

North East Lincolnshire Safeguarding Escalation Procedure

Resolving Inter-Agency Professional Disagreement

**Effective Escalation is based on Good Working Relationships and Supports Effective
Safeguarding**

*'Risks to children and adults with assessed care and support needs are increased when inter-agency
dispute resolution and escalation processes are weak and ineffective'*

**‘Escalation is....an effective mechanism for resolving professional disagreement.’
Escalation is not.... a negative action or criticism.**

INTRODUCTION

When a range of professionals and agencies are undertaking assessments and providing services for people, there will inevitably be times when perspectives differ and conflicts of opinion or views give rise to challenge and or disagreement. This is particularly likely to occur when assessing need and risk and making decisions about the best ways forward to achieve the best or safest outcome for individuals. Occasionally there will also be conflict over who is best placed to provide interventions and how to make the best use of resources available to achieve the desired outcomes.

North East Lincolnshire aspires to be a place in which healthy and constructive challenge is seen as a positive and not a threat; where we learn from one another and respect others views and opinions; and where we always strive to resolve differences in the best interest of the people we serve. Effective working together depends on an open approach, clarity of roles and responsibilities and genuine, and honest, relationships between agencies. **In the majority of cases a resolution can be achieved through discussion of the issues between the involved agencies.**

This procedure should be treated as NEL Safeguarding Children Partnership (NEL SCP) and Safeguarding Adult Board (SAB) guidance, and applies equally to partner agencies, organisations and practitioners who work with children and vulnerable adults, whether as paid professionals, volunteers or students

The safety and wellbeing of vulnerable adults and children is at the centre of everything we do. This procedure should be used in conjunction with Care Act 2014, Chapter 14 Guidance Documents, NEL Safeguarding Adults Procedures and NEL Together for All – Thresholds of Need 2019.

RESOLUTION

When working with adults, children and their families, professional disagreement can be positive, as challenge allows for review and can foster creative ways of working. However, if not appropriately resolved, disagreements can impact negatively on positive working relationships and consequently on the ability to safeguard and promote the welfare of children. Disagreements always require resolution.

WHAT IS ESCALATION?

Escalation is a process of **formally** challenging a decision made by another professional, group or organisation where attempts to do so outside of the procedure have not been successful. Escalation procedures ensure that all professionals have a quick and straightforward means of resolving professional differences in order to safeguard the welfare of children, young people and Adults.

ESCALATION PRINCIPLES

Formal Escalation is a means of resolving professional differences where attempts to do so outside of the procedure have been unsuccessful. Escalation is an integral part of joint working to safeguard children and Adults.

Whether a paid professional, volunteer or student – all individuals working with vulnerable adults and children are responsible for ensuring that:

- The safety and wellbeing of children and adults is the paramount consideration in all professional activity, decision making and in effective challenge and escalation.
- If it is considered there is an immediate risk, contact should be made either with emergency services or MASH (Multi Agency Safeguarding Hub) for children and SPA (Single Point of Access) for adults on the day the concern arises.
- Where safe to do so consideration should always be given to the views, wishes and feelings of the vulnerable adult or child so that their desired outcome can be achieved and the right conversations should take place with the right people at the right time.
- Records of concerns, discussions, decisions, actions and outcomes should be timely, clear and in line with your organisations record keeping protocols.
- The Escalation reporting form should be attached to the child's case note
 - All records of formal escalation and resolution processes being used, should include decision-makers and timeframes agreed.
- Effective challenge is a positive action.
- Practitioners should take responsibility for their own cases and actions;
- Any disagreements between agencies should be resolved as simply and quickly as possible;
- Practitioners should respect the views of others, whatever their level of experience, the role they fulfil or agency they represent.
- Practitioners and managers should always be prepared to review decisions and plans with an open mind;
- Working together effectively depends on resolving disagreements to the satisfaction of workers and agencies, with a genuine commitment to partnership working.
- Concerns should be resolved in a timely manner, and aim to achieve resolution within set timescales – usually within 25 working days but sooner depending on risk and need.
- This guidance does not replace agencies' Whistleblowing Policies.
- NB This guidance does not affect the option for children's Independent Reviewing Officers, to escalate conflict any unresolved safeguarding issues to Children and Family Court Advisory Service, where appropriate.

