



**PROTOCOL
FOR
RESOLVING
PROFESSIONAL DISAGREEMENTS
WHEN
SAFEGUARDING
CHILDREN AND YOUNG PEOPLE**

June 2011

Contents

| Section | Title | Page |
|----------------|---|-------------|
| 1 | Introduction | 3 |
| 2 | Principles of resolving professional differences | 3 |
| 3 | Process of resolving professional differences | 4 |
| | Resolving professional differences: flow chart | 5 |
| | Child protection conferences | 6 |
| | Following resolution | 7 |
| 4 | References | 7 |

1 Introduction

1.1 When working in the arena of safeguarding children and young people, it is inevitable that at times there will be professional disagreement. Whilst this is accepted, it is vital that such differences do not affect the outcomes for children and young people. Professional disagreement is only dysfunctional if not resolved in a constructive and timely fashion. This procedure, therefore, provides a process for resolving such professional differences.

1.2 Disagreements could arise in a number of areas of multi-agency working as well as within single-agency working, but are most likely to arise in relation to:

- Criteria for referrals
- Outcomes of assessments
- Roles and responsibilities of workers
- Service provision
- Information sharing and communication.

1.3 This procedure is applicable to all BSCB agencies, including the voluntary, community and the faith (VCF) sectors.

2 Principles of resolving professional differences

The safety and wellbeing of individual children / young people is the paramount consideration in any professional disagreement. Professional disputes obscuring focus on the child / young person must be avoided.

- It should be recognised that professional disagreement should not always be viewed negatively, if it improves outcomes for children and young people in a timely and sensitive manner, and learning for the practitioners involved.
- All professionals should take responsibility for their own cases, and their actions in relation to such case work.
- Difficulties at practitioner / fieldworker level between agencies should be resolved as simply and quickly as possible.
- All practitioners should respect the views of others, whatever their level of experience. They should also be mindful of the difficulties that challenging more senior or experienced practitioners may present to others.
- Working together effectively depends on an open approach and honest relationships between agencies.
- Working together effectively also depends on resolving disagreements to the satisfaction of workers and agencies, with a genuine commitment to partnership.
- Professional disputes are reduced by clarity about roles and responsibilities, and airing and sharing problems in networking forums.

- Attempts at problem resolution may leave one worker / agency believing that the child / young person remains at risk of significant harm. This person / agency has responsibility for communicating such concerns through line management and the Head of Children's Social Care and the Head of Safeguarding within Children's Social Care.

3 Process of resolving professional differences

3.1 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,
- Possible cause of the problem and
- What needs to be achieved in order for it to be resolved.

3.2 The flow chart on page 5 provides an outline of the complete process involved in resolving differences.

3.3 These processes, however, are not set in stone. **It should be remembered that certain steps of either process can be by-passed, if appropriate and with agreement of the professionals and managers involved.**

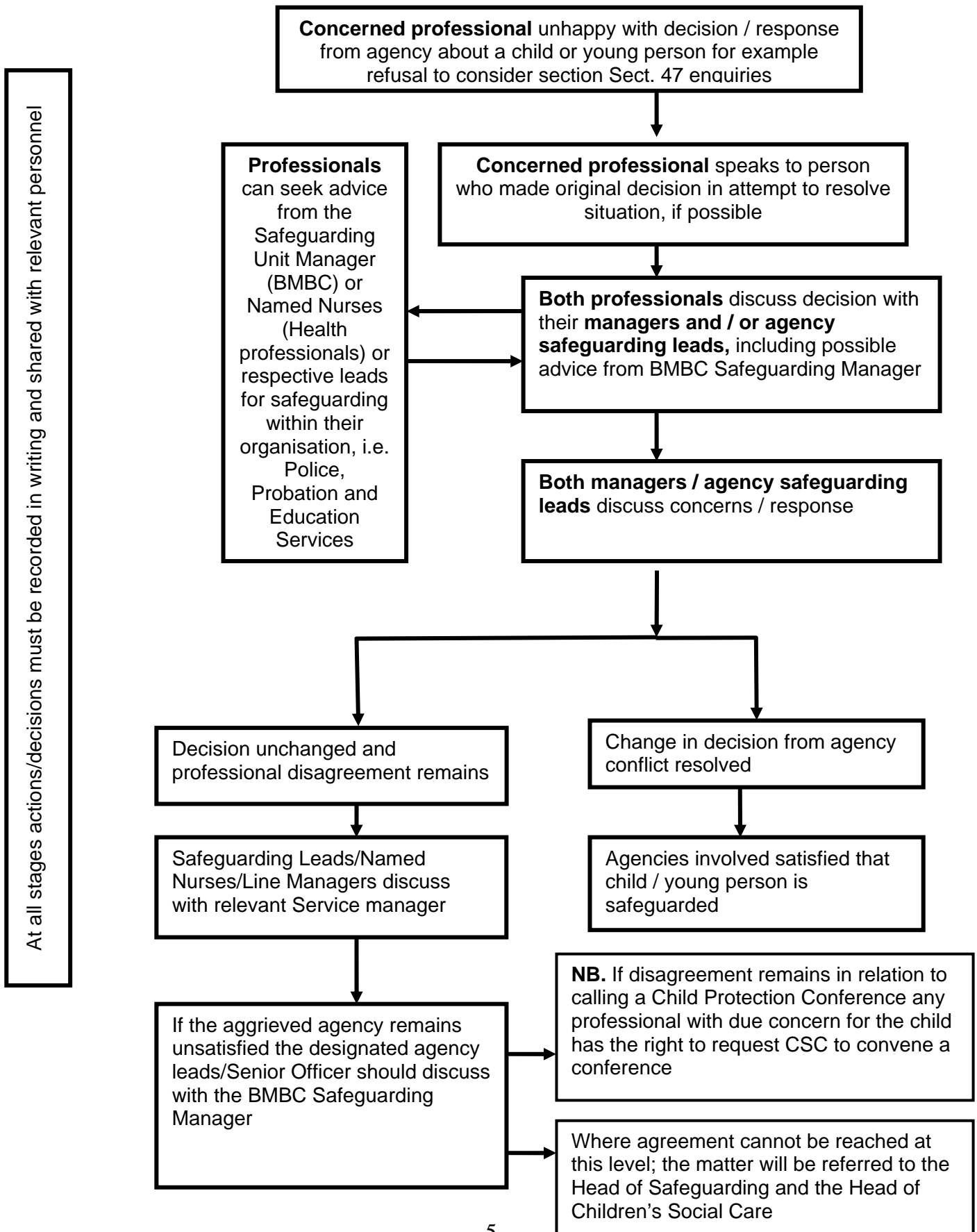
3.4 **It should also be remembered that the processes do not have to be completed as described below, as disagreements can be resolved at any stage.**

