



## 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. There must be respectful challenge directly and swiftly, whenever a professional or agency has a concern about 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 LSCB expects that practitioners will challenge each other and raise concerns directly and immediately when they disagree with each other and that they retain a focus on the welfare of the child. LSCB training provides practitioners with the skills and competencies to work together to resolve issues as they arise, and LSCB policy and procedures provide for [case learning meetings](#) where professionals can have open and challenging discussions. This protocol should be used only when efforts to resolve conflicts and disputes are not providing solutions.

If the practitioner feels that this is a dispute relating to a child protection concern that requires immediate action as there is a likelihood of imminent significant harm they should speak directly to their line manager, or designated safeguarding lead who will follow the [emergency resolution protocol](#)

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. 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 disagreement 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 disagreement over the sharing of information and/ or provision of service.
- There are disagreements over the recommendations of any assessment and whether the appropriate plan is in place to safeguard and promote the welfare of the child.

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. For a variety of reasons there may be a delay at any stage, for example being able to respond to phone calls. However the maximum timescales for completion of the process at each stage are outlined below:

The flowchart below (section 4) sets out each stage of the process.

## **2. Timescales for completion:**

- Stage 5 working days
- Stage 2 within 5 working days of stage 1
- Stage 3 within 5 working days of stage 2
- Stage 4 within 5 working days of stage 3

## **3. 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 LSCB Business Manager for consideration of any multi-agency learning or practice guidance change.

## **4. 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.gcsx.gov.uk](mailto:CPRU@solihull.gcsx.gov.uk) for attention of the child's Independent Reviewing Officer, who will then consider if they need to take any further action.

## **5. Audit and review**

The LSCB will review notifications quarterly to identify any trends to inform learning

This protocol will be reviewed by the policy and procedures group in October 2016

## Stage 1

- A professional should always try to raise their concerns by sharing it with the person they disagree with in the first instance, by phone or face to face. If this does not provide a solution, their line manager or safeguarding advisor can help them agree a way forward. There are templates to help with the process and recording if required. Most challenges or disputes should be resolved in this way and this protocol used only if these efforts do not provide a solution. The initiating professional will inform the LSCB that they are instigating the Dispute Resolution Procedures. Both parties will take the information to their line manager or designated safeguarding lead, who will share and discuss the concerns and aim to reach an agreed solution within a further 5 working days. (timescales are indicative only and should be speeded up if the situation is considered urgent see emergency resolution procedures) This should be recorded in each agency's child case files.

## Stage 2

- If an agreement is not reached at Stage one the information will be shared, with the next level of management who will share and discuss the concerns and aim to reach an agreed solution within a further 5 working days. This should be recorded in each agency's child case files

## Stage 3

- If an agreement is not reached at this level the information will be shared with the next level of management (e.g. Head teacher and assistant director or equivalent) who will share and discuss the concerns and aim to reach an agreed solution within a further 5 working days. This should be recorded in each agency's child case files

## Stage 4

- If an agreement is not reached by the assistant director or equivalent manager the matter will be referred to the Director of Children's services and the independent chair of the LSCB.