

Working Together to Safeguard Children 2018 – A Guide to Inter Agency Working to Safeguard Children and Promote the Welfare of Children

Dispute Resolution

Safeguarding Partners and relevant agencies must act in accordance with the arrangements for their area, and will be expected to work together to resolve any disputes locally. Public bodies that fail to comply with their obligations under law are held to account through a variety of regulatory and inspection activity. In extremis, any non-compliance will be referred to the Secretary of State. **(Page 80)**

Introduction

- 1.1. Effective working together depends on a culture of open and honest relationships between agencies and professional differences are welcomed by professionals who want the best service for children and young people in Gloucestershire. Problem resolution is an integral part of professional co-operation and joint working to safeguard children in Gloucestershire.
- 1.2. Disagreement based on a passion to improve outcomes for children is healthy professional practice. Resolution of disagreement is an integral part of professional co-operation and joint working to safeguard children. Effective working together is dependent on an open and honest relationship between agencies and professionals.
- 1.3. In considering escalation, restorative practice principles are essential – these are high support and high challenge. In addition, at all times the focus should always be on improving outcomes for children.
- 1.4. Occasionally situations arise when workers within one agency feel that the actions or inaction or decisions of another agency do not adequately safeguard a child/young person.
- 1.5. This inter agency policy defines the process for resolving such professional difference and should be read alongside the Gloucestershire Safeguarding Children Procedures and any relevant internal policies on escalating matters of concern.
- 1.6. Disagreements can arise in a number of areas, but are likely to arise in the following:
 - Levels of need (Gloucestershire levels of intervention document).
 - Roles and responsibilities
 - The need for action
 - The need for inaction
 - Progressing plans and clear communication
 - Provision of services
- 1.6 Where professionals consider the practice of other professionals is placing a child/children at risk of harm, they must be assertive, act swiftly and ensure that they challenge the relevant professionals is in line with this policy.
 - The primary and paramount consideration is the safety of children.
 - Resolution should be sought within a set timescale to ensure that children are protected.

- As a guide, professionals should attempt to resolve differences through discussion within 1 working week or a timescale that protects the child from harm (whichever is shortest).
- Disagreements should be resolved at the lowest possible stage in the 4 stages.

- 1.7 If a child is thought to be at immediate harm, the designated safeguarding lead in your agency should be informed immediately.
- 1.8 Any worker, who feels that a decision is not safe or is inappropriate, can initially consult their supervisor/manager to clarify their thinking if required. They should be able to evidence the nature and source of the concerns and should keep a record of all discussions.
- 1.9 Individuals may wish to refer to the Escalation Policy for their organisation to clarify the approach required.
- 1.10 Concerns relating to decisions, suspected wrongdoing or dangers at work within an agency, should be raised in line with each agency's policies for dealing with such matters. This includes but is not limited to those setting out the arrangements for whistleblowing.

2. Stages of Resolution

2.1 Stage One: Discuss with the other worker

- a. People who disagree should work with an open and honest approach to resolve the problem. This discussion must take place as soon as possible and is best face to face or if that is not practical - by telephone.
- b. The discussion should outline the reasons why the practice is unsafe for children, specifically what they would like to change for the children and how it is having an impact on the children.
- c. A Practitioner should discuss the concern with their supervisor/manager.
- d. **Stage 1 Timescale for resolution:** Unless agreed otherwise between both agencies resolution at stage 1 should be sought within 5 working days or a timescale that protects the child from harm (whichever is less).

2.2 Stage Two: Escalate to Line Manager

- a. If the problem is not resolved the worker should contact their manager/supervisor/ named professional in their own agency who should have a discussion with their equivalent supervisor/manager in the other agency.
- b. The discussion between managers/supervisors/named professionals should include the reasons why the practice is unsafe for children, specifically what they would like to change for the child and how it is having an impact on the children.
- c. The line managers involved could consider whether it would be helpful to convene a professionals meeting to obtain the views of other agencies as relevant. Any professionals meeting will need to adhere to the information sharing guidance set out in the Gloucestershire Safeguarding Procedures.
- d. If the subject child is on a Child Protection Plan or Child Looked After the Independent Reviewing Officer must be notified.
- e. This should be pursued with the supervisor/manager/named professional until they are satisfied the problem has been resolved or they understand the reasons why an alternative decision has been reached.
- f. A practitioner should discuss with their supervisor/manager/named professional.
- g. **Stage 2 Timescale for resolution:** Unless agreed otherwise between both agencies resolution at stage 2 should be sought within 5 working days or a timescale that protects the child from harm (whichever is less).

