

### INTRODUCTION

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.

North East Lincolnshire aspires to be a place in which healthy and constructive challenge is seen as a positive not a threat; where we learn from one another and respect others views and opinions; and where we always strive to resolve differences in the best interest of the people we serve.

This procedure should be treated as Local Safeguarding Children Board (LSCB) and Safeguarding Adult Board (SAB) guidance, and applies equally to partner agencies, organisations and practitioners who work with children and vulnerable adults, whether as paid professionals, volunteers or students

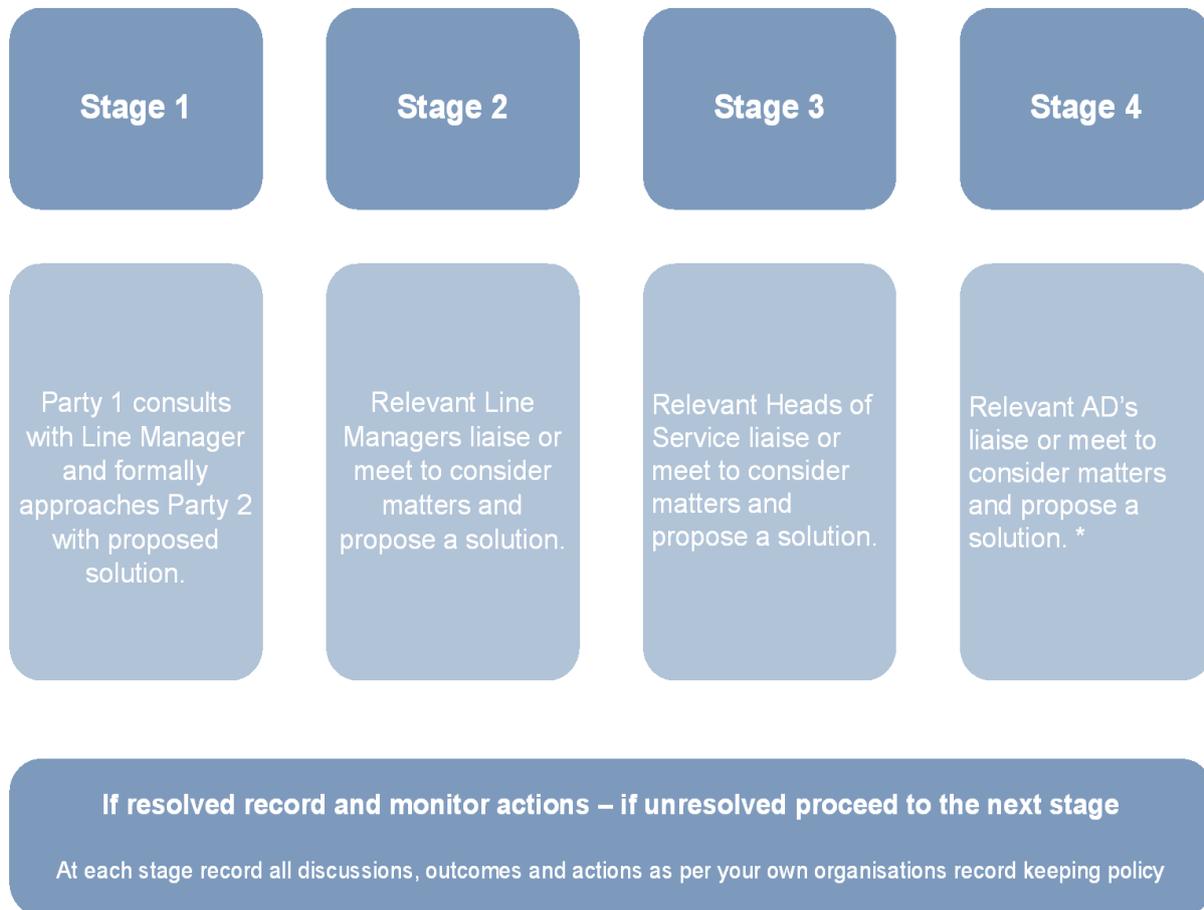
The safety and wellbeing of vulnerable adults and children is at the centre of everything we do. This procedure should be used in conjunction with Care Act 2014, Chapter 14 Guidance Documents, NEL Safeguarding Adults Procedures and NEL Safeguarding procedures and Child Concern Model.