Differing opinions could arise in a number of areas, but are most likely to arise when considering:

- Levels of need and intervention,
- Lack of understanding of roles and responsibilities,
- Need for action and communication.

Examples where the concerns, about the child or adult with assessed care and support needs, should prompt action, are given below. This list is not exhaustive.

- Dispute at the point of referral due to differing opinions about thresholds.
- Concern about the action / inaction of another professional in relation to a child or family member.
- Disagreement about decision making and a course of action to be taken, for example whether there should be a Child Protection Case Conference or, whether a case should be closed.
- Dissent at / arising from a Child Protection Case Conference. Dissent arising from the implementation of a CP Plan.
- Disagreement over information sharing.
- Disagreement over an assessment and differences around professional analysis and joint decision making.
- Disagreement over the provision of services.
- Concern there is drift or unreasonable delay in a case.
- Concerned about the operation of child protection procedures
- Concerned about the operation of Adult Protection procedures.

WHEN ANY PROFESSIONAL CONSIDERS A CHILD OR ADULTS WITH ASSESSED CARE AND SUPPORT NEEDS IS AT IMMEDIATE RISK OF SIGNIFICANT HARM, THEN THE INDIVIDUAL MUST ENSURE THEIR CONCERNS ARE ESCALATED ON THE SAME WORKING DAY USING ESTABLISHED SAFEGUARDING PROCEDURES.

Where professionals consider that the practice, or the decision making of other professionals is placing children OR vulnerable adults at risk of harm, they **must** be assertive act swiftly and ensure that they challenge any relevant professionals in line with this policy.

- The safety of individual children or vulnerable adults is the paramount consideration in any professional activity.
- Resolution should be sought within the shortest timescale possible to ensure the child is protected

RESOLUTION PROCESS (to be completed within 22 working days (1 month))

Stage 1 - Practitioner to escalate to Line Manager (or equivalent role)

When concerns regarding practice or decision making by a practitioner/ agency arises, the practitioner (1) raising the concerns should consult with their Line Manager (or equivalent i.e. Supervisor, designated safeguarding representative) then formally approach the other involved practitioner with a proposed solution.

If resolution is reached the outcome must be recorded. If unresolved escalate to Stage 2

Timescale Stage 1: (Working Day 1-2)

If
unresolved
escalate

Stage 2 - Escalate to Organisation Safeguarding Representative (or equivalent role)

The senior/ line manager/ supervisor, safeguarding representative (1) should directly discuss the unresolved concerns with their counterpart in the other organisation and seek a solution.

If resolution is reached the outcome must be recorded. If unresolved escalate to Stage 3

Timescale Stage 2: (To be completed by working day 8)

If
unresolved
escalate

Stage 3 – Escalate to Head of Service (or equivalent role)

The senior/ line manager/ supervisor, designated safeguarding representative (1) should consult with their relevant Managers/ Head of Service to agree a way forward. Their considerations should be informed by information and evidence produced at Stages 1 and 2.

Timescale Stage 3: (To be completed by day working 11)

If
unresolved
escalate

Stage 4 – Escalation to Assistant Director (or equivalent role)

The Head of Service/ relevant Managers should consult with their Assistant Director if after all the above stages a resolution has not been established.

Timescale Stage 4: (To be completed by day working 15)

If
unresolved
escalate

Stage 5 - Escalation to NEL SCP/ SAB Chair

The NEL SCP/ SAB Chair (as appropriate) to seek written representation and may request a meeting with those involved. The Chair will make a recommendation of the most appropriate way to proceed within 5 days of the notification

Timescale Stage : (To be completed by day working 22)

At each stage
record agreed
outcome or
matters
unresolved

NEL Lincolnshire Safeguarding Escalation Procedure – Supporting Guidance

Attempt Resolution

In the first instance efforts should be made between both parties to resolve or reach an understanding about why dispute has arisen. Every effort should be made to have a conversation whether this is face to face or via the telephone. Areas of dispute should be recorded in line with organisation's record keeping protocols, highlighting actions already taken, including discussions and efforts already made between parties to resolve. Details of matters giving rise to dispute should be clearly recorded and agreed prior to escalation. If both parties are unable to resolve concerns informally, the concerned party (party 1) should consult with line manager and proceed to Stage 1.