2.3 Stage Three: Escalate to Senior Managers

- a. If the problem is not resolved at stage 2, the supervisor/manager/named professional reports to their respective manager or named/designated safeguarding representative. These two managers must attempt to resolve their professional differences through discussion.
- b. It is advised that this, where possible, is undertaken via face to face or at least telephone conversation and not over email.
- c. Again, at this stage, a professionals meeting could be held engaging other agencies considered if deemed appropriate by the involved managers.
- d. If there remain disagreements, the expectation is that escalation continues through all the appropriate tiers of management in each organisation until the matter is resolved. This should be escalated up to all tiers of management **before it is escalated to the Gloucestershire Safeguarding Children Executive (GSCE) Independent Scrutineer.**
- e. At this stage the Escalation Monitoring Form detailing the escalation and actions taken to date to resolve it should be copied to the GSEC Safeguarding Support Unit gsce@gloucestershire.gov.uk who will record the escalation **for monitoring purposes only.**
- f. The 2 senior managers should agree a clear plan of action, which includes timescales in the best interests of the child.
- g. **Stage 3 Timescale for resolution:** Unless agreed otherwise between both agencies resolution at stage 3 should be sought within 5 working days or a timescale that protects the child from harm (whichever is less).

2.4 Stage Four: Resolution by GSCE Independent Scrutineer

- a. If professional disagreements remain unresolved, and the professional differences within the agencies concerned (and after the agency's GSCE representative members have been involved), the matter should be referred by the concerned agency to the GSCE Independent Scrutineer, who may seek to resolve the issue direct with the relevant senior managers, or convene a Resolution Panel.
- b. The agency raising the dispute must e-mail the details through to gsce@gloucestershire.gov.uk.
- c. The Resolution Panel must consist of senior officers from the three agencies who are members of the full GSCE. The senior officers must include the agencies concerned in the professional differences.
- d. The Panel will receive representations from those involved in the dispute and will collectively resolve the professional differences concerned.
- e. **The timescale for resolution: within 10 working days or a timescale that protects the child from harm (whichever is less).**

At all stages of the process, actions and decisions must be recorded in writing and shared with relevant personnel (in line with your organisation's information governance and record keeping policies) and 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. It may be useful for individuals to debrief following some disputes in order to promote continuing good working relationships. It is the responsibility of each setting/agency/organisation to record the number of escalations that take place from Stage 1 onwards. These should be reported to the named/designated safeguarding lead within your organisation. This should form part of your organisation's internal quality assurance processes.

Gloucestershire Safeguarding Children Escalation Flowchart



You consider that the actions, inaction or decisions of another agency do not adequately safeguard a child.

Please note: At each stage there is a maximum time scale of 5 days or less or as agreed between the agencies concerned keeping the best interests of the child in mind.

STAGE 1: Make initial attempts to resolve the matter through discussion with the other professional involved. Record the outcome using the Escalation Form below.

STAGE 2: If the disagreement remains unresolved – contact line manager – who will contact equivalent manager in the other agency and seek to resolve the matter. Line managers should consider whether a professional meeting is appropriate.

(It is recommended that contact is done face to face or over the phone and where possible outside of Outlook)

NOTE: If child is subject of a CP plan or is a Child Looked After, notify Independent Reviewing Officer (IRO)

STAGE 3: If the disagreements remain unresolved, the Line Managers report to their respective managers or safeguarding representatives. Again, a professional meeting may be appropriate at this stage engaging other agencies.

If there remains disagreement, escalation continues through the appropriate tiers of management in each organisation until the matter is resolved.

It is recommended that discussion is done face to face or over the phone and where possible outside of Outlook.

(NOTE: The Decision to escalate to Stage 4 must be taken by the most senior management level of both agencies, in the interests of the child, and only when all other attempts at resolution are resolved)

NOTE: When an escalation reaches Stage 3 the concerned agency must copy the completed Escalation Form to the Safeguarding Support Unit via: gsce@gloucestershire.gov.uk

NOTE: This is for monitoring purposes only and not as part of the Escalation process which should continue through the involved agencies.

STAGE 4: The GSCE Independent Scrutineer facilitates the resolution of the disagreement with the Senior Managers involved – either directly or through a Resolution Panel.

Note: There is a 10 Day timescale at stage 4