



Resolution of Professional Disagreements- Escalation Policy

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1. Introduction

It is a responsibility of the Islands Safeguarding Children and Adult Partnerships (ISCP and ISCAP) to publish threshold documents which set out the local criteria for action in a way that is transparent, accessible, and easily understood.

It is recognised that working with adults at risk, children and families can be difficult and complex. It often involves dealing with uncertainties and making important, complex judgements on the basis of incomplete information to demanding timelines, in what may be changing, hostile or stressful circumstances.

Professional disagreements should be seen as part of 'healthy' professional working relationships and practitioners should be encouraged to give or receive professional challenge in a constructive and positive way.

This Policy has been developed to assist practitioners in finding a resolution when they have a professional disagreement in relation to the safeguarding of adults at risk, children, and young people.

The focus should be to ensure resolution and the continuation of effective partnership working, built on the principle of restoring relationships and resolving differences at the earliest opportunity. This will ensure agencies are satisfied their concerns have been listened to, that plans of care and support recognise all agencies perspective of risk and that the best interests of the adult at risk or child and their families is at the centre of any supportive intervention.

For disputes within agencies, in-house procedures should be followed. This Policy relates to the resolution of differences between agencies.

Problem resolution is an integral part of professional co-operation and joint working to safeguard both adults at risk and children within the Bailiwick. As such, it is important to:

- Ensure professional disputes do not put adults or children at risk or obscure the focus on the child or vulnerable adult.
- Ensure professional disputes between agencies are resolved in a timely, open, and constructive manner.
- Identify problem areas in working together where there is a lack of clarity and to promote resolution via amendment to protocols and procedures.
- Establish a culture that is reflective, respectful, solution-focused, and open to challenge.

The first and key principle should be that it is the professional responsibility of everyone to problem solve and come to an agreed resolution at the earliest opportunity, always keeping in mind the adult at risk or 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 the adult or child's safety and wellbeing.

Agencies/professionals should always be prepared to review decisions and plans with an open mind, and revise decisions in light of new information. Regardless of the role/level of expertise, all individuals concerned about a decision/plan have the right and duty to challenge if they think a vulnerable adult or child's safety or welfare has been compromised.

2. Examples of Professional Disagreement:

- Dispute at the point of referral due to differing opinions about thresholds.
- A professional is concerned about the action / inaction of another professional in relation to an adult at risk, a child or family member.
- Disagreement about decision making and a course of action to be taken for example whether there should be an Adult Safeguarding or Child Protection Case Conference or whether a case should be closed.
- Dissent at / arising from an Adult Safeguarding or Child Protection Case Conference.

- Dissent arising from the implementation of an Adult Safeguarding Plan or a Child Protection Plan.
- Disagreement over information sharing.
- Disagreement over an assessment and differences around professional analysis and joint decision making.
- Disagreement over the provision of services.
- An agency or professional is concerned there is drift in a case.
- Disagreement arising over one or more professionals colluding with the parents / carers and over identification with parental issues, rather than focusing on the adult at risk or child's welfare.

3. Factors to Consider:

- Often there are multiple factors that affect professionals and how they gather and analyse information about individual circumstances and the level of professional anxiety they experience. These factors may affect professional judgement and it is helpful to clarify them. For consideration:
 - is limited information and/ or liaison with other agencies adversely impacting professionals full understanding of the case?
 - are there strong emotional issues being raised on professional judgment?
 - are there issues of managing power and authority between staff, agencies, with the family; is this having an impact on decision-making?
 - do issues relating to professional status, gender, ethnicity, disability, sexuality, or any associated issue have a bearing on the case?
 - are there disputes within the professional group, for example do certain agencies work with more of an adult or child centric focus which leads to differences of professional opinion on risk?
 - are there disputes between professional groups mirroring disputes and conflict within the family?
 - does one member of staff/agency hold more information than another agency?
 - are organisational issues e.g., structural changes, access to support or resources, affecting judgements?

