



Children's MARS Policy and Procedures

Escalation and Resolution

October 2019

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Introduction

This procedure applies to all professionals working with children and families within North Lincolnshire and describes the steps that should be taken to resolve professional differences of opinion about actions taken, or decisions made, in respect of arrangements for helping or protecting children.

This procedure should be applied at all stages of the safeguarding pathway from early identification and the provision of early help to the implementation of statutory child in need or child protection processes. This procedure should also be followed in other specific situations where there are differences of opinion.

All agencies work within different structures and from a variety of perspectives but all have a duty to comply with Working Together to Safeguard Children 2018 and to work co-operatively to safeguard and promote the welfare of children.

Transparency, openness and a willingness to understand and respect individual and agency views are core aspects of safe multi agency working.

Safeguarding arrangements apply across the early help and the statutory safeguarding pathway and all agencies should encourage others to meet their responsibilities.

Where a worker believes that another agency is not meeting their responsibilities, or that a child is not being safeguarded, then they have a responsibility for communicating such concerns through these agreed procedures.

At no time must professional disagreement detract from ensuring that a child is safeguarded and the child's welfare and safety must remain paramount throughout.

When any professional considers that a child is at risk of significant harm they must ensure that their concerns are escalated on the same working day, using their own agency's safeguarding procedures and following the Children's Multi Agency Resilience and Safeguarding (MARS):

- [Helping Children and Families Threshold \(Document 2016/20\)](#)
- [Policy and Procedures on Assessing Need and Providing Help](#)

Resolving differences of opinion in individual cases

Differences of opinion about the provision of help or arrangements for safeguarding

Where any professional believes that another professional is not meeting their safeguarding responsibilities, and that safeguarding arrangements and procedures are not being appropriately applied, they have a duty to challenge and resolve this using the follow staged process.

A. Practitioner to Practitioner

Initial attempts to reach solutions should be at practitioner/case worker level between agencies. The initial attempts to resolve the difference of opinion should be within a timescale that safeguards the child, prevents things becoming worse and when needed protects the child from harm.

The respective workers must identify explicitly what is expected, why they believe that the safeguarding arrangements are not being applied and what needs to be done to ensure that this is achieved.

Both practitioners should ensure that any agreed outcome is clear, that both have the same understanding of the agreed solution and that this is recorded clearly and consistently on each agency's case record.

B. Line Manager to Line Manager

If unresolved, the concern should be referred straight away by each worker to their respective line manager (for school staff this will be the designated safeguarding lead) who in turn is expected to discuss this with their counterpart in the other agency.

Line managers should attempt to resolve the disagreement and ensure that a clear record is kept at all stages by both parties. In particular, this must include written confirmation between the parties about the nature of the disagreement(s) and how any outstanding issues will be pursued.

C. Head of Service to Senior Manager

If professional disagreements remain unresolved following discussions between respective managers then this should be further escalated to senior managers within each organisation.

This will involve the Head of Service for Safeguarding Children who will agree with a senior manager within the respective organisation or agency where the concerns lie and the next steps to be taken to resolve the issues.

D. Multi agency review of the case

If professional disagreements remain unresolved following discussion at a senior manager level the Head of Service for Safeguarding Children and a senior manager from the relevant agency will facilitate a multi agency discussion to review the case with appropriate practitioners / supervisors involved.

The Head of Service for Safeguarding Children or a senior manager from the agency with whom the concerns lie will chair the meeting.

A written record will be made of the key areas of discussion, disagreement, agreements and actions. The Local Authority and the agency will retain this record on the child's file.

E. Independent Scrutiny Officer

In the unlikely scenario that the matter remains unresolved, the Head of Service for Safeguarding Children / senior manager will refer it to the safeguarding partners. An Independent Scrutiny Officer will be requested by the Children's MARS Board / safeguarding partners to facilitate a mediation meeting with the relevant Head of Service from the Local Authority / senior manager and practitioners / supervisors involved.

Differences of opinion about convening a child protection conference

Following a section 47 enquiry if social work services make the decision not to proceed with a child protection conference then other practitioners involved with the child and family have the right to request that the local authority children's social care convene a child protection conference, if they have serious concerns that a child's welfare may not be adequately safeguarded.

The request should be supported by the agency's senior manager / designated safeguarding professional and clearly detail the agency's concerns.

