



Western Bay Safeguarding Children Board

Resolution of Professional Difference

Developed By; PPPMG
Ratified By; WBSCB
Date Ratified; 25/11/15
Review Date; 25/11/17

1. Introduction

- 1.1** Lord Laming refers clearly in his report following the Victoria Climbié Inquiry * to social workers having the confidence to question the opinion of other professionals when making assessments of children's needs.
- 1.2** The Welsh Assembly Government guidance, "Safeguarding Children: Working Together under the Children Act 2004 (2006) requires that Safeguarding Children Boards have a protocol for resolving professional differences. This protocol supports all staff and organisations who work with children and families, and, with adults who pose a risk to children in this process.
- 1.3** This principle applies to staff of all agencies and organisations working in the field of safeguarding children. Appropriate training, clarity about their own professional role and responsibilities and that of other agencies and organisations encourages staff to have the confidence to contribute effectively to inter-agency and multi-disciplinary work, which includes questioning the opinions of other professionals.
- 1.4** Many serious case reviews, both nationally and locally, have identified an apparent reluctance to challenge inter agency decision making. The serious case reviews have identified that one or more professionals were concerned about a decision made by another agency, but failed to follow up with a robust process.
- 1.5** Professional challenge is a positive activity and a sign of good professional practice, a healthy organisation and effective multi agency working.
- 1.6** Professionals do not always agree over what action is required to best safeguard children. In the majority of cases these issues are resolved by discussion and negotiation between the professionals concerned.
- 1.7** Professional differences of opinion should always be resolved in a constructive and time limited manner. It is therefore necessary for all parties to ensure that the resolution process does not adversely affect a child's circumstances.
- 1.8** However, this protocol aims to detail what action should be taken to resolve outstanding professional differences, to clearly set out the responsibility of each professional to put the welfare of children first, to challenge constructively if professional differences arise and to follow through concerns to ensure that children are being adequately safeguarded and protected.
- 1.9** If at any stage the professional difference has arisen because of a lack of clarity about a procedure or the absence of a procedure, the professional/individual staff member should also refer to their WBSCB agency representative.

2. Scope

2.1 This is an inter-agency protocol which applies to all safeguarding children practice across all sectors.

2.2 The following are examples of circumstances when this protocol is relevant, ***but this list is not exclusive and other situations may apply.***

- Response to a referral e.g. disagreement about the decision to undertake a section 47 enquiry or a section 17 initial assessment or No Further Action (NFA) (see para 3.4.3 All Wales Child Protection Procedures)
- Strategy discussion or meeting (see para 3.5.3 All Wales Child Protection Procedures)
- Outcome of a medical examination e.g. balance between medical opinion and social work concerns
- Child Protection Conference e.g. decision whether or not to convene
- Core Group
- Child Protection Plan
- Legal action to safeguard children

2.3 It **does not** apply in the following circumstances:-

- To intra-agency professional disagreements. It is the responsibility of all agencies to ensure that they have robust arrangements to resolve their own internal disagreements.
- 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 safeguarding in their organisation.
- It is not for use by children, young people or families, they should use the SCB complaints procedure and /or the complaints procedure of individual organisations as appropriate.
- Where a consensus cannot be reached in a child protection conference (See Section 4).
- Where there are concerns that a child on the child protection register is not adequately being protected (See Section 5).

3. Principles for Managing Professional Differences

3.1 Professional differences of opinion should always be resolved in a constructive and time limited manner. It is therefore necessary for all parties to ensure that the resolution process does not adversely affect a child's circumstance.

3.2 Any concern should be escalated immediately to ensure a resolution is reached for the child in real time to help ensure their safety.

3.3 It is recognised in smaller organisations the management structure does not allow for the escalation process as described or in the flow chart. The process should be followed using the appropriate corresponding levels of seniority as exists within the organisation.

3.4 Whenever there is a professional difference the following action should apply;

Stage 1

- The individual professionals or staff members should initially attempt to resolve the differences together through discussion and/or a meeting. As part of this process they should:
 - clarify the nature of the difference in order to reach a common understanding;
 - review their respective standpoints and;
 - work towards a mutually acceptable solution, which safeguards and promotes the welfare of the child.
- All parties should keep a written record of the difference and the agreed resolution which should be stored in the relevant case records of both agencies/organisations.
- If the professional difference remains unresolved the case must be escalated to Stage 2 of this process. It is the responsibility of the professional or staff member who has raised the concern to do this.