The very nature of professionally challenging or escalating can be a difficult and worrying process for practitioners to be a part of. It is important that professionals are aware of the support mechanisms in place within their own organisation.

4. Professional Resolution and Escalation Process:

Most disagreements should and can be resolved between the staff working directly with the child or adult at risk if they are adhering to the key principles.

Whether the dispute relates to an adult safeguarding concern or a child protection matter, disputes should always be resolved within an appropriate timescale in order to protect the adult or child from immediate or future or harm IE: between one day or a maximum of ten working days, dependent on level of risk and stage of the escalation process.

5. Record Keeping

Clear records should be kept of disagreements and resolutions reached by all parties. In particular this must include written confirmation between the parties about an agreed outcome of the resolutions and how any outstanding issues will be addressed within a specified timescale.

In the event that staff working directly with the adult or child cannot resolve the disagreement and need to involve more senior managers or safeguarding advisers a four-stage pathway can be followed as set out below. Escalation can be via telephone, face to face meeting or Microsoft TEAMS calls.

At all stages of the process, actions and decisions must be recorded in writing and shared with relevant personnel, 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.

Where a disagreement is referred to stage two of the escalation pathway, the Partnership Business Support Manager should be notified. This will enable the

partnership to monitor the timeliness of the process and report on overview themes and outcomes.

6. Escalation Pathway:

Pre- Escalation stage:

Any escalation of concern should be carried out in the spirit of achieving better outcomes for children, young people, adults, and their families.

Where possible, efforts should be made to address differences as they happen rather than after the matter has been dealt with. Possible resolutions that should be considered before the decision is taken to follow the Escalation Pathway are:

- taking the case through Safeguarding Supervision using either a single or multi-agency process.
- calling a multi-disciplinary meeting, which any professional can call.

Where professional curiosity or challenge has not resolved any professional conflict, then the unresolved dispute can be escalated using the Escalation Pathway (unless the situation is so serious that it requires urgent action to protect a child or adult at risk).

The Escalation Pathway has four stages to consider.

Stage One: Direct Professional to Professional Discussion. (Within one working day)

Differences of opinion or judgement should be discussed between frontline professionals to achieve a shared understanding and agree a resolution and plan. Inform your line manager that you have raised a concern to resolve a professional difference and used escalation Stage 1.

Record if this resolved at Stage 1 with the plan of action. If professionals are unable to resolve differences within time scale, the disagreement should be escalated to stage two.

Stage Two: Direct First Line Manager to First Line Manager Discussion (Within +2 working days).

If stage one fails to resolve the issue, then each professional should discuss the issue with their first line manager or their safeguarding supervisor/

safeguarding officer/ named safeguarding nurse. A notification will need to be sent to the Partnership Business Support Manager to inform that the escalation protocol has been initiated and has reached stage two.

The first line manager should then liaise with the other professional's line manager in an attempt to reach a resolution, highlighting the risk or need that the adult at risk or child has, and why this meets or does not meet the threshold in their professional opinion. Within this process, the manager may disagree with their employee's assessment, and this will be confirmed with the other party. If a resolution cannot be reached, the disagreement should be escalated to stage three.

In agencies where the management chain has already been exhausted, the most senior staff member should escalate their concerns to the next tier of management in the other agency. This principle applies to all escalation sections within this policy.

Stage Three: Senior Manager to Senior Manager Discussion. (Within +2 working days).

If concerns remain unresolved at this stage a senior manager to senior manager discussion should take place to discuss the concerns and convene jointly a Resolving Professional Disagreements Meeting with the practitioners and first line managers. Advice and support should also be sought from the designated safeguarding adults or children professional within their agency.

Stage Four: Guernsey & Alderney Islands Safeguarding Children & Adult Partnership Resolution Panel chaired by the Pan Island Independent Chair / Independent Scrutineer (or their delegate). (Within + 5 working days).

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 ISCP or ISAP for resolution.

