

Cardiff and Vale of Glamorgan Regional Safeguarding Board

Protocol for the Resolution of Professional Differences

Resolution of Professional Differences

Date ratified by the C&VSB: November 2018

Review date: November 2021

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1. Introduction

This document has been produced to support practitioners who are working with children and young people, or adults at risk, in finding a resolution when they have a professional disagreement or concern in relation to interagency safeguarding practice.

It is important that professionals have the confidence to question the opinion of other professionals when working with children and adults at risk. This principle applies to staff of all agencies working in the field of child and adult protection.

Appropriate training, clarity about their own professional role and responsibilities and that of other agencies encourages staff to have the confidence to contribute effectively to inter-agency and multi-disciplinary work. Effective safeguarding practice involves the use of professional challenge in cases where there are different views about how best to support and safeguard a person at risk of abuse or neglect.

Professionals do not always agree about what action is required to best safeguard children and adults at risk. In the majority of cases these issues are resolved by discussion and negotiation between the professionals concerned.

This protocol in no way supersedes the All Wales Child Protection Procedures or the Adult Protection Policy and Procedures but rather aims to detail what action should be taken to resolve outstanding professional disagreements or concerns.

The objective of this document is to clearly set out the responsibility of each professional to:

- put the wellbeing of children and adults at risk first;
- challenge constructively if disagreements arise;
- Follow through concerns to ensure that children and adults at risk are being adequately safeguarded and protected.

2. Purpose of protocol

The purpose of this protocol is to:

- establish a process across all Cardiff and Vale of Glamorgan Safeguarding Board (C&VSB) agencies to ensure a culture which promotes professional challenge;
- ensure that staff in all C&VSB agencies are competent and confident in challenging practice in a child's best interest; and

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- ensure the C&VSB is able to audit this process and seek assurance that professionals are able and willing to challenge in a constructive manner.

The protocol details what action should be taken to resolve outstanding disagreements, clearly sets out the responsibility of each professional to put the welfare of children first, to challenge constructively if disagreements arise and to follow through concerns to ensure that children are being adequately safeguarded and protected.

3. Scope

Before using this protocol the practitioner should attempt to resolve professional disagreements or concerns with their counterpart in the agency involved. This should be done as soon as possible with a view to addressing the concern, resolving any differences and agreeing a course of action if necessary.

This protocol applies to each stage of the child and adult protection process. It applies to all agencies working with children, adults at risk and their families who have a responsibility for safeguarding. It provides guidance as to what action should be taken if there is a disagreement between professionals about how best to safeguard and protect a particular child(ren) or adult at risk. The Policy also applies to Conference Chairs in respect of concerns arising from Child Protection Conferences.

This Policy does **not** apply in the following circumstances:-

- To professional disagreements or concerns within a single agency. It is the responsibility of all agencies to ensure that they have robust arrangements to resolve their own internal disagreements or concerns.
- The protocol should **not** be used when there is a complaint about a specific professional. In such situations the relevant organisation's complaints procedure will apply. Any complaint should be made in writing to the professional's line manager and copied to the person with lead responsibility for Safeguarding children/adults at risk in their organisation.
- This protocol is not for use by children, young people, adults at risk or families; they should use the Cardiff & Vale of Glamorgan Safeguarding Board (C&VSB) complaints procedure and /or the complaints procedure of individual organisations as appropriate.

Disagreements or concerns could arise in a number of areas, but are most likely to arise as a result of differing views on thresholds, lack of understanding of roles and responsibilities, the need for action or communication issues.

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4. Resolution process

The safety of the individual child or adult at risk is the paramount consideration in any professional disagreement and any unresolved issues should be addressed with due consideration to the risks that might exist for the child or adult at risk.

Following this guidance must not delay action to protect a child or adult at risk's safety.

Resolution should be sought within the shortest timescale possible to ensure the child or adult at risk is protected. Disagreements or concerns should be resolved at the lowest possible stage. However, if a child or adult at risk is thought to be at risk of immediate harm, discretion should be used as to which stage is initiated.

If there are unresolved inter-agency professional disagreements or concerns then the following actions should be immediately taken:-

STAGE 1 –AGENCY RESPONSE

If a disagreement or concern cannot be addressed by resolution between individuals then the professional should immediately raise their concerns with their immediate manager. Alternatively they should seek advice from the person in their organisation who has been identified as being the lead for safeguarding children and/or adults at risk.

The manager/safeguarding lead should discuss the concerns raised with their counterpart in the other agency/organisation and attempt to resolve the matter within 2 working days. This may involve a meeting to agree a course of action between the practitioners concerned and their line managers/supervisors. This is to ensure that prompt action is taken to safeguard the child or adult at risk, although it is recognised that process issues may require a longer time period to resolve.

Following this, a written record of the discussion should be made specifically identifying the areas of the disagreement or concern. Any agreed actions should be recorded including if the disagreement or concern was resolved at this stage. If the matter is resolved then these records should be held by the individual agencies concerned. The template in Appendix 3 should be completed by the manager/safeguarding lead to record Stage 1 resolutions **and submit to the Business Unit when completed**. These will be reported to the relevant Board Sub group for monitoring purposes.

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STAGE 2 - ESCALATED TO C&VSB

If the matter is not resolved at Stage 1, the manager (or lead professional) should immediately refer the issue to the Safeguarding Boards Business Unit using the 'Concern about Interagency Safeguarding Practice' template (Appendix 1).