Decisions and outcomes reached (including resolution or escalation to the next stage) should be clearly recorded in case records by both agencies and where appropriate noted as management oversight

Stage 1 – Practitioner to escalate to Line Manager (or equivalent role)

The Practitioner raising the issue should discuss matters with their Line Manager (or equivalent i.e. supervisor, designated safeguarding representative). The decision to escalate should be based on risk and need, using relevant procedures and guidance to inform discussions. An approach should then be made to the other involved party (party 2) outlining management advice and the resolution proposed **within working day 1 to 2**. Both parties should record the outcome of discussions in line with their own organisation's recording policy. Decisions and outcomes reached (including resolution or escalation to the next stage) should be clearly recorded in case records by both agencies and where appropriate noted as management oversight. If no agreement is reached both parties should escalate matters to their own line managers and proceed to Stage 2.

Stage 2: Escalate to Organisation Safeguarding Representative

The Line Manager (or equivalent i.e. supervisor, designated safeguarding representative) for the agency raising the issue, should liaise or meet with the Line Manager within the other organisation in an agreed timescale that is proportionate to the risk and need of the child or adult with assessed care and support needs. Managers should aim to decide on a suitable way forward that manages risk and is compliant with guidance and procedures. Managers should aim to complete this part of the process, ideally **within a maximum of 8 working days from the issue being raised**. (It is acknowledged that there will be instances where this is not achievable). It may be necessary for managers to convene a meeting with relevant parties to consider how best to resolve the matter. This meeting should take place within the agreed timescale and where necessary legal advice sought to ensure compliance with legislation, statutory guidance and agency responsibilities.

Discussions and meetings held should be recorded clearly noting points of agreement or disagreement, decisions, actions and outcomes. Decisions and outcomes reached (including resolution or escalation to the next stage) should be clearly recorded in case records by both agencies and where appropriate noted as management oversight. If designated safeguarding leads or line managers are unable to resolve matters at Stage 2, the relevant parties should be informed that matters will be escalated to relevant heads of service for a decision to be made and proceed to Stage 3.

Stage 3: Escalate to Managers / Head of Service (or equivalent role)

The Line Managers should consult with relevant Heads of Service. Heads of Service should either meet or liaise with their equivalent to agree the way forward. Their considerations in reaching a resolution should be informed by information and evidence referred to and produced at Stages 1 and 2.

It may be necessary for Heads of Service to convene a meeting with relevant parties to review the facts and consider how best to resolve the matter taking full account of the safest and best option for an adult with assessed care and support needs or child. This should be done in a timely manner and **completed by working day 11**, should be based on levels of risk and need and where necessary, legal advice should be sought to ensure the decisions made are compliant with legislation and statutory guidance and fulfil agency responsibilities. Discussions, actions, decisions and outcome should be clearly recorded in each agencies' records and notified to relevant Line Managers. Decisions and outcomes reached (including resolution or escalation to the next stage) should be clearly recorded in case records by both agencies and where appropriate noted as management oversight

The nature of issues giving rise to conflict and how they have been resolved, may indicate the need for revision or change to policy, procedures or practice. Where procedural change is required, or where legal requirements have not been applied correctly, Heads of Service should ensure that measures are in place for the required changes to be made and endorsed at board level. It will be the responsibility of the NEL SCP or SAB to notify partner agencies of any procedural changes.