This is done via the senior manager, senior officer, head of service representing the agency raising the concern. At this stage consideration will be given to the possibility of wider lessons that can be learned, including possible inconsistencies within existing multi-agency policy or procedures.

This referral should include forwarding a written account of the dispute and what attempts have been made to resolve this. The Chair (or independent scrutineer) of the ISCP and ISAP will convene a resolution panel made up of senior representatives from the statutory and voluntary organisations within the Partnership.

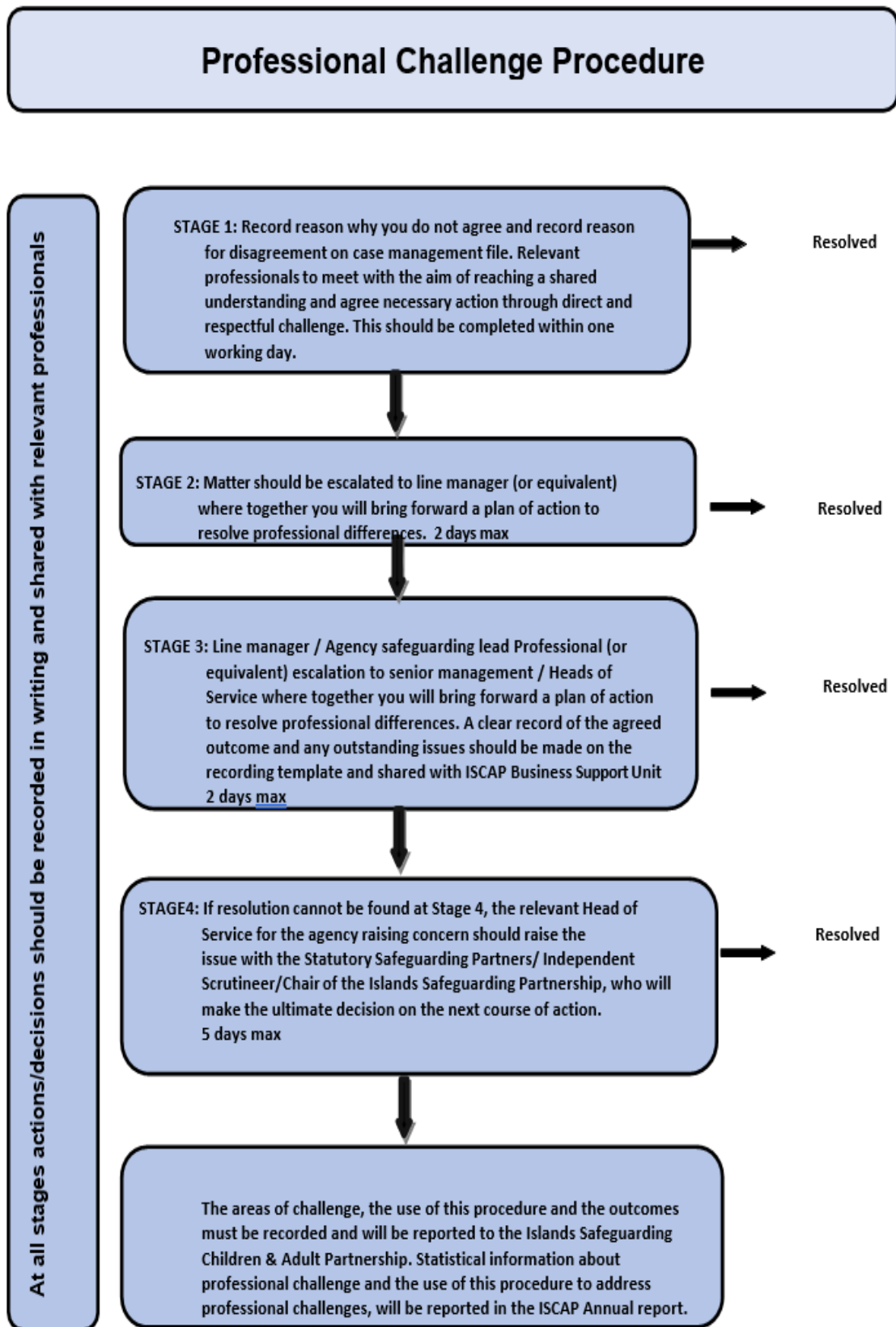
The Independent Chair may, however, wish to nominate another board member, who is not involved in the case, to act on their behalf.

