

**Protocol for Resolving Professional Differences in Work Relating to the Safety of Children**

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1. **Introduction**

When working with professionals from other agencies there will at times be differences of opinion with regards to how to respond to an identified concern about a child, young person or family. Disagreements can be a sign of developing thinking; the value of exchanging ideas from different perspectives should not be under-estimated and is one of many benefits of partnership working.

Transparency, openness and a willingness to understand and respect individual and agency views are core aspects of safe multi-agency / inter-agency working. Good preparation, open lines of communication and planning by professionals who take responsibility for decision-making will ensure differences of view are kept to a minimum. However, disagreements may disadvantage the child or family involved if they are not resolved constructively and in a timely manner.

Safeguarding and promoting the welfare of children is a responsibility shared by all agencies. If you feel that a professional or an agency is not acting in the best interests of the child, young person or family, you have a responsibility to respectfully challenge the professional or agency.

To ensure a child, young person or family receives the right level of support will involve negotiation concerning the appropriate response to concerns and which agency is best placed to achieve positive outcomes for the child. Local and national evidence shows that effective intervention occurs where agencies co-ordinate their response.

In the majority of cases these issues are resolved by discussion and negotiation between the professionals concerned. It is the responsibility of all agencies to ensure that they have robust arrangements to resolve their own internal disagreements.

This protocol provides a process for resolving such professional differences. 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 child protection in their organisation.

(Note: Resolution is the effective use of line management structures and courageous conversations in order that escalation is effective.)

**Differences are most likely to arise in relation to:**

* Criteria for referrals
* Application of the ‘Effective Support for Children and Families in Somerset – Thresholds for Assessment and Services’ guidance.
* Quality and outcomes of assessments (at all levels)
* Roles and responsibilities of workers
* Service provision
* Timeliness of interventions
* Information sharing and communication
* Decisions about the need for child protection conferences
* Decisions made at child protection conferences

At no time must professional differences detract from ensuring that the child is safeguarded. The child’s welfare and safety must remain paramount throughout and professional differences should not impede the progress of case working. This protocol is applicable to all Somerset Safeguarding Children Board (SSCB) agencies, including the voluntary, community and faith sectors.

1. **Principles of resolving professional differences and professional responsibility**
* The safety and wellbeing of the child or young person is paramount, and should they be considered to be at risk of, or may be suffering significant harm, Children’s Social Care must be contacted (0300 123 2224). If a child is in immediate danger contact the Police on 999.
* Professional differences and disagreements should not be viewed negatively as improvements to outcomes for children and young people can be found through learning.
* Disagreements must be resolved in a timely manner.
* Concerns, actions, responses and outcomes must be recorded.
* All professionals should take responsibility for their own cases, and their actions in relation to case work.
* Differences and disagreements should be resolved as simply and quickly as possible and at the individual practitioner/line manager level to begin with where this is possible.
* All practitioners should respect the views of others whatever the level of experience.
* Working together effectively depends on an open approach and honest relationships between agencies with the confidence to intervene and challenge positively.
* Professional differences are reduced by clarity about roles and responsibilities and the ability to discuss and share problems in networking forums.
1. **Process for resolving professional differences**
	1. There are many aspects to safeguarding children and young people and many processes where professionals working together may find themselves having differing views on the best course of action for the child. This protocol has been produced to enable a generic resolution process which can be used at any decision making stage in the child’s journey when accessing services.
	2. If a practitioner remains concerned about a practice issue, despite attempts at their level to resolve the matter, they should liaise with their manager. A meeting should be arranged as soon as possible so a formal note of the concern can be recorded. They should then consider a strategy to attempt to resolve the matter. This should include informing the ‘challenged’ agency representatives that they feel that if the matter cannot be resolved they will be escalating the issue.
	3. The following stages are likely to be involved:
* Recognition that there is a disagreement over a significant issue in relation to the safety and wellbeing of a child/young person.
* Identification of the problem.
* Identification of the possible cause of the problem.
* Identification of what needs to be achieved in order for it to be resolved.
	1. The diagram shown in 3.7 outlines the complete process. It should be remembered that differences can be resolved at any stage in the resolution process.
	2. The Resolving Professional Differences Form (see Appendix One) should be completed once Step 3 has been reached. It should contain full details of all discussions and actions undertaken so far, the outcome of the process and why the differences have not been resolved.
	3. For the vast majority of cases that have reached this stage, the matter should have been resolved. However, if a resolution cannot be sought then the form will need to be completed and forwarded by the ‘Challenger’ to the ‘Challenged’ agency copying in the SSCB and the relevant agency contact listed on the form. The same principles as above will apply to the agency’s senior lead seeking a resolution with their counterpart. If this is still not achievable the disagreement should progress through to the final stage of resolution with a referral made to the SSCB Independent Chair. It is anticipated that this would be the very last resort.

