



**Suffolk Safeguarding
Children Board**

www.suffolkscb.org.uk

Suffolk LSCB Escalation Policy

Working Together to Resolve Disputes

Policy Version History

Version	Date	Author	Endorsed by PPE/TS Group
1	April 2012	LSCB Manager	
1 (Revised Edition) (Draft V.2)	September 2014	LSCB Manager	
2	October 2014	LSCB Manager	Yes
3	August 2017	Professional Adviser LSCB	

Suffolk LSCB recognises that in most circumstances, people working with children and young people in Suffolk refer cases appropriately and there is mutual agreement on the status and disposal of the referral. However, the LSCB also recognises that there are situations where disputes over thresholds emerge. This Policy is intended to assist in circumstances where a threshold is contested and gives general advice on resolving problems in a range of other situations.

For the purposes of this policy, all individuals working with children and young people are referred to as 'professionals' whether they are working in a paid or voluntary capacity in the statutory or voluntary sector. Problem resolution is an integral part of professional co-operation and joint working to safeguard children. Concern or disagreement may arise over another professional's decisions, actions or lack of actions, in relation to a referral, an assessment or an enquiry.

It is important to:

- Avoid professional disputes that put children at risk or obscure the focus of the child.
- Resolve difficulties (within and) between agencies quickly and openly.
- Identify problem areas in working together where there is a lack of clarity and to promote resolution via amendment to protocols and procedures.

The safety of individual child/ren and focus on child/ren are the paramount considerations in any professional disagreement and any unresolved issues should be escalated with due consideration to the risks that might exist for the child. For disputes within agencies, in-house procedures should be followed. This process relates to the resolution of differences between agencies.

There may also be occasions when concerns about professional practice may be raised in respect of an individual or group of individuals or where there may be concerns about the response of a professional colleague to a situation involving actual or likely harm to a child. The first and key principle should be that it is everyone's professional responsibility to problem solve and come to an agreed resolution at the earliest opportunity, always keeping in mind the child's safety and welfare.

All agencies are responsible for ensuring their staff are competent and supported to escalate appropriately intra and inter-agency concerns and disagreements about a child's wellbeing.

Dispute at the Point of Referral

Workers and Managers need to be mindful of the needs of the child and any changing circumstances in relation to any risk or neglect throughout the process outlined below and act in accordance with the LSCB safeguarding procedures.

The referrer and their Manager/Safeguarding Lead re-visit the referral, taking into consideration any comments that have been made by the receiving service and any appropriate amendments made.

Following amendments, if dispute continues then professionals should attempt to resolve difference through discussion and/or meeting within one working day **or a timescale that protects the child (whichever is less)** following receipt of feedback. Consideration may be given to calling a professional's meeting involving Children and Young People's Service.

The aim should be to resolve difficulties at practitioner/fieldworker level between agencies. It should be recognised that differences in status and/or experience may affect the confidence of some workers to pursue this unsupported. Workers must be supported by their manager/Safeguarding Lead. Professional supervision is critical to ensuring that workers are supported throughout the process and that the focus remains on the needs of the child.

If professionals are unable to resolve differences within the timescale, their disagreement must be addressed by more experienced/senior staff. Most day to day inter-agency differences of opinion will require a LA children's social care team manager to liaise with their first line manager equivalent in the relevant agencies. These first line managers may wish to seek advice from their agency's nominated/designated child protection adviser.

If agreement cannot be reached between first line managers and/or safeguarding leads within a further one working day **or a timescale that protects the child [whichever is less]**, the issue MUST be referred without delay through the line management to a senior manager. Alternatively, (i.e. in Health Services including health professionals working for the Local Authority) input may be sought directly from the designated nurse or doctor in preference to the use of line management.

Remember workers and Managers need to be mindful of the needs of the child and any changing circumstances in relation to any risk or neglect throughout this process and act in accordance with the LSCB safeguarding procedures.

The professionals involved in this process must contemporaneously record each intra and inter-agency discussion they have, approve and date the record and place a copy on the child's file together with any other written communications and information.

Where professional differences remain unresolved, the matter must be referred to the heads of service for each agency involved. Any verbal report should be followed up in writing, showing the nature of the dispute and what attempts have been made to resolve this.

In the unlikely event that the issue is not resolved by the steps described above and/or the discussions raise significant policy issues, the matter should be referred urgently to the LSCB for resolution. This should include forwarding a written account of the dispute and what attempts have been made to resolve this. Consideration will then be given to referring the matter to the Chair of the LSCB who will offer mediation/or to the appropriate LSCB sub-committee as soon as possible bearing in mind the impact on the child or young person. A clear record should be kept at all stages, by all parties. 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.

When the issue is resolved, any general issues should be identified and referred to the agency's representative on the LSCB for consideration by the relevant LSCB subgroup to inform future learning.

At any stage in the process, it may be appropriate to seek expert advice to ensure resolution is informed by evidence based practice. It may also be useful for individuals to debrief following some disputes in order to promote continuing good working relationships.

Dissent at/arising from a Child Protection Conference

Where a child is subject to a child protection plan, the chair will work to ensure a consensus is reached. However, if there fails to be a unanimous decision at the conference, the chair will make a note of the dissenting views.

The chair will work to ensure there is a unanimous view, however, it should be noted that the conference chair ultimately has the authority to override all views – majority and unanimous.

If an agency or individual at the conference dissents from the chair's decision, they must decide whether they want to further challenge the result.

In the event that the dissenting professional believes the decision reached by the chair places a child at (further) risk of significant harm, s/he should formally raise the matter with her/his agency's designated lead.

If that designated lead concurs with the concerns of the professional, s/he should immediately alert a local authority safeguarding manager.

In the light of the representations made, the local authority safeguarding manager must determine whether to:

- Uphold the decision reached by the conference chair or
- Require that a review conference be brought forward.