Stage 2

- The individual professional with an unresolved concern should raise their concern with their manager or seek advice from the person in their organisation with responsibility for safeguarding.
- The purpose of this discussion is for the manager to agree whether the concern needs to be escalated to Stage 3. A written record of the discussion should be made.
- It is the responsibility of the line manager and/or person responsible for safeguarding to do this.

Stage 3

- The manager (or person with safeguarding responsibility) of the professional who raised the concern should contact the manager or supervisor of the other professional involved in the professional difference to attempt to resolve the matter. A copy of the written record from Stage 2 should be provided to those contacted.

- If following discussion the matter is resolved a written record of the discussion should be made. A copy should be held in the case records of both agencies.
- Where the professional difference remains unresolved the case must be escalated to stage 4 of this process.
- The line manager, whose agency raised the concern, should provide a copy to their safeguarding lead of the written record from Stage 3 together with an analysis identifying the perceived risk to the child and detailing what steps have been taken to try to resolve the matter.

Stage 4

- The Safeguarding lead for the agency/organisation that raised the professional difference will contact the safeguarding lead for the other agency/organisation.
- The safeguarding lead for the other agency/organisation will coordinate internal enquiries, the review of written material, case file and supervision notes as appropriate.
- A professionals meeting may be held to resolve the difference. This meeting should be recorded and a copy of placed on both agencies'/organisations' records.
- For the vast majority of cases that have reached this stage, the matter should have been resolved. If a resolution cannot be sought then the written record of Stage 4 should be forwarded by the Safeguarding Lead of the professional who raised the concerns to their Head of Service.

Stage 5

- The same principles as above will apply to Heads of Services seeking a resolution with their counterpart.
- A written record should be made by the Head of Service, including completing the Resolution of Professional Differences Report. A copy should be held in the case records of both agencies/organisations and a copy of the report sent to the WBSCB Administrator for inclusion in performance reports.
- If this is still not achievable the disagreement should progress through to the final stage (Stage 6) of resolution. The Resolution of Professional Differences Report, clearly indicating the matter has not been resolved should be sent to the Chair of the WBSCB via the WBSCB Administrator. It is anticipated that this would be the very last resort.

Stage 6

- The WBSCB Chair will consult with the Board what other action is necessary to establish a resolution.

The WBSCB will complete the Resolution of Professional Differences Report identifying the resolution reached. A copy should be held in the case records of both agencies/organisations. The Report will also be kept on file by the WBSCB Administrator for the purpose of performance reporting.

4. What is the process for decisions making at a Child Protection Conference where a consensus is not reached?

There is a different process for decision making at child protection conferences where consensus is not reached. The process in Section **3.14.16 Decision making at child protection conferences where consensus is not reached** of the [All Wales Child Protection Procedures 2008](#) must be followed.

5. What action required when a professional believes a child on the child on the Child Protection Register is not being adequately protected?

5.1 The resolution for professional differences process should not be used when a professional believes a child on the register is not being adequately protected. The process in **Section 3.23 'Action required when a professional believes a child on the register is not being adequately protected'** of the [All Wales Child Protection Procedures 2008](#) must be followed.

4. How will the use of this protocol be monitored and audited?

Each agency is responsible for recording, monitoring and auditing the use of this protocol.

Western Bay Safeguarding Children Board promotes healthy challenge within multi agency practice and has a duty of holding agencies to account for their execution of safeguarding arrangements within their organisation. Under this duty the WBSCB will receive information regarding cases that reach stages 5 and 6 where a Resolution of Professional Differences Report has been submitted. The WBSCB will monitor and audit the use of this protocol for cases at stages 5 and 6 and consider the requirement for further scrutiny/case audit through its Management Group structure.

Western Bay Safeguarding Children Board

Resolution of Professional Differences Report

Summary of reason for dispute – include views of all agencies concerned	
Agreed outcomes or actions if satisfactorily resolved – includes escalation to next stage if unresolved	

Agency/Organisation raising the professional difference	Name:
	Designation:
	Agency:
	Date:
Agency/Organisation receiving the professional difference	Name:
	Designation:
	Agency:
	Date:

Please complete for monitoring purposes		
Stage at which resolution achieved- 5 and 6	Time taken to reach resolution-	Please note how effective this Protocol was in resolving the issue and please make suggestions as to how the protocol can be improved:
Additional Notes:		