**NEWCASTLE SAFEGUARDING CHILDREN PARTNERSHIP**

**Resolving Multi Agency Professional Disagreements and Escalation**

* 1. **Introduction**

When working in the arena of safeguarding children and young people, it is inevitable that at times there will be professional disagreement between agencies. The purpose of this practice guidance is to provide a process for resolving professional disagreements which have arisen over another professionals’ decisions, actions or lack of actions in relation to a referral, an assessment or an enquiry which are considered to be unsafe.

Disagreements can relate both to decisions about individual children or specific processes. This practice guidance focuses on disagreements between agencies in relation to individual children and is applicable to all agencies, including the Voluntary, Community and Faith (VCF) sectors.

1. **Principles of Resolving Professional Disagreements**

The safety and wellbeing of individual children/young people must remain the paramount consideration in any professional disagreement. Professional differences must not inhibit timely and clear decision making; disagreements which obscure focus on the child/young person must be avoided;

Professional disagreement should not always be viewed negatively; it can improve outcomes for children and young people in a timely and sensitive manner, and provide important learning for the practitioners/agencies involved;

When there are disagreements between agencies, this should be recognised as an opportunity for healthy debate. **The purpose of this protocol is to facilitate the resolution of operational disagreements where an agency considers that, without such action, there would be a negative impact on a child's well-being**;

**Difficulties at practitioner/fieldworker level between agencies should be resolved as simply and quickly as possible between the practitioners concerned**. If this is unsuccessful, the challenging agency should formally communicate that this protocol will be implemented, and details escalated to the challenging agency's Safeguarding Lead and/or the practitioner's Line Manager to agree and record;

All practitioners should respect the views of others, whatever their level of experience. They should also be mindful of the difficulties that challenging more senior or experienced practitioners may present to others;

Working together effectively depends on an open approach and honest relationships between agencies. It also depends on resolving disagreements to the satisfaction of workers and agencies, with a genuine commitment to partnership;

Attempts at problem resolution may leave one worker/agency believing that the child/young person remains at risk of **Significant Harm**. This person/agency is responsible for communicating any such concerns through their line management and/or the Safeguard Leads for the organisations involved;

Disagreements can be resolved at any stage however it is the responsibility of all the agencies involved to achieve the best outcome for the child;

To avoid delay, it is expected that disagreements will be resolved quickly at the lowest level and, if escalated, steps 1-5 in this process should not exceed **5 working days**; step 6 should be dealt with within 14 working days.

Professionals involved must ensure that problems are resolved within the shortest timescale possible to protect the child. Individuals should therefore exercise their judgement as to whether the timelines outlined in this practice guidance needs to be achieved more quickly.

**3. Process of Resolving Professional Disagreements**

The following stages are likely to be involved:

* Recognition that there is a disagreement over a significant issue in relation to the safety and wellbeing of a child/young person;
* Identification of the problem;
* Discussion of the possible cause of the problem; and
* Agreement on what needs to be achieved in order for it to be resolved.

**Step 1**

The process of resolving professional disagreements should initially involve workers consulting co-workers, to clarify their thinking and practice in the first instance, for example, via a Professional's Meeting, discussion with the Safeguarding Lead or other meeting which promotes reflection, using an appropriate practice tool where available, such as the local [Multi-Agency Thresholds Guidance & Continuum of Help and Support Framework](https://www.proceduresonline.com/nesubregion/files/newcastle_thresholds.pdf).

In some Voluntary, Community or Faith sector organisations, the role of a Senior Manager may be undertaken by a member of the management committee.

**Step 2**

The following should be considered as part of the process of resolving professional disagreements:

1. Initial attempts to resolve the problem should normally be made between the professionals/agencies who have the original disagreement, at the time the dispute is identified, unless the child/young person is at immediate or significant risk;
2. Both agencies should give clear reason(s) for their safeguarding concerns and approach, which should be put in writing and, where required, clearly recorded as a formal challenge, as per guidance from their Line Manager and/or Safeguarding Lead;
3. It should be recognised that differences in status and/or experience may affect the confidence of some workers in resolving differences, and some may need support from their Managers and/or Safeguarding Lead.

**Step 3**

If unresolved, the problem/disagreement should be referred to the worker's own Line Manager or agency Safeguarding Lead (challenging agency), who will discuss the situation with their equivalent colleague in the other agency.