In the event that the outcome of these alternate steps fail to satisfy the concerned professional, the issue should be put as a matter of urgency to the chair of the LSCB who can determine what further responses (if any) are a justifiable and proportionate response.

Parents and Carers can make a complaint about the way the conference was organised or managed or about the decisions reached or the category of the plan itself. Any concerns raised during the Conference meeting should be recorded in the minutes and the Conference Chair should attempt to resolve concerns during or immediately after the Conference. Further escalation is via the Conference Chair explaining the complaints process and inviting the parent/carer to write within 28 days of receiving the minutes of the meeting (with help from the child's social worker or advocate if required).

If the complaint remains unresolved, it will be considered by Suffolk County Council's Complaints Team and, in the case of a conference category decision, by a panel of Local Safeguarding Children Board members.

Dissent regarding the implementation of a child protection plan

Professionals in all agencies have a responsibility to act without delay to safeguard the child [i.e. by calling for a case to be allocated or for a strategy meeting/discussion, for a core group meeting or for a child protection conference or review conference]. Concern or disagreement may arise over another's professional decisions, actions or lack of actions in the implementation of the child protection plan, including the timing, quoracy or decision making of core group meetings, progress of the plan or professional practice.

Professionals should therefore attempt to resolve differences in line with the actions outlined above.

‘Stop and Review’ Process

If a core group member or professional feels that the Child Protection Plan is not making progress or achieving sufficient change for the child/ren they may, in consultation with their manager make a request to the Chair of the Conference for a ‘stop and review’ meeting. This meeting would bring together the practitioners involved with the family **along with their managers/safeguarding leads**, as well as the CYP Service Manager and Safeguarding Manager to consider and reflect upon what interventions are being used, why they are not effective and importantly what else may need to be in place to safeguard and promote meaningful change.

In relation to children in care, if any member of the team of professionals involved with the child is of the view that the agreed care plan has not been implemented in a timely manner or in a way that is consistent with the child’s welfare and safety and there is disagreement between the agencies involved as to how the plan should be progressed, the professional may, in consultation with their manager request to the relevant CYPS Practice Manager of the team responsible for the child that a “stop and review” meeting be held. The practice manager will then consult with the child’s Independent Reviewing Officer (IRO) and the matter will be escalated to the relevant Service Manager and Safeguarding Manager. The meeting will bring together the practitioners involved with the child, their managers, the child’s IRO, the relevant Safeguarding Manager as well as the relevant CYPS Service Manager who will chair the meeting. Following the stop and review meeting, through consultation with the IRO, consideration should be given to an early CIC review meeting being held, particularly where the outcome of the meeting included a proposal for a significant change of care plan (e.g. change of permanence plan or placement). If following the stop and review meeting, professional disagreements regarding how the plan should be progressed remain, the matter should be referred to the Heads of Service for each agency involved. The child’s IRO, the relevant Safeguarding Manager and the Head of Safeguarding Service should be informed of the outcome of these discussions.

If professional disagreements remain unresolved, the matter must be referred to the heads of service for each agency involved.

In the event that the issue is not resolved by the steps described above and/or the discussions raise significant policy issues, it may be helpful to convene a LSCB sub-committee which has the brief to consider policy and practice or serious cases.

Specialist Facilities

Specialist regional facilities i.e. Mother and Baby Unit must have in place a protocol/guidance which sets out how any dispute between professional bodies will be managed. This protocol/guidance should take account of the role of the Local Authority Children and Young People’s Service in the locality of the specialist service.

Children placed in Suffolk by another local authority

Suffolk Children and Young People's Services will make e mail contact with the placing authority of any Looked After Child that comes to their attention who has been placed in Suffolk by another Local Authority. The expectation is that the placing local authority will provide details as outlined above within a seven-day period.

Failure to provide details within the seven-day period will trigger a further e-mail reminder to the case accountable worker and their Manager.

In the case of information remaining unforthcoming, the matter will be escalated to senior managers within the placing authority by the Head of Safeguarding within Suffolk Children and Young People's Services in order action is taken to minimise risks.

Incidents in a private children's home concerning a child placed by another local authority

Any professional in ANY agency (this may be via A&E, in the LADO role, as a visiting professional etc.) who is made aware of a child placed by another authority and ordinarily resident in that authority, or is looked after and who is displaying behaviour that causes significant concerns or has been involved in a serious incident, should take the following actions:

- Advise the relevant children's home that you are aware there is a requirement that they notify OFSTED, using the appropriate OFTED form.

(Regulation 30(1) of the Children's Homes Regulations 2001, as amended by the Children's Homes Regulations (Amendment) Regulations 2011)

- Advise them that there is an agreed LSCB multi-agency protocol and that you will be notifying the MASH via Customer First and a multi-agency referral form.
- On receipt of the referral the MASH team will notify the placing authority in writing within a maximum period of 48 hours. In the event of three referrals to the MASH team pertaining to an individual child/young person placed by another Local Authority this should be escalated to senior managers within the placing authority by the Head of Safeguarding in order to ensure action is taken to minimise the risks.

Incidents involving Police at a private Children's Home

When there are a series of incidents involving the Police at a Children's Home a meeting should be convened in order to consider the safeguarding implications. The Police should make contact with the County Safeguarding Manager with responsibility for Children's Homes to agree the appropriate action to take and liaison with the placing authority.

Whistle Blowing

Staff, through fears about repercussions, may find it difficult to raise child protection concerns about colleagues or managers. Senior managers in each organisation should ensure the provision of a well-publicised 'whistle blowing' or 'speak out' procedure that provides alternative methods of reporting concerns, using a direct specialist telephone line.

A leaflet should be available to publicise the whistle blowing procedure in each partner agency.