**3.7 Process Steps**

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| **Step** | **Action** |
| One | **Preventing Dispute (within 24 hours)*** Agency A (Challenger) contacts Agency B (Challenged)
* Internal business as usual resolution

**If not resolved, move to stage 2** |
| Two | **Informal Dispute Procedure (within 72 hours)*** Agency A (Challenger’s Line Manager/or agreed other role) contacts Agency B’s Line Manager for discussion and negotiation
* Agree a timescale for a response from the Agency B’s (Challenged) Line Manager/ or agreed other role

**If not resolved, move to stage 3** |
| Three | **Formal Dispute Procedure (5 working days from receipt)*** Agency A (Challenger) completes first part of the ‘Resolving Professional Differences’ form which can be found in Appendix 1 and sends to Agency B (Challenged)
* The form should contain full details of all discussions and actions already undertaken at stages 1 and 2 and why the issue has not been resolved
* A copy of the RPD form is sent to SSCB (SSCB@somerset.gcsx.gov.uk) and relevant agency listed on form.
* Agency B (Challenged) responds to form received within 5 working days
* Agency B (Challenged) updates the RPD form stating what further actions have been taken to resolve the issue
* A copy of the RPD form is sent to SSCB (SSCB@somerset.gcsx.gov.uk) and the relevant agency on the form

**If not resolved, move to stage 4** |
| Four | **Dispute Cannot Be Resolved*** Agency A refer to the agency’s senior lead to seek a resolution with their counterpart in Agency B.
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| **If still not resolved, referral to the SSCB Independent Chair (last resort)** |

1. **Recording the professional difference and resolution**

All steps of the process should be well documented. The form listed in Appendix One should be used to accompany any professional difference and returned to the SSCB at the start and the conclusion of stage 3 following resolution.

1. **Monitoring the process**

The SSCB business unit will:

* Acknowledge receipt of all RPD forms, reminding agencies of the timescales for resolution;
* record all RPD forms that it receives;
* track the progress of RPDs and
* follow up with agencies if copies of the responses to challenges are not received within 5 working days.

The SSCB Audit Officer will review the themes, outcomes and learning from the RPDs and prepare six monthly reports for the Quality and Performance Subgroup.

1. **Outcomes and Learning**

The SSCB Quality and Performance subgroup will then determine whether any amendments to what? are required. Reports on the number and nature of professional differences will be monitored on a 6 monthly basis and reported to the SSCB as required to inform future learning for partnership working.

This protocol provides information on how the process of resolving professional differences should be managed. It is helpful to promote good working relationships by resolving differences at the earliest opportunity on the same day if possible. If the process is followed in full to resolve the difference then this should also be seen positively as a way to promote shared understanding of issues and inform future practice. At any stage a reflective practice meeting can be convened.

**Appendix One**

**Resolving Professional Differences Form**

**Appendix 2**

If a professional disagrees with a decision or response from any agency regarding a child protection or welfare concern

**Resolving Professional Differences flowchart**

**In schools**

The designated person will refer to the Head Teacher.

Attempt to resolve situation through
discussion and negotiation
**(Step One – Preventing Disputes)**

**24 hrs**

Named professional advises concerned professional of outcome at this stage.

**72 hrs**

Issue not resolved. Agree appropriate escalation process with appropriate
manager **(Step Two – Informal
Dispute Procedure)**

Named professional advises concerned professional of outcome at this stage.

Issue not resolved. ‘Challenger’ completes ‘Resolving Professional Differences’ Form and sends to ‘Challenged’ agency, copying in SSCB and relevant agency listed on form **(Step Three – Formal Dispute Procedure)**

‘Challenged’ agency responds to submitted form, copying in SSCB and relevant agency listed on form

**5 working**

**days from**

**receipt**

Issue not resolved. Referred to agency senior lead to resolve with their counterpart. **(Step 4)**

At all stages/decisions must be recorded in writing and shared with relevant personnel

Last resort – Referred to SSCB Independent Chair