

BIRMINGHAM SAFEGUARDING CHILDREN PARTNERSHIP

RESOLUTION AND ESCALATION PROTOCOL

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1. Purpose

Occasionally situations arise when workers within one agency feel that the actions, inaction or decisions of another agency do not adequately safeguard or promote the welfare of a child. The purpose of this protocol is to ensure that in such situations issues between agencies are resolved in a timely manner.

Professional disagreements will sometimes arise over another professional's decisions, actions or lack of actions in relation to a referral, an assessment or a plan which are considered not to be in the child's best interests. Disagreements can be healthy and foster creative ways of working with children and families. However, disagreements always require resolution.

The child's safety and wellbeing must be the paramount consideration at all times and professional differences must not detract from timely and clear decision making. All professionals working with children and families have a duty to act assertively and proactively to ensure that the child's welfare is addressed as a priority at all levels of professional activity.

It is also incumbent on the professionals involved to ensure that problems are resolved in a timely way in the child's best interests. Individuals should therefore exercise their judgement as to whether the timelines outlined in this protocol need to be achieved more quickly.

Key Principles

Professionals should:

1. Share key information and their interpretation and views appropriately and often.
2. Seek to resolve the issue in a timely way, based on evidence and assessment, and at the practice, rather than the management level.
3. Avoid disputes which place children at further risk by obscuring the focus on the child or which delay decision making.
4. Liaise with lead professionals in safeguarding or child protection designates in their organisation at the earliest opportunity. Clarity is expected from all agencies in respect of designated roles and responsibilities.
5. Keep the focus on what is in the child's best interests at all times.
6. Familiarise themselves with the routes for escalation and resolution within their agency.
7. Ensure that at all stages of the process accurate records are made of actions and decisions and their rationale (on the child's file) and shared with relevant personnel (including the worker who raised the initial concern). This must include written confirmation between the parties about an agreed outcome of the disagreement and how any outstanding issues will be pursued.
8. If the process highlights gaps in policies and procedures they should be brought to the attention of the Independent Chair 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

Professionals providing services to children and families should work collaboratively across all agencies. Effective partnership working relies on open and honest relationships and clear communication between staff from different agencies seeking to understand each other's point of view.

Birmingham Safeguarding Children Partnership expects members of staff working directly with children and their families to share information appropriately in line with

national and local guidance (for example the Partnership's Information Sharing Protocol) and to work to plans agreed in all relevant forums (case discussions, meetings and conferences) to safeguard children in the local area.

Safeguarding and promoting the welfare of children is a responsibility 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.

Problem resolution is an integral part of professional co-operation and joint working to safeguard children. Birmingham Safeguarding Children Partnership expects all agencies to adopt a proactive approach towards problem solving which enables professional disagreements to be resolved as close to front line practice as possible.

All agencies are responsible for ensuring that their staff are competent and supported to escalate appropriately any inter-agency concerns and disagreements about a child's safety or wellbeing.

Where difficulties or disagreements arise between agencies the process of resolution should be kept as simple as possible. The aim, where possible, is to resolve difficulties quickly and without delay at a professional practitioner level.

Professionals' actions should always be based on a robust assessment of the likelihood and degree of harm to the child(ren) and the impact of the given situation on the child's wellbeing. Decisions and actions should be commensurate with the risks posed to the child. Whilst this protocol sets out expected timescales within which matters should be escalated when an inter-agency disagreement has arisen, in some situations it may be necessary to act sooner to protect a child or children.

The timescales indicated should not be a reason for delaying action.

Each staff member is responsible for recording professional conversations and decision-making in line with the case recording protocols and procedures in each agency or setting. The professionals involved in the resolution process must accurately and contemporaneously record each intra and inter-agency discussion they have, approve and date the record.

Where the disagreement involves actions in relation to an individual child, a record of the intra and inter-agency discussion and any other written communication should be placed on the child's record.