### THE PRINCIPLES OF ESCALATION AND CONFLICT RESOLUTION

Whether a paid professional, volunteer or student – all individuals working with vulnerable adults and children are responsible for ensuring that:

- The safety and wellbeing of children and adults is paramount and should underpin all professional activity and decision making .
- If it is considered there is an immediate risk, contact should be made either with emergency services or MASH (Multi-agency Safeguarding Hub) team for children and SPA (Single Point of Access) for adults on the day the concern arises.
- Where safe to do so consideration should always be given to the views, wishes and feelings of the vulnerable adult or child so that their desired outcome can be achieved and the right conversations should take place with the right people at the right time.
- Records of concerns, discussions, decisions, actions and outcomes should be timely, clear and in line with your organisations record keeping protocols.
  - All records of formal escalation and resolutions processes being used, should include decision-makers and timeframes agreed.
  - Concerns should be resolved in a timely manner, and aim to achieve resolution within set timescales – usually within 25 working days but sooner depending on risk and need.
  - This guidance does not replace agencies' Whistleblowing Policies.
  - NB This guidance does not affect the option for children's Independent Reviewing Officers, to escalate conflict and unresolved safeguarding issues to CAFCASS, where appropriate.

**RESOLUTION PROCESS**



*\*if AD's require independence then they can refer to panel of relevant Board Members.*

**Good practice Resolving Professional Differences and Disagreement**

In the first instance efforts should be made between both parties to resolve or reach an understanding about why dispute has arisen. Areas of dispute should be recorded in line with organisation's record keeping protocols, highlighting actions already taken, including discussions and efforts already made between parties to resolve. Details of matters giving rise to dispute should be clearly recorded and agreed prior to escalation. If both parties are unable to resolve concerns informally, the concerned party (party 1) should consult with line manager and proceed to stage 1.

**Stage 1**

Practitioner 1 should discuss matters with her/his line manager or designated safeguarding lead. The decision to escalate should be based on risk and need, using relevant procedures and guidance to inform discussions. Decisions and outcomes reached should be clearly recorded in case records and where appropriate noted as management oversight. An approach should then be made to the other involved party (party 2) outlining management advice and the resolution proposed. Both parties should record the outcome of discussions in line with their own organisation's recording policy. If no agreement is reached both parties should escalate matters to their own line managers and proceed to stage 2.

**Stage 2**

Designated safeguarding leads or line managers should liaise or meet within an agreed timescale that is proportionate

to the risk and need of the child or vulnerable adult. Managers should aim to decide on a suitable way forward that manages risk and is compliant with guidance and procedures. Managers should aim to complete this part of the process, ideally within a maximum of *15 working days*. (*It is acknowledged that there will be instances where this is not achievable*). It may be necessary for managers to convene a meeting with relevant parties to consider how best to resolve the matter. This meeting should take place within the agreed timescale and where necessary legal advice sought to ensure compliance with legislation, statutory guidance and agency responsibilities.

*Discussions and meetings held should be recorded* clearly noting points of agreement or disagreement, decisions, actions and outcomes. If designated safeguarding leads or line managers are unable to resolve matters at stage 2, the relevant parties should be informed that matters will be escalated to relevant heads of service for a decision to be made and proceed to stage 3.

### **Stage 3**

Line managers should consult with relevant Heads of Service. Heads of Service should either meet or liaise with their equivalent to agree the way forward. Their considerations in reaching a resolution should be informed by information and evidence referred to and produced at stages 1 and 2.

