

BIRMINGHAM SAFEGUARDING CHILDREN PARTNERSHIP
RESOLUTION AND ESCALATION PROTOCOL

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1. Purpose

Working collaboratively as professionals is a key part of providing services to children and families. When professional disputes happen, these should be resolved in a timely manner. The purpose of this procedure is to ensure that in such situations where one agency disagrees with the decision of another agency, healthy discussions take place that keep the child's best interests, safety and wellbeing as a priority.

Key Principles

Everyone working with children should:

1. Share key information, their interpretation and views appropriately and often.
2. Seek to resolve differences in opinion in a timely way, based on evidence and assessment, and at the practice level.
3. Avoid disputes which place children at further risk by not focusing on the child.
4. Communicate with lead safeguarding professionals at the earliest opportunity, ensuring clarity.
5. Keep the focus on what is always in the child's best interests.
6. Familiarise themselves with the routes for escalation and resolution within their agency.
7. Update records with accurate, factual information. Including all actions, decisions and any rationale (placed on the child's file); with information shared with relevant personnel (including the worker who raised the initial concern).

8. If the process highlights gaps in policies and procedures they should be brought to the attention of the Co-Chairs of Birmingham Safeguarding Children Partnership (BSCP)
9. Stay proactively involved: safeguarding is everyone's responsibility.
10. Use the BSCP resolution process set out at section 4.

2. The Role of Professionals and Agencies

Effective partnership work relies on open, honest relationships and clear communication between staff from different agencies seeking to understand each other's point of view.

Each partnership agency is responsible for ensuring that their staff are supported, and know how to appropriately challenge, escalate, and resolve intra-agency concerns regarding a child or young person's safeguarding needs

Safeguarding responsibilities and promoting the welfare of children is shared by all agencies. Whilst the Local Authority, is allocated a lead role in co-ordinating responses to risk, or causes, of significant harm to children, effective intervention is dependent upon inter-agency information sharing and planning, and multi-agency service responses.

If a child is thought to be at immediate risk of significant harm the designated/named safeguarding lead within the agency identifying the concern should be informed immediately. The designated/named safeguarding lead or the frontline practitioner should inform the Children's Advice & Support Service (CASS) on 0121 303 1888.

3. Situations when differences of opinions may arise

When situations arise where one professional organisation disagrees with another professional organisations actions, the decisions should include a strong assessment of any risks posed to the child(ren) and the impact on the child's safety and wellbeing. The Resolution and Escalation protocol for Birmingham should then be followed.

The multi-agency threshold guidance "*Right Help, Right Time*", can be referred to in any discussions about thresholds. Consequently, the number of professional instances between agencies should reduce.

Some examples of where organisations fail to reach a decision can include:

- There is a difference of opinion about a course of action taken, such as closing involvement with a child, an outcome of a referral, or excluding a child from school.
- The safeguarding plans made for a child is considered inappropriate or inadequate – leaving the child with unmet needs.

Resolution and Escalation Protocol

- The assessed level of risks posed to a child, or their family is disputed based on the differences in organisational risk thresholds.
- Significant delays occur in discharging a child for whom there are safeguarding concerns from hospital.
- The child's safeguarding needs are better met by a Child Protection Plan or Child in Need Plan after initial consideration, and a request for a Child Protection Conference is made however, this has been refused.
- Specific communication concerns relating to the levels of involvement or response relating to safeguarding concerns.
- There is difference of opinion over the sharing of information and/or provision of services.

Other examples of professional opinion differences will show up in practice. Where difficulties or professional disputes arise, the resolution process should be kept as simple as possible. Resolving difficulties quickly, without delay, should keep in mind that the safety of children and young persons is vital.

4. Process for Resolution and Escalation

Professionals should attempt to resolve differences through discussion within **14 working days** or a timescale that protects the child from harm (whichever is shortest).

BSCP Stage	Action (with those involved)	Process	Duration	Maximum Length
Stage 1	Raise with Responsible Practitioner	<p>With any differences of opinion relating to the safeguarding needs of a child, the practitioners involved should make attempts to discuss the matter to resolve differences within 1 working days. If further discussions are unable to go ahead, this should be reported by them, to their line manager or team manager to explore solutions.</p> <p>If concerns remain ongoing, it may be an opportunity to request a professionals meeting to ensure the risks and experience of the child is understood. This should be scheduled within 1 working day to ensure there are no delays in progressing the case. Any actions should be recorded in writing and shared with managers and saved on the child's case file.</p>	2 days	2 days
		<p>Clear evidence-based reasons should be provided for any difference of opinion. Each agency of the practitioners involved should read and review the child's case file – then speak with the practitioners to attempt to find a mutually agreeable way forward. This should be done within 3 working days.</p> <p>When a resolution is reached the responsible practitioner will advise the other involved practitioner of the outcome in writing (i.e. by email) within a further 2 working days.</p>	3 days	5 days

Stage 2	Escalate to Safeguarding Lead/Line Manager	<p>In the unlikely event that practitioners are unable to agree a resolution following exploration of the facts, the practitioner who raised the initial dispute should have further discussions with their Safeguarding Lead/Line Manager who should attempt to resolve the differences within 2 working days.</p> <p>Once agreement is reached, the receiving agency will write to the involved practitioners confirming the outcome within a further 2 working days.</p> <p>Note: If one of the professionals is self-employed, the safeguarding lead will deal with this stage (in addition to stage 3). If one of the agencies is a school, the Head Teacher/Principal will deal with this stage (as well as stage 3).</p>	2 days	7 days
Stage 3	Escalate to Service/Senior Managers	<p>Should a rare instance arise where no agreement can be reached following discussions between the service/senior managers, the issue must be referred within 24 hours to the relevant Head of Service, Detective Inspector or other designated professional).</p> <p>The relevant managers should meet within 2 working days to resolve the issue.</p> <p>Note: The BSCP Business Manager should both be copied into the issues that have escalated to this level.</p>	3 days	10 days
Stage 4	Escalate to Delegated Safeguarding Partner(s)	<p>Where resolution is still not agreed at Stage 3, each service/senior manager will escalate the issues to Delegated Safeguarding Partner(s) level within 2 working days.</p> <p>The Delegated Safeguarding Partner(s) will then write to the Service/Senior Manager of the receiving agency and meet within a further 2 working days to achieve a final resolution.</p>	4 days	14 days

	The equivalent to the Police Chief Superintendent, head teacher, designated safeguarding lead and nursery manager.			
Stage 5	Escalate to BSCP Co-Chairs for a final decision	<p>Exceptional Circumstances</p> <p>The firm BSCP expectation is that professional differences of opinion must be resolved within stages 1 to 4 above. In exceptional situations, where the matter remains unresolved, there is provision for this to be considered by the Co-Chairs for the BSCP.</p> <p>In these exceptional circumstances, where concerns of the requesting agency persist, the Co-Chairs should write immediately and within a maximum of 2 working days, to the Delegated Safeguarding Partner, via the BSCP Business Manager.</p> <p>The BSCP Co-Chairs will seek written representation initially and may request a meeting with those involved at all levels of service delivery, to seek their views and solutions to the concerns raised.</p> <p>The BSCP Co-Chairs will liaise with the Lead Safeguarding Partners if necessary to make a final and binding decision on the most appropriate way to proceed, and this will be communicated to all involved within 5 working days of the issue being brought to his/her attention.</p>	7 days	21 days

Following Use of the Resolution and Escalation Process

It may be useful for individuals to debrief following resolution of the dispute to promote continuing good working relationships.

Appendix 1: Resolution and Escalation Path