3. Situations where Disagreement may Arise

There is now a single point of referral for all safeguarding concerns (CASS) and multi-agency threshold guidance "*Right Help, Right Time*", which should be referred to in any discussion about thresholds. Consequently the number of professional disagreements between agencies should reduce.

However, occasions may arise where one professional disagrees with the actions of another professional and in such cases Birmingham's Resolution and Escalation protocol should be followed. Some examples include the following (although the list is not exhaustive):

- One professional disagrees with the action of another in relation to a particular course of action, such as closing involvement with a child or family or excluding a child from school.
- One worker or agency considers that another worker or agency has not completed an agreed action for no acceptable or understood reason.
- One agency considers that the plan for a child is inappropriate and that a child's needs are not being best met.
- There is a disagreement as to whether a particular agency needs to be involved in supporting the child and family.
- There is significant delay in discharging a child for whom there are safeguarding concerns from hospital.
- A member of staff or an agency considers that the child's safeguarding needs are better met by a Child Protection Plan or by a Child in Need Plan and has requested that a Child Protection Conference be called and feels that this has been refused.
- A range of professionals have concerns about an agency's response to safeguarding concerns.
- There is disagreement over the sharing of information and/or provision of services.

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).

Stage No.	Parties Involved	Process	Duration	Cumulative Duration
1.	Practitioners	Upon disagreement in relation to the safeguarding needs of a child, in the first instance the complainant practitioner should raise the matter with the responsible practitioner within 2 working days of the disagreement or receipt of a decision. If the concern is first raised verbally it should be confirmed in writing.	2 days	2 days
		The complainant practitioner should provide clear evidence-based reasons for their disagreement. The receiving agency must read and review the particular case file. They must speak to the complainant practitioner and attempt to find a mutually agreeable way forward within 3 working days . Where a resolution is reached the responsible practitioner will advise the complainant practitioner of the outcome in writing (i.e. by email) within a further 2 working days	3 days	5 days
2.	Line/Team Managers	If the receiving agency practitioner and the complainant practitioner are unable to resolve the disagreement following exploration of the facts, each practitioner should raise their concerns with their respective line/team manager or named lead for safeguarding, who should attempt to resolve the differences within 2 working days. If agreement is reached, the receiving agency will write to the complainant agency confirming the outcome within a further 2 working days.	2 days	7 days

		Note: If one of the professionals is self-employed, the safeguarding lead will deal with this stage (as well as stage 3). If one of the agencies is a school, the Head Teacher/Principal will deal with this stage (as well as stage 3).		
3a	Service/Senior Managers	<p>If agreement cannot be reached following discussions between the line/team managers the issue must be referred within 24 hours to the relevant Head of Service, Detective Inspector or other designated professional). The relevant managers should meet within 2 working days to resolve the issue.</p> <p>Note: The Head of Safeguarding in the Children's Trust and the BSCP Business Manager should both be copied into disagreements that have escalated to this level</p>	3 days	10 days
3b	Director/Assistant Director	<p>Where resolution is still not agreed after Stage 3a, each service/senior manager will raise the disagreement within a further 2 working days at Director/Assistant Director level within their own agency. The equivalent level for the Police is Superintendent or Chief Superintendent.</p> <p>The Director/Assistant Director of the complainant agency will then write to the Director/Assistant Director of the receiving agency and meet within a further 2 working days to achieve a final resolution.</p>	4 days	14 days
4	Independent Chair BSCP	<p>Exceptional Circumstances</p> <p>Whilst it is a firm BSCP expectation that professional disagreements must be resolved within the 3 stage process set out above, in exceptional circumstances, where the matter remains unresolved, there is provision for it to be considered by the BSCP Independent</p>		

		<p>chair.</p> <p>In exceptional circumstances only, where the concerns of the complainant agency persist, the Director of this agency should write immediately and within no more than 2 working days, to the BSCP Independent Chair, via the BSCP Business Manager.</p> <p>The BSCP Independent Chair 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. The BSCP Independent Chair will 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
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Following Use of the Resolution and Escalation Process

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

Resolution and Escalation Pathway