It may be necessary for heads of service to convene a meeting with relevant parties to review the facts and consider how best to resolve the matter taking full account of the safest and best option for the vulnerable adult or child. This should be done in a timely manner, should be based on levels of risk and need and where necessary, legal advice should be sought to ensure the decisions made are compliant with legislation and statutory guidance and fulfil agency responsibilities. Discussions, actions, decisions and outcome should be clearly recorded in each agencies' records and notified to relevant line managers.

The nature of issues giving rise to conflict and how they have been resolved, may indicate the need for revision or change to policy, procedures or practice. Where procedural change is required, or where legal requirements have not been applied correctly, heads of service should ensure that measures are in place for the required changes to be made and endorsed at board level. It will be the responsibility of the LSCB or SAB to notify partner agencies of any procedural changes.

### **Stage 4**

Where Heads of Service fail to reach a resolution, matters will be referred to appropriate Assistant Directors (ADs) or equivalents in partner agencies. Heads of Service will meet with ADs to reach a resolution. Providing agreement is reached – the decisions taken at this stage will be final. Where ADs feel a level of independence is required, they will refer the matter to a panel of independent board representatives made up of relevant agencies and chaired by LSCB or SAB managers. The panel will endorse AD recommendations or make a final decision on resolution. The outcome will be notified in writing to all relevant parties.

### **Useful numbers**

FFAP 01472 326292

SPA Focus 01472 256256

Safeguarding office 01472 326118

### **RECORDING TEMPLATE FOR ESCALATION/CONFLICT RESOLUTION PROCEDURE**

The recording template for Escalation and Conflict Resolution procedure is optional but for audit purposes or for managers dealing with escalations, it would be a useful tool for ensuring consistency of different parties' records. More important is that records indicate the key headings as follow:

1. Case name or PID number
2. Names, agency and status of those making contact
3. Stage of escalation (1,2 3 or 4)
4. Type or nature of contact made – (whether or not it is a call, email, meeting etc.)
5. The issue or factors that are in dispute
6. Summary of the discussion
7. Actions and next steps agreed with decision made
8. Names and status of decision-makers
9. Dates of completion of each stage

### **Guidance for completion**

Stage 1: The party who is in conflict with someone else (over a decision, action or plan etc.) formally raises it with their senior or line manager and either resolves the issue via their own line manager or their manager agrees to escalate the concerns with line management of the other party.

Stage 2: This is the contact between the line managers of Party 1 and the other party. Wherever possible, the matter should be resolved at stage 2 but if not both line managers agree to escalate to the relevant heads of service. Names and dates of decisions and decision-makers is important to record

Stage 3: The matter is escalated to relevant heads of service or equivalent who should try to reach or propose a solution and feedback to those parties who dealt with it at stage 2. If Heads of Service cannot reach a solution – they should escalate the matter to the relevant directors or chairs of boards. The date and names of the decision makers should be recorded along with the names of the directors (or equivalent) that the matter was escalated to.

Stage 4: A final decision on the matter should be made by the relevant Directors and the final decision relayed to the two parties' seniors and heads of service on the day the decision is made. The date it was made and the decision should be recorded along with decision makers and who was notified of the decision.

Case:	
Agency:	
Practitioner:	
Manger or Senior:	

Case details and issue to be resolved. In this box please provide details of:  
 a) the source of conflict, in what framework the conflict has arisen: E.g. referral, decision at a meeting, plan for a child, other (please specify)  
 b) the details and nature of the conflict: E.g. is this an agreement about the decision made by the other party, an assessment of risk, child care plan etc.

Please complete the boxes below dependent upon what stage the procedure is being used as per the guidance for completion

Stage:	Type of contact: (telephone, meeting, email, other)	Contact between: (relevant practitioners and line managers) Names to be inserted	Summary of discussion	Outcome of discussion and further action agreed or next steps if appropriate	Date
1.					
2.					
3.					
4.					