3.5 The process of resolving professional differences should first involve workers consulting co-workers, to clarify their thinking and practice in the first instance.

3.6 In some voluntary, community or faith sector organisations, the role of a senior manager, as specified in the flow chart, may be undertaken by a member of the management committee.

RESOLVING PROFESSIONAL DIFFERENCES

The process below does not have to be followed in full. Disagreements can be resolved at any stage (see section 3.0)



3.7 The following should be considered when undergoing a process of resolving professional differences:

- a) Initial attempts to resolve the problem should normally be made between the people who disagree, unless the child / young person is at immediate risk.
- b) Both agencies should give clear reason/s for their safeguarding approach which should be put in writing, as per guidance from their line manager
- c) It should be recognised that differences in status and / or experience may affect the confidence of some workers in resolving differences, and some may need support from their managers
- d) If unresolved, the problem should be referred to the worker's own line manager or agency safeguarding lead (complainant agency), who will discuss the situation with their equivalent colleague in the other agency
- e) If the problem remains unresolved, the line manager or agency safeguarding lead (complainant agency) will liaise with the relevant service Manager or refer up their agency line management structure. This may be the management committee if in a VCF sector organisation or Designated lead e.g. Designated Nurse who will liaise with the relevant Service Manager.
- f) If the problem remains unresolved for other agencies, the matter should be referred to the Head of Safeguarding within Children's Social Care.
- g) A clear record should be kept at all stages, by all parties. This must include written confirmation between the parties about an agreed outcome of the disagreement and how any outstanding issues will be pursued.

**Timely action is paramount if there are concerns
that a child or young person is at risk**

Child Protection Conferences

3.8 As specified in *South Yorkshire Child Protection Procedures (2011)* Section 6.19, if a professional disagrees with a decision by Children's Social Care not to hold a Child Protection Conference about a child or young person, they have the right to request that such a conference is held if they have serious concerns that the child / young person may not otherwise be adequately safeguarded. Any such request should be made to the Social work Team Manager, and be supported by a Senior Manager or the Safeguarding lead in the complainant agency.

3.9 Every effort should be made to resolve the matter through discussion and explanation, but, where agreement cannot be reached, a conference should be convened. Professional reasons for the final decision should be fully recorded on the child / young person's file.

Following resolution

3.10 When the matter is satisfactorily resolved in relation to the particular child or young person, any general principles should be identified and referred to the Quality Assurance and Performance Management Sub-Group.

3.11 To avoid similar professional conflicts arising again, amendments may be required to protocol and procedures.

3.12 It may also be helpful for individuals to debrief following some disputes, in order to promote continuing good working relationships.

4 References

LSCB Leicester, Leicestershire & Rutland – Child Protection Procedures

Swindon LSCB Escalation Policy 2008

Rotherham Safeguarding Children Board Safe and Well Practice Guidance 2009

Sheffield SCB Procedure for Resolving Professional Disagreements When Safeguarding Children and Young People (March 2010)

South Yorkshire Child protection Procedures (2011) Section 6.19

EQUALITY IMPACT ASSESSMENT

This policy has been equality impact assessed. If on reading this policy/procedure, you feel there are equality and diversity issues, please contact the Safeguarding Board safeguardingchildren@barnsley.gov.uk and, if necessary, the document will be reviewed

This Protocol was ratified in June 2011

Date of Review – June 2013