The Chair or their delegate will make a clear recommendation on the most appropriate way to proceed, and this will be communicated to all involved of the issue being brought to their attention. The Partnership (Business Support Team) will retain a record of any unresolved concerns which reach Stage 4 and include this information in the Partnership Annual Report. At any stage in the process, it may be appropriate to seek expert advice to ensure resolution is informed by evidence based best practice.

Timescales:

- Stage one of the escalation process should be completed within one working day
- Stages 2 and 3 should be completed within a further two working days
- Stage 4 should be completed within a further 5 working days or a timescale necessary to protect the adult at risk or child (whichever is less)

NB Where indicative timescales are unable to be met at any of the four stages of the above process, a clear rational for the delay in progression must be documented within your own organisation's records. The mitigating reasons must also be provided to the Islands Safeguarding Partnerships' business support manager for audit and monitoring purposes.



At no time must professional disagreement detract from ensuring that a child or an adult at risk is safeguarded

7. Learning from Professional Disagreements and Escalation:

When the issue is resolved, any general issues should be identified by the Partnership Business Support manager and referred to the agency's representative within the ISCP & ISAP for consideration by the relevant Partnership sub-group to inform future learning.

Guernsey & Alderney partners will also be expected to support the process of resolving disagreement and provide evidence of how it works in practice.

It may also be useful for individuals to debrief following some disputes in order to underpin and support continuing effective working relationship.

8. Freedom to speak up (Whistle Blowing):

Staff, through fears about repercussions, may find it difficult to raise adult safeguarding or child protection concerns about colleagues or managers. It is important that each partner organisation has a 'whistle blowing' policy and that their staff are able to access this readily. Some partner organisations may also have a 'speak out' procedure in place that provides alternative methods of reporting concerns within their own agency. Access to a Speak Up Guardian will enable to support workers to speak up and be listened to within their organisation when they may feel that they are unable to do so by other routes. A speak up culture is one in which a workplace inherently values and encourages open, honest, and advocative communication, as well as providing a safe space for employees to share ideas or raise concerns.

9. Disagreement at Contact/Referral Stage (For example, within the Multi-Agency Support Hub (Children MASH) , Safeguarding Hub (Adult MASH) MARAC, MAPPA or other Multi-Agency Safeguarding forum.

Principle:

The safety of the adult at risk, child or children is the paramount consideration in any professional disagreement and any unresolved issues should be escalated with due consideration to the risks that might exist for the adult or child. Initial attempts should be taken to resolve the problem; the expectation

should be to resolve difficulties at practitioner/case worker level between agencies. All agencies are responsible for ensuring their staff are competent and supported to escalate appropriately intra and inter-agency concerns and disagreements about an adult or child's safety and wellbeing.

Agencies / professionals should not be defensive if challenged and should always be prepared to review decisions and plans with an open mind and revise decisions in light of new information.

At no time must professional dissent detract from ensuring that the adult at risk or child is safeguarded. Their welfare and safety must remain paramount throughout. Disagreements over the handling of concerns reported to one of the Multi-Agency Safeguarding Forums may typically occur when:

- The contact/referral is not considered to meet eligibility criteria for assessment by the receiving Manager / Officer.
- The receiving Manager/ Officer concludes that further information should be sought by the referrer before the contact/referral is progressed.
- There is disagreement as to whether adult safeguarding or child protection procedures should be invoked, and a strategy meeting held.
- Where HSC Safeguarding Services and the Police may place different interpretations on the need for single/joint agency response.
- There is disagreement regarding the need to convene an Initial Child Protection Conference or initiate Formal Adult Safeguarding Procedures.

