

TSCP Professional Differences (Escalation) Policy

Introduction

Occasionally situations arise when a practitioner within one agency may feel that the decision made by a practitioner from another agency, regarding a child, is not a safe decision. Disagreements could arise in several areas, but are most likely to be around:

- Levels of need/referral decisions
- Roles and responsibilities
- The need for action
- Care planning

The safety of individual children 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. The Professional Differences process is not designed to be a direct response to risk; if you believe a child is at risk please follow agreed risk management processes. However, alongside this, if you believe a decision/action taken elevates risk the Professional Differences policy is the correct recourse. The Professional Differences policy is also not a substitute for agreed processes in respect of poor practice, it is a process for resolving professional difference regarding decisions made about a child.

All workers should feel able to challenge decision-making and to see this as their right and responsibility in order to promote the best multi-agency safeguarding practice in Torbay. This policy provides practitioners with the means to raise concerns they may have about decisions made by other professionals or agencies by:

- a) Challenging professional decisions that could put children at risk or obscure the focus on the child
- b) Resolving relevant difficulties within and between agencies promptly and openly
- c) Identifying problem areas in working together where there is a lack of clarity

Effective working together depends on an open approach and honest relationships between agencies. Problem resolution is an integral part of professional co-operation and joint working to safeguard children.

Resolution should always be child centred and sought within the shortest timescale possible to ensure the child is safe and has their needs met. Disagreements should be resolved at their lowest possible stage. However, if a child is thought to be at risk of immediate harm, discretion should be used as to which stage is initiated alongside risk management processes.

Stages of the Policy

Pre-escalation

Any practitioner who feels that a decision about a child is not safe or is inappropriate should initially consult a supervisor/manager within their own organisation to clarify their thinking regarding identification of the problem. They should be specific as to what their concern is about, outline any actions to date that may already have or could potentially impact on this decision and what they aim to achieve. They should also be able to evidence the nature and source of their concerns and must keep a record of all discussions on their agency's recording system.

In organisations where there is a limited hierarchy, or the practitioner who has the initial concern may be a manager, such as a DSL in a school, it is for that organisation to agree who retains responsibility for the professional difference through to, and including, stage three. However, it would be expected that the agreed levels of seniority noted below, within the guidance, are adhered to as far as practicable. If an organisation is unclear on who should be involved in the process, advice can be sought from the TSCP Business Manager by emailing TSCP@torbay.gov.uk

It is important that at each stage of the process both parties record their concerns/actions accurately within their respective agencies recording systems to support information that may be required later in the process if resolution cannot be agreed. It is recommended that the Professional Differences Record of Escalation is used where possible to support this process.

Stage One – Practitioner to Practitioner

Initial attempts should be taken to resolve the problem at the lowest possible level. This would normally be between the people who disagree. It should be recognised that differences in status and/or experience may affect the confidence of some staff members to pursue this unsupported and there may at this stage be an imbalance between the seniority of the parties. **If the disagreement cannot be resolved, the practitioner invoking the Professional Differences policy must clearly articulate their intention to the other party and both parties must keep a record of discussion on their agencies respective recording systems.** If the dispute is not resolved at stage one the concerned practitioner should elevate the dispute to stage two via their supervisor/manager. If either practitioner is a supervisor/manager within their organisation they should retain ownership of the process through stages one and two.

Stage Two – Manager to Manager

If the problem is not resolved at stage one the concerned practitioner should contact their supervisor/manager within their own agency who should raise the concerns with their equivalent supervisor/manager in the other agency as appropriate. **The concerned party must alert the other party to the Professional Differences policy being enacted and both parties must keep a record of discussion on their respective recording systems.** If the problem is not resolved at stage two both supervisors/managers must report the dispute to their respective Head of Service/Operations Manager or Senior Manager (Head Teacher in a school setting) depending upon their organisation's structure.

Stage Three – Senior Manager to Senior Manager

The appropriate Senior Managers must attempt to resolve the professional difference through discussion and review of the information presented so far. **If a Professional Difference reaches stage three, it**

is the responsibility of the organisation raising the dispute to ensure the TSCP Professional Differences Record of Escalation is completed in full and emailed to the TSCP Business Manager at TSCP@torbay.gov.uk The form is available on the TSCP website [Policies - Torbay Safeguarding Children Partnership](#). The Business Manager will maintain a record of all resolved and on-going disputes that reach stage three. If the problem is not resolved at stage three, both senior managers must update their Divisional/Assistant Director or equivalent. At this stage the TSCP Business Manager will assume oversight of the process and provide advice to both parties as required.

Stage Four – Divisional Director (or equivalent) to Divisional Director (or equivalent)

The appropriate Divisional Director, or their equivalent, depending on the structure/nature of the organisation in question, must attempt to resolve the dispute through discussion. A nominated Divisional Director or their equivalent should notify the TSCP Business Manager of the outcome of their discussion by emailing all relevant information to TSCP@torbay.gov.uk The Business Manager will update the record of the resolved/unresolved dispute.

Stage Five – Refer via TSCP

If the agencies concerned have not been able to resolve the professional differences the matter should be referred by the TSCP Business Manager to the Chair of the TSCP Executive Group, who may either seek to resolve the issue unilaterally, or convene a Resolution Panel.

Where possible, the Resolution Panel must consist of TSCP representatives from the three statutory safeguarding partners in addition to the agencies involved within the professional difference. The Panel will receive representations from those concerned in the professional difference and decide on the appropriate course of resolution.

Support

If you are unable to identify who the right person is to contact within an organisation, or wish to discuss any issues about the policy, please contact Neil Cotton, TSCP Business Manager at TSCP@torbay.gov.uk who will endeavour to help.

Timescales

Some matters may be resolved very quickly, and this will be determined locally by the complexity of the issue. In all cases, the matter should be resolved within the below specified timescales, and both parties should retain a primary focus on ensuring that the safety and welfare of the child/ren concerned is assured whilst discussions take place.

