

Dispute Resolution/ Escalation Procedures

1. Challenge

Challenge is a good thing. Good practice includes the expectation that constructive challenge amongst colleagues, within agencies and between agencies, will happen and is in the best interests of children. All those working with children need to be prepared to re-consider their view of the child's situation in the light of new information, and to continually re-frame their assessment when new information or challenges arise. This is a skill and ability that can help to safeguard children and differences of opinion are welcome as these healthy discussions can lead to a more robust solution.

There must be respectful challenge directly and swiftly, whenever a professional or agency has a concern or difference of opinion about a decision, action, or inaction of another. Similarly, professionals should not be defensive if challenged. Practitioners and managers should always be prepared to review decisions and plans with an open mind and revise decisions in light of new information.

The SSCP expects that practitioners will challenge each other and raise concerns directly and immediately when they have a difference of opinion and that they retain a focus on the welfare of the child. SSCP training provides practitioners with the skills and competencies to work together to resolve issues as they arise. This procedure should be used when efforts to resolve conflicts and disputes are not providing solutions.

2. Examples when differences of opinion can occur

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. 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. Challenge can take place between partner agencies and is not always just about partner agencies challenging the Local Authority Children's Services.

Some examples of where a concern about a child should prompt action using this procedure, if professional challenge and discussions have failed to reach a decision are:

- There is a difference of opinion about whether a referral is considered to meet the eligibility criteria for assessment.
- A professional is concerned about the action and or inaction of another professional in relation to a child or family member.
- There is a difference of opinion over the sharing of information and/ or provision of service.
- There are disputes over the recommendations of any assessment and whether the appropriate plan is in place to safeguard and promote the welfare of the child.
- Following a multi-agency meeting, if after some reflection, an attendee decides they no longer agree with a decision.

There will be other examples in practice. The aim must be to resolve a professional disagreement at the earliest possible stage as swiftly as possible, always keeping in mind that the child and young person's safety and welfare are paramount.

3. Stages of Escalation

Stage 1: Promoting discussion to find a resolution for the child

Most differences of opinion can be resolved through discussion and negotiation. The practitioners involved should attempt to resolve differences through discussion within one working day to find a solution for the child, but if they are unable to do so, this must be reported by them to their line manager / team manager. This is recognised as day-to-day practice to enable a coordinated and consistent multi-agency response to find a solution.

In cases where a concern is ongoing, or progress is slow, it may be useful to instigate a professionals meeting to understand the risks and lived experience for the child. Most issues or concerns can be resolved, through discussion by the relevant line managers / team manager. This contact should take place within one working day. The purpose of this contact is to review the available information and to resolve the concern. It may be helpful to consider the involvement of the designated or named professional at this stage.

Any action agreed should be recorded and shared with relevant managers and saved on the child's file held by each involved agency.



Stage 2: Management finding solutions

Where it is not possible to resolve the matter at stage one, the professionals involved are expected to seek solutions at the next managerial level or appropriate safeguarding lead, between the service/organisations concerned within 2 working days of Stage 1. This is a regular occurrence and should be seen as standard practice to support resolutions for the child.

The issue must then be considered at that management level, with direct communication taking place with the designated professional or named professional for safeguarding within the individual agency that raised the matter.

Any action agreed should be fed back immediately to the relevant practitioners involved, and the detail of the escalation and agreements reached should be recorded on the child's file held by each involved agency. The details should also be shared with the Safeguarding Children Partnership Business Manager as evidence of escalation (sscp@solihull.gov.uk).



Stage 3: Formal resolution

On the rare occasion that the difference of opinion cannot be resolved at stage two, the matter must be referred to a senior manager with responsibility for safeguarding who will consider the matter with their equivalent level of management within the concerned agency within 2 working days of Stage 2.

The purpose of escalating the issue to this level is to reach a position where differing professional opinions have been taken into account and efforts made to explore whether the matter has arisen through lack of clarity or understanding in the professional dialogue. Ultimately a decision will need to be reached where agencies agree a way forward where the interests of the child take precedence over a professional stalemate.

Any action agreed should be fed back immediately to the relevant practitioners involved, and the detail of the escalation and agreements reached should be recorded on the child's file held by each involved agency. The details should also be shared with the SSCP Business Manager as evidence of escalation (sscp@solihull.gov.uk).





Stage 4: When no solution is reached between senior leaders

In the unlikely event that the difference of opinion remains unresolved, the matter must be referred to the departmental head with lead responsibility for safeguarding in both/all involved agencies, who will report the matter to the relevant Delegated Safeguarding Partner(s) and the SSCP Business Manager (sscp@solihull.gov.uk). The Delegated Safeguarding Partner(s), with support from the SSCP Business Manager, will instigate a meeting of senior managers with operational responsibility for the case within a maximum of 3 working days of Stage 3, and allocate a Chair of sufficient seniority, who is independent of the case. This meeting will review the issues at hand and provide a final opportunity for the involved agencies to ensure that there is a full understanding of the issues before a decision is finalised.

The final decision and any action agreed should be fed back immediately to the professionals involved, and the detail of the conflict and agreements reached should be saved on the child's file held by each involved agency.

The Chair of this meeting will then report on issues arising from this process to the Learning and Development Group and the Assurance and Review Group.

4. Timescales for completion:

For a variety of reasons there may be a delay at any stage, however, the expected timescales for completion of the process at each stage are outlined below:

- Stage 1 within 1 working day of initiation.
- Stage 2 within 2 working days of stage 1
- Stage 3 within 2 working days of stage 2
- Stage 4 within 3 working days of stage 3

5. Use of Multi-Agency Professionals' Case Meeting

In a situation where a highly complex case demands a challenging decision(s) to be made, at any stage of the dispute resolution/escalation process, a suitable senior manager recognising the degree of challenge can trigger a request to use a Multi-Agency Professionals' Case Meeting to find a resolution. The process should be overseen by senior manager(s) who will support and share risk-based decision making. This approach must include the relevant staff of all the agencies involved in a case not just those holding the final responsibility and allow for all concerns to be voiced and discrepancies triangulated where appropriate. As noted in all the stages above, any action agreed should be recorded and shared with relevant managers and saved on the child's file held by each involved agency. The procedure/guidance to support the Multi-Agency Professionals' Case Meeting, along with a useful template, can be found in the West Midlands Regional Child Protection Procedures ([link](#)).

6. Learning lessons

Consideration should be given as to whether lessons can be learned from any stage of this process, either on a single agency or interagency level, for example

- Identification of training needs
- Commissioning needs
- New agency practice guidance

Where an agency/agencies think that there could be lessons to be learned on a multi-agency level, details should be forwarded to the Solihull SSCP Business Manager for consideration of any multi-agency learning or practice guidance change.

7. Independent Reviewing Officers

At stage any stage, if the child(ren) is subject to a child protection plan or is looked after, secure notification should also be sent to cpru@solihull.gov.uk for attention of the child's Independent Reviewing Officer, who will then consider if they need to take any further action.

8. Conclusion

All differences of opinion over appropriate intervention or support for a child should be resolved in a timely way so that the welfare of the child remains paramount. In some situations, it is essential to instigate all of the stages within a short period of time so that the safety of the child is not compromised. However, if a child is thought to be at risk of immediate harm the designated safeguarding lead/line manager in your agency should be informed immediately.

If the professional feels the child is at risk of imminent harm they should use their professional judgement and as appropriate dial 999 and ask for Police assistance.

If the process highlights gaps in policies and procedures this must be brought to the attention of the Delegated Safeguarding Partners and the SSCP Business Manager.

9. Audit and review

The SSCP will review notifications quarterly to identify any trends to inform learning.