Where disagreement occurs regarding the contact/referral into the relevant safeguarding forum, the first stage should be for a conversation between the referring professional and the receiving Officer/ Team Manager or Safeguarding Manager to explore the reasons and to understand the issues from each other's perspective.

All conversations should start with the receiving safeguarding service asking the referring professional to "help me understand why you are worried?"

10. Multi-Agency Safeguarding challenges, Adults at risk:

Practitioners challenging formal adult safeguarding procedures should make reference to the indicators of need within the multi-agency adult safeguarding threshold document. Professionals need to be clear about the risks presented that lead them to believe that the adult may be experiencing or be at risk of significant harm and therefore require (or not require) a formal safeguarding enquiry response. Factors such as the capacity of the adult to consent to a safeguarding intervention and any vulnerabilities must be considered along with any risk to others. It is important that where possible, the views of the adult are sought in a timely way.

The professional should discuss any dissenting views with the HSC adult safeguarding manager (Safeguarding Unit) and other processes such as VARM (Vulnerable Adult Risk Management) or mainstream care and support services may also need to be discussed and explored.

Should this conversation not resolve the difference in a way or within a time scale which is acceptable to both of them; they should discuss this with their manager or supervisor.

All professionals should seek advice and support from the safeguarding lead in their organisations if needed. Escalation can be via telephone, face to face meeting or Microsoft TEAMS calls, but must always be fully recorded by both parties.

In the particular circumstances where there is disagreement between police and Health and Social Care services as to whether a joint agency approach is required the matter should be escalated from Team Manager/Sergeant to Service Manager/Inspector level. If there is still no agreement (such circumstances should be rare) further escalation can occur to Associate Director/Chief Inspector level for final resolution. At this point a discussion/meeting should be called to discuss the situation involving all parties. Records of discussions must be maintained by all the agencies involved. The outcome of discussions and agreed actions should also be recorded.

11. Challenging the outcome of an adult safeguarding planning (strategy) meeting or a safeguarding review:

The HSC Adult Safeguarding Manager has responsibility for managing safeguarding arrangements in respect of adults with care and support needs who may be at risk of abuse or neglect.

If a professional disagrees with the outcome of an adult safeguarding planning (strategy) meeting or a review meeting, then other professionals involved with the adult at risk have the right to challenge the decision in accordance with this policy.

In addition to this, if there are concerns that professionals are not sharing information appropriately in line with local guidance and not working within the multi-agency adult safeguarding procedures, professionals should challenge non-compliance.

Lack of information at safeguarding planning (strategy) meetings and reviews or lack of sharing with carers and family members, can impact on the adult and impact upon effective conduct of the meetings. In instances identified above, professionals should follow the procedures as outlined in the four-stage process.

12. Multi-Agency Safeguarding challenges, Children.

The referring professional into Children's MASH should have regard to the indicators of need for tier 4 within the Thresholds Document and be clear about which of these are currently present within the child's life that are causing concern that they are at risk of or are currently experiencing significant harm.

Should this conversation not resolve the difference in a way or within a time scale which is acceptable to both of them; they should discuss this with their manager or supervisor.

Differences in knowledge and experience may affect individuals' ability to challenge and all professionals should seek advice and support from the

safeguarding lead in their organisations if needed. Escalation can be via telephone, face to face meeting or Microsoft TEAMS calls, but must always be fully recorded by both parties.

In the particular circumstances where there is disagreement between police and Health and Social Care services as to whether a joint agency approach is required the matter should be escalated from Team Manager/Sergeant to Service Manager/Inspector level. If there is still no agreement (such circumstances should be rare) further escalation can occur to Assistant Director/Chief Inspector level for final resolution. At this point a discussion/meeting should be called to discuss the situation involving all parties. Records of discussions must be maintained by all the agencies involved. The outcome of discussions and agreed actions should also be recorded.

