

Dispute Resolution & Escalation Protocol

November 2018

This protocol should be read in conjunction with the relevant [Safeguarding Children Partnership Complaints Procedure](#), the [Pan-Sussex Safeguarding Procedures: Resolution of Professional Disagreements](#) & the [Resolving Professional Differences Briefing](#).

1.0 Introduction

- 1.1 Professionals working within all agencies including Children's Safeguarding, Education, Health, Police, Probation, Housing Providers and Voluntary Organisations may, from time to time, experience disagreements over the handling of concerns relating to children and families and the views of one person may not always accord with those of a professional colleague. This can occur when a representative from one agency expresses concerns about decisions taken, or the handling of a particular case, or there may exist conflicting views on how the case should be dealt with.
- 1.2 Having different professional perspectives within safeguarding practice is a sign of a healthy and well functioning partnership and effective working together depends on an open approach and honest relationships between professionals. These differences of opinion are usually resolved by discussion and negotiation between the professionals concerned.
- 1.3 Differences could arise in a number of areas of multi-agency working as well as within single agency working. Differences are most likely to arise in relation to:
- Criteria for referrals and levels of need
 - Outcomes of assessments
 - The need for action
 - Roles and responsibilities of workers
 - Service provision
 - Timeliness of interventions
 - Information sharing and communication
- 1.4 It is essential that where differences of opinion arise they do not adversely affect the outcomes for children and young people, and are resolved in a constructive and timely manner. Where professional concerns or suspicions around the child's safety and wellbeing remains, and there are concerns that the management around this is inadequate to protect the child, professionals are urged to initiate the Safeguarding Children Partnership (SCP) endorsed [Pan-Sussex Safeguarding Procedures: Resolution of Professional Disagreements](#).
- 1.5 The escalation process is a formal professional mechanism to improve the way professionals work together to collectively improve outcomes for children. Anyone working with children, young people and their families should feel confident to challenge decision-making.

2.0 Key Principles of this Protocol

- Share key information appropriately and often
- Seek to resolve the issue quickly and at the practice rather than the management level
- Avoid disputes which place children at further risk by obscuring the focus on the child or which delay decision making.
- Liaise with lead professionals in safeguarding or child protection designates in your organisation at the earliest opportunity. Clarity is expected from all agencies in respect of designated roles and responsibilities.
- Familiarise yourself with the escalation routes within your agency for escalation and resolution.
- Ensure accurate and contemporary recording on the child's file of key decisions and conversations in relation to the resolution process.
- Stay proactively involved; safeguarding is everyone's responsibility.
- Use the Safeguarding Children Partnership escalation process set out here at section 3.

3.0 Process for Professional Resolution and Escalation of Concerns¹

It is recommended by the Safeguarding Children Partnership that agencies seeking to resolve issues pertaining to child protection planning follow the Safeguarding Children Partnership six step process. At each stage the person escalating should clearly state the timeframe in which for a resolution should be reached before it is escalated to the next stage.

Stage 1: Professional to Professional

Any professional who is unhappy about a decision/action should contact the professional who made the decision/took the action to express their views and concern and discuss/explore the basis of that decision. Be specific and evidence based as to what the difference of opinion is about and how this effects the outcomes for the child.

Records of discussions must be maintained by all the agencies involved.

Stage 2: Manager to Manager

If you are unable to resolve differences through discussion and/or meeting within a time scale, which is acceptable to all parties, your disagreement must be addressed by more experienced / more senior staff

Raising the issue with your line manager can be done in written or verbal format but there must be a written record of the issue raised, the action taken and the outcome for the child.

Stage 3: Senior Manager to Senior Manager

If agreement cannot be reached following discussions between the 'first line' managers the issue must be referred without delay through the line management to the equivalent of Head of Service / detective inspector / head teacher / Named Doctor or Nurse.

These two managers must attempt to resolve the professional differences through discussion and focus on outcomes for child.

Stage 4: Professional leads for Safeguarding

In the unlikely event that the issue is not resolved by the steps described above and serious professional disagreements remain unresolved /or the discussions raise significant policy issues, the matter should be raised with the professional leads for safeguarding and child protection within the agencies involved and include the senior child protection manager / Designated Doctor or Nurse.

Stage 5: Escalation to SCP

In the unlikely event that the steps outlined above do not resolve the issue, and / or the discussions raise significant policy/procedure issues and / or a number of similar concerns or disagreements have been recorded, the matter should be referred to the Safeguarding Children Partnership Independent Scrutineer to determine the appropriate process for resolution. This will include raising the issue with the Directors / Chief Executives of the three Safeguarding Partners.

Stage 6: Escalation to Secretary of State

If the Safeguarding Children Partnership Independent Scrutineer considers that the leadership arrangements are weak or malfunctioning and all attempts at resolution have failed, legislation allows the Secretary of State to take enforcement action against any agency that is not meeting its statutory obligations as part of local safeguarding arrangements.

For information on:

- Dissent with decision to call a Child Protection Conference
- Professional Dissent at Child Protection Conference
- Dissent regarding the Implementation of the Child Protection Plan

See [Pan-Sussex Safeguarding Procedures: Resolution of Professional Disagreements](#)

¹ In line with the LSCB's six stage process, line managers should seek advice from their agency's nominated / designated safeguarding lead.