Stage 4: Escalation to the Assistant Director (or equivalent role)

The Heads of Service for both agencies should consult with their Assistant Director or equivalent to seek a resolution. **This should be undertaken by working day 11**. Decisions and outcomes reached (including resolution or escalation to the next stage) should be clearly recorded in case records by both agencies and where appropriate noted as management oversight

Stage 5: Escalation to NEL SCP/ SAB Chair (As appropriate)

If it has not been possible to resolve professional differences following review by the NEL SCP safeguarding representative, matters should be referred by the concerned agency to the Chair of the NEL SCP/ SAB Chair. The NEL SCP Chair/ SAB Chair may seek to resolve issues directly with relevant senior managers or convene a resolution panel. The agency raising the dispute must email detail to the NEL SCP Business Manager / SAB Business Manager via NEL SCP csrs@nelincs.gov.uk

The NEL SCP Chair/ SAB Chair or panel, as necessary, will consider written representations, from those involved in the dispute, and will resolve the professional differences concerned. **To be concluded by day 22**

NB: It is expectation that both the agencies raising issues through the escalation processes and those receiving the issues will follow the timescales as outlined within the guidance when responding.

Useful numbers

Multi-Agency Safeguarding Hub (MASH): 01472 326292

Single Point Access Focus (SPA) 01472 256256

Children's Safeguarding and Reviewing Service Office (CSRS) 01472 326118

RECORDING TEMPLATE FOR ESCALATION/CONFLICT RESOLUTION PROCEDURE

The recording template for Escalation and Conflict Resolution procedure (see Page 9) is optional but for audit purposes or for Managers dealing with escalations, it would be a useful tool for ensuring consistency of different parties' records. More important is that records indicate the key headings as follow:

1. Case name or PID number OR NHS Number
2. Names, agency and status of those making contact
3. Stage of escalation (1,2 3 or 4)
4. Type or nature of contact made – (whether or not it is a call, email, meeting etc.)
5. The issue or factors that are in dispute
6. Summary of the discussion
7. Actions and next steps agreed with decision made
8. Names and status of decision-makers
9. Dates of completion of each stage

**NORTH EAST LINCOLNSHIRE
SAFEGUADING
Escalation Procedure Form**

| Case: | | | | | |
|--|--|--|-----------------------|--|------|
| Agency: | | | | | |
| Practitioner: | | | | | |
| Manger or Senior: | | | | | |
| <p>Case details and issue to be resolved. In this box please provide details of:</p> <p>a) the source of conflict, in what framework the conflict has arisen: E.g. referral, decision at a meeting, plan for a child, other (please specify)</p> <p>b) the details and nature of the conflict: e.g. is this an agreement about the decision made by the other party, an assessment of risk, child care plan etc.</p> | | | | | |
| Please complete the boxes below dependent upon what stage the procedure is being used as per the guidance for completion | | | | | |
| Stage: | Type of contact: (telephone, meeting, email, other) | Contact between: (relevant practitioners and line managers) Names to be inserted | Summary of discussion | Outcome of discussion and further action agreed or next steps if appropriate | Date |
| 1. | | | | | |
| 2. | | | | | |
| 3. | | | | | |
| 4. | | | | | |

NEL SCP Resolution Procedure

| NEL SCP Resolution & Escalation Policy | Action | Early Years Provider / School / Academy | Health | Children's Services | Focus | Police |
|--|--|--|--|----------------------------------|--|--|
| Stage 1 | Escalate to Line Manager / Senior Manager | Teaching / Non-Teaching Staff Designated Safeguarding Lead | Front Line Staff | Front Line Staff / Social Worker | Frontline Staff | Front Line Staff |
| Stage 2 | Escalate to Agency Safeguarding Representative | Designated Safeguarding Lead / Head Teacher / Principal | Safeguarding Specialist Practitioner | Team Manager | Line Manager or Advanced Practitioner | Detective Sergeant (PVPU) |
| Stage 3 | Escalate to Head of Service | Service Area Manager specific to education area / Education Services Safeguarding Lead | Named Nurse | Service Manager | Advanced Practitioner or Head of Service | Detective Inspector (PVPU) |
| Stage 4 | Escalate to Assistant Director | Assistant Director Education | Head of Children's Health Provision / Designated Nurse for Safeguarding (Health) | Assistant Director | Head of Service and/or Chief Executive | Detective Chief Inspector / Detective Superintendent |
| Stage 5 Escalation to NEL SCP Chair/ SAB Chair | NEL Safeguarding Children Partnership (NEL SCP) Chair/ SAB Chair | | | | | |