding Partnership using the reporting form attached as appendix 1. All partners are reminded to note that this form should only be submitted to the Business Office once a resolution has been reached and all sections of the form complete. This form should **NOT** be used to submit disagreements to the partnership for assistance in finding a resolution, using the form in this way will cause delay in a resolution being found for a child / family.

Follow Up

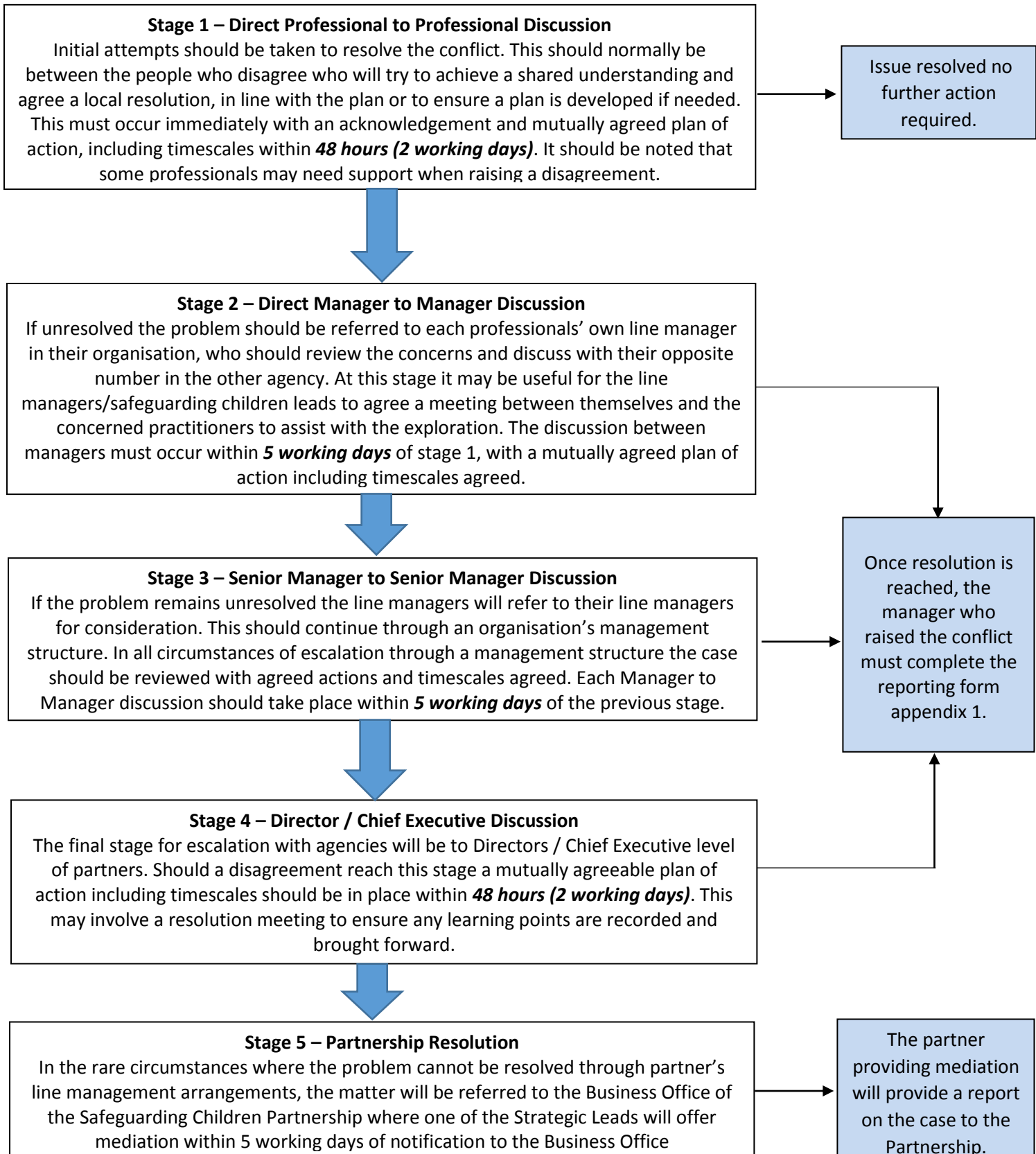
In addition to the above process there will also be a twice yearly analysis of all themes and resolutions to be undertaken by the Independent Scrutineer and reported to the Strategic Leads of the Safeguarding Partnership.

Conclusion

Arriving at this form of conflict resolution, through changing behaviours and culture, is the sign of a confident and mature partnership.. The protocol will need to be reviewed annually and a report on the growing effectiveness of the process and the detail of conflicts raised and resolved will be tabled to the Strategic Leads of the Safeguarding Partnership by the Quality and Governance Sub Group.

Case / Conflict Resolution Flowchart

Escalations should be raised in a variety of methods either via telephone, face to face or other type of internet 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.



NSCP Case / Conflict Resolution Reporting Form

***This form should NOT be used to escalate a conflict to the Business Office and only completed forms should be submitted. Using the form in this way will result in delay of the conflict being resolved and the form returned to sender.**

The below form should be used to inform the NSCP of the resolution for any professional disagreement that reach Stage 2 or above of the NSCP Case / Conflict Resolution Procedure.

As detailed in the procedures 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.

Details of the resolution should be sent by the manager who raised the conflict to the NSCP Business Office using this form to NSCP@northamptonshire.gov.uk

Date the Disagreement Occurred:

Organisations involved in the Disagreement:

Job Title / Role of Professionals involved:

Details of the Disagreement and the steps taken to resolve it:

Please enter details of the disagreement including the stage reached and the steps taken at all stages of the procedure to resolve the disagreement here:

Manager resolving Disagreement including agency:

Date Resolution made:

Details of Resolution:

Please enter details of the resolution and how this was reached here:

SignedDate.....