**Step 4**

If the problem remains unresolved, the Line Manager or agency Safeguarding Lead of the challenging agency will liaise with the relevant Service Manager or refer up their agency line management structure. This may be the management committee if in a VCF sector organisation or Designated Safeguarding Lead who will liaise with the relevant Service Manager.

**Step 5**

If the issue is not resolved and professional differences remain, the matter **must** be referred to the Assistant Director of Children’s Social Care (or most appropriate management committee member, commissioner or funding body[1]) for each agency involved.

**Step 6**

In the unlikely event that the issue remains unresolved by following the steps described above and/or the discussions raise significant policy issues, the matter should be referred urgently to the Safeguarding Children Partnership Coordinator who will determine a course of action including reporting to the Safeguarding Children Partnership for resolution. This step should be completed within a maximum of 14 working days.

 At all stages, a clear record of the progress of the disagreement should be kept by all parties on each agency's child's record. This must include written confirmation between the parties in relation to the agreed outcome of the disagreement and how any outstanding issues will be pursued. Where applicable records of any learning from the disagreement should be shared with the Safeguarding Children Partnership, and then collated and considered to aid wider learning and improvement.

 It is imperative that this process should fit within the child's timescale. Timely action is paramount if there are concerns that a child or young person is at risk.

**4. Immediate/24-hour Escalation**

 In exceptional circumstances, where an agency has made a decision that another agency does not agree with and the situation is perceived to present a significant risk to the child, the usual escalation process of 5 days is not viable. In these circumstances, the following action should be taken:

 The person with the concern should in the first instance speak to their Safeguarding Lead for advice, and where it is agreed an immediate escalation within one working day is warranted, either the Safeguarding Lead and/or the concerned professional should contact the relevant Service Manager, with a request for an urgent review of the decision.

 Should the Service Manager uphold the decision, and the view of the Safeguarding Lead is that the concerns remain immediately high, then the Safeguarding Lead should escalate this further to the Head of Service (or equivalent) for urgent attention.

[1] For example, in the case of a sole proprietor or self-employed individual.

**5. Child Protection Conferences**

**Dissent about Need for Child Protection Conference**

The decision whether or not to convene a Child Protection Conference rests with Children's Social Care Services. However, those professionals and agencies who are most involved with the child and family, and those who have taken part in a Section 47 Enquiry, have the right to request that Children's Social Care Services convene a Child Protection Conference if they have serious concerns that a child's welfare may not otherwise be adequately safeguarded.

Any such request that is supported by a senior manager, or a Designated or Named Professional, should normally be agreed. Where there remain differences of view over the necessity for a Child Protection Conference in a specific case, every effort should be made to resolve them through discussion and explanation.

**Dissent at Child Protection Conferences**

If a Child Protection Conference Chair is unable to achieve a consensus as to the need for a Child Protection Plan, they should make a decision and note any dissenting views. This will include the situation where there is no majority view and where the Conference Chair exercises their decision-making powers.

Where there is a majority view and where the Conference Chair considers the majority decision to be either:

* An unsatisfactory decision that the child should have a Child Protection Plan where, in the Chairs opinion, the criteria have not been met and/or such a plan is not necessary; or
* An unsatisfactory decision that the child does not require a Child Protection Plan where, in the Chair's opinion, the child would be at continuing risk of significant harm if a Child Protection Plan was not in place each Safeguarding Children Partners may authorise the Conference Chair to have final decision-making powers.

The Conference Chair must ensure that all members of the Conference are clear about the conclusions reached, the decision taken and recommendations made, and that the Conference minutes accurately reflect the discussions, the decision and, where relevant, the reasons for the Conference Chair exercising their decision-making powers.

Any dissent by professionals at the Conference must be recorded in the Conference minutes. The agency or individual who dissents from the Chair's decision should consider whether they wish to further challenge the outcome of the Conference using the process set out in this document.

If parents/carers disagree with the decision, this also must be recorded in the minutes and the Conference Chair must discuss the issue with them and explain their right to and the process for challenge via the [Complaints and Customer Relations Team.](https://www.newcastle.gov.uk/services/care-and-support/children/make-complaint-about-childrens-social-care)

**6. Following Resolution**

To avoid similar professional conflicts arising again, amendments may be required to local protocols and procedures.

It may also be helpful for individuals to debrief following some disputes, in order to promote continuing good working relationships.