13. Dissent about Need for Child Protection Conference:

The decision whether or not to convene a Child Protection Conference rests with HSC Children & Family Community Services. However, those professionals and agencies who are most involved with the child and family, and those who have taken part in the Enquiry, have the right to request that Children & Family Community 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 conference in a specific case after the above escalation processes have been followed, the concerns should be escalated via the line management of Children & Family Services and the other agency involved, to the ISCAP.

14. Dissent at Child Protection Conferences

If a Child Protection Conference is unable to achieve a consensus as to the outcome, the Conference Chair will make the final 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. The Chair will take the views of the Conference into account but can overrule the majority view if necessary. The Chair's decision is final.

The agency or individual who dissents from the Chair's decision must determine whether they wish to further challenge the result.

If the dissenting professional believes that the decision reached by the Conference Chair places a child at (further) risk of Significant Harm, it is expected that they will formally raise the matter first with the Conference Chair.

If no resolution is reached, then with their line manager and/or Designated or Named Professional in their agency.

This will require a discussion between a Children & Family Community Services Social Care senior manager and their equivalent in the relevant agency.

If agreement cannot be reached following discussions between the above managers, the issue must be referred without delay through the line management of the respective agency/agencies structure.

At this point a meeting should be called to discuss the situation involving all parties. Records of discussions must be maintained by all the agencies involved. The outcome of discussions and agreed actions should also be recorded.

In the light of the representations made, it must be determined whether to:

- Uphold the decision reached by the conference chair or
- Require that a review conference be brought forward to review the Child Protection plan or
- Convene a second Initial Child Protection Case Conference (ICPCC) if no child protection plan was initiated at the first ICPCC).

If the concern still remains at this stage the dissenting professional / agency can appeal via the ISCAP

15. Dissent Regarding the Implementation of the Child Protection Plan

Concern or disagreement may arise over another professional's decisions, actions, or lack of actions in the implementation of the Child Protection Plan, including participation in Core Group meetings. The line managers of the professionals involved should first address these concerns. If agreement cannot be reached following discussions between the above 'first line' managers, the issue must be referred without delay through the line management of each agency.

Within HSC Health services, input should be sought from the named safeguarding professionals within the organisation who may seek further support from the designated safeguarding professionals within the organisation. Where the issue cannot be resolved, this should be referred back to the Conference Chair for consideration of convening a Review Child Protection Conference RCPCC to review the plan and the progress against agreed actions.



Appendix 1

Professional Challenge Recording Tool
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NOTE: To be used at Stage 3 of Procedure, after attempts to resolve at Stages 1 & 2 have been exhausted.

Date Challenge raised:	
Challenge initiated by:	Name: Job Role: Organisation:
Who issue raised with and organisation:	Name: Job Role: Organisation:
What is the area of disagreement:	
Details of any Monitoring Activity: (Including details of attempts to resolve at Level 1 and 2 of Procedure) i.e., recording of discussions, meetings, or email exchange and with whom)	
What do you see as the barriers towards reaching a resolution?	

<p>Manager agreement to hold interagency meeting and who to invite:</p>	<p>Manager Agreement (Name): Date:</p> <p>Agencies to invite:</p>
<p>Date meeting held and details of discussion and agreed outcome/actions – record details of any outstanding issues:</p>	
<p>Date Resolved or if not resolved, next steps (i.e: escalated to ISCP ISAP – Level 4):</p>	
<p>To be completed by ISCP/ ISAP Business Support Unit only:</p>	
<p>Individual ID Number – All cases to be entered on Professional Challenge Log for recording purposes</p>	<p>ID Number:</p> <p>Date recorded:</p> <p>Ensure details are captured within Performance reporting and included in scorecards for reporting purposes</p>
<p>Details of the stage of the process this issue was resolved – i.e Stage 3, or 4</p>	