The Business Manager will ensure that the concern is recorded and will attempt to co-ordinate an immediate resolution between partner agencies. The Business Manager will need to identify the relevant persons to contact within the agencies. Where this cannot be achieved, the concern will be raised at the next meeting of the relevant Boards' Business Planning Group.

The Business Manager will ensure that the outcome of the meeting is recorded and fed back to the agencies concerned.

STAGE 3 - ESCALATION TO C&VSB CHAIR/VICE-CHAIR

If the disagreement or concern is not resolved via the Stage 2 process then the Chair of Business Planning Group will arrange for the issue to be escalated to the Chair or Vice Chair of the relevant Safeguarding Board. The individual identified will need to be independent of the case.

A decision will be made by the Chair/Vice Chair on whether a review of the case concerned is undertaken. The Chair/Vice Chair will inform the agencies' representatives within 5 days of their decision.

If a review is required this will either be undertaken by an identified sub group chair, or a request will be made to an individual agency to undertake a review. In the case of the latter, the individual agency must ensure that there is an independent Safeguarding Board member on the review panel.

Following completion of the review, a report will be presented to the next C&VSB Business Group meeting, identifying actions taken and the outcomes for the child/adult at risk. The key learning points will be disseminated to agencies as appropriate.

Some disagreements or concerns may be so sensitive/critical and need to be immediately escalated to Stage 3, thus by-passing initial stages. This may involve:

- Cases with high level media/political interest
- Cases that have resulted in (or could have caused) death or serious harm

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- Where an effective response requires senior manager level multi-agency co-ordination to manage threat, risk and harm.

Any disagreements or concerns of this nature should be immediately discussed with the individual agency lead professional for safeguarding.

The C&VSB will receive update reports on all Stage 3 concerns as and when they arise.

5. Review

The C&VSB will review the progress of this protocol after 12 months following ratification and every 3 years there after.

The Cardiff and Vale Regional Safeguarding Board would like to acknowledge the work of Cwm Taf Safeguarding Board on their protocol that was reviewed during the process for the writing of this protocol.

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CONCERNS ABOUT INTER-AGENCY SAFEGUARDING PRACTICE

This form supports Stage 2 of the 'Protocol for the Resolution of Professional Differences ' The form should only be used in cases where a professional disagreement or concern has:

1. not been resolved at an agency response level, and
2. following the Stage 1 process, has not been resolved through single agency processes.

PART A - TO BE COMPLETED BY AGENCY RAISING THE CONCERN

Name of Child/Adult at Risk:

Date of Birth: **Address:**

Occurrence number (if appropriate):

Name(s) and Dates of Birth of Parent(s)/Carer(s):

NAME OF PERSON RAISING CONCERN:			
ORGANISATION:			
CONTACT NUMBER:		DATE:	
WHAT IS THE ISSUE?			
WHAT HAS BEEN DONE ALREADY TO RESOLVE THIS?			
WHAT IS THE OUTCOME THAT YOU ARE LOOKING FOR?:			

AGENCY/AGENCIES REQUIRED TO RESPOND:

PART B - TO BE COMPLETED BY RESPONDING AGENCY WITHIN 10 WORKING DAYS OF RECEIPT

NAME OF PERSON RESPONDING:			
ORGANISATION:			
CONTACT NUMBER:		DATE:	
RESPONSE:			

PART C - TO BE COMPLETED BY SAFEGUARDING BUSINESS UNIT

SBBU REF NO:		RESOLVED (Y/N):	
DATE REPORTED :			
OUTCOME:			
FOLLOW ON ACTIONS (where appropriate):			
DATE SIGNED OFF:			

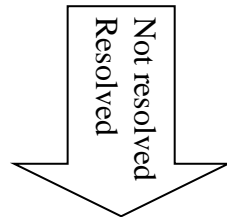
DATE FEEDACK SENT TO AGENCIES CONCERNED:	
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STAGE 1 - AGENCY CONCERN

Immediately raise concerns with manager, seek advice from the lead officer for safeguarding children/adults. Record areas of disagreement and agree actions if appropriate.



Record the Outcome

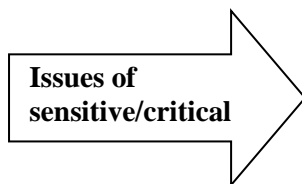
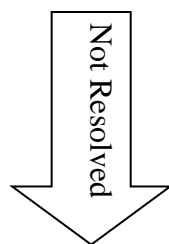


STAGE 2 - ESCALATED TO CTSB

Manager/lead professional immediately refers issue to the Safeguarding Boards' Business Unit using the 'Concern about Interagency Safeguarding Practice' template (Appendix 1). The Business Manager will ensure that the concern is recorded and will attempt to coordinate an immediate resolution between partner agencies. Where this cannot be achieved, the concern will be raised at the next meeting of the relevant Boards' Business Planning Group for resolution.

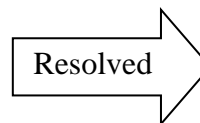


Outcome recorded and fed back to the agencies concerned



STAGE 3 - ESCALATION TO CHAIR/VICE CHAIR

Issue escalated to the Chair or Vice Chair of the relevant Safeguarding Board and a decision made on whether a review of the case is undertaken.



A report will be presented to the next Board meeting, identifying actions and outcomes. The key learning points will be disseminated to agencies as appropriate.

CONCERNS ABOUT INTER-AGENCY SAFEGUARDING PRACTICE

Date Raised	Name of person/Case Ref	LA Area (Cardiff/Vale)	Name of agency raising concern	Summary of concern and Themes identified	Name of responding agency	Date resolved	Outcome
DD.MM.YY							