The request should be made in writing to the Service Manager for the Independent Reviewing Service.

A. Service Manager to Service Manager

The Service Manager from the Independent Reviewing Service will liaise with the senior manager / designated safeguarding professional regarding the request for a child protection conference. At this stage effort should be made to resolve the difference of opinion about how the case should be managed. This can be achieved through a professional consultation meeting involving the child's social worker / supervisor and relevant practitioners for the agency who believe that a conference should be held.

A clear record should be kept by both parties. In particular, this must include written confirmation between the parties about the agreed outcome and how the matter will proceed.

B. Head of Service for Independent Review to Senior Manager

If a resolution cannot be agreed the Service Manager for the Independent Reviewing Service will inform the Head of Service for Independent Review who will liaise with the relevant senior manager from the agency.

The Head of Service for Independent Review will agree with the senior manager within the respective agency where the concerns lie the next steps to be taken to resolve the issues.

C. Multi agency review of the case

If professional disagreements remain unresolved following discussion at a senior manager level the Head of Service for Independent Review and a senior officer from the relevant agency will facilitate a multi agency discussion to review the case with practitioners / supervisors involved.

The meeting will be chaired by a Head of Service from the local authority or a senior officer from another agency. The chair will be agreed by the Head of Independent Review for Independent Review and the senior manager within the respective organisation or agency where the concerns lie.

A written record will be made of the key areas of discussion, disagreement, agreements and actions. The Local Authority will retain this record on the child's file.

D. Independent Scrutiny Officer

In the unlikely scenario that the matter remains unresolved, the Head of Service for Independent Review / senior manager will refer it to the safeguarding partners. An Independent Scrutiny Officer will be requested by the Children's MARS Board / safeguarding partners to facilitate a mediation meeting with the relevant Head of Service from the Local Authority / senior manager and practitioners / supervisors involved.

Differences of opinion arising during a child protection conference

Professionals will send the reports for child protection conferences to the conference chair in a timely manner in order that the chair has time to prepare for conference. This will highlight potential areas of difference to the conference chair. The social worker should also discuss potential differences of opinion with the conference chair in advance of the meeting and the conference chair will record the discussion on the child's records.

Non-unanimous decisions in a child protection conference

Differences of opinion arising during a child protection conference should, in the first instance be managed by the conference chair. The main reasons for a difference of opinion will be around the decision whether or not a child needs a child protection plan or whether a child protection plan should be discontinued. Reasons for dispute must be considered within conference and the decisions reviewed by conference members.

Majority view in a child protection conference

If within conference there is a majority view then the decision is made on this majority view.

The concerns and reasons of those who have a differing view will be clearly recorded in the full conference record. If the agencies who formed part of the minority view would like to discuss the decision making process and / or their evidence, analysis, professional judgement or have concerns about the safety or welfare of the child then they should refer the matter straight away to their line manager, for school staff this will be the designated safeguarding lead.

A. Line Manager to Line Manager

The line manager/designated safeguarding lead is expected to discuss the concern with the service manager for the Independent Reviewing Service.

Line managers / designated safeguarding leads should attempt to resolve the disagreement and ensure that a clear record is kept at all stages by all parties. In particular this must include written confirmation between the parties about the nature of the disagreement(s) and how any outstanding issues will be pursued.

B. Head of Service for Independent Review to Senior Manager

If professional disagreements remain unresolved following discussions between respective managers then this should be further escalated to senior managers within each organisation.

The Head of Service for Independent Review will agree with a senior manager within the respective organisation or agency where the concerns lie the next steps to be taken to resolve the issues.

C. Multi agency review of the case

If professional disagreements remain unresolved following discussion at a senior manager level the Head of Service for Independent Review and a senior officer from the relevant agency will facilitate a multi agency discussion to review the case with practitioners / supervisors involved.

The meeting will be chaired by a Head of Service from the local authority or a senior officer from another agency. The chair will be agreed by the Head of Independent Review for Independent Review and the senior manager within the respective organisation or agency where the concerns lie.

A written record will be made of the key areas of discussion, disagreement, agreements and actions. The Local Authority will retain this record on the child's file.

D. Independent Scrutiny Officer

In the unlikely scenario that the matter remains unresolved, the Head of Service for Independent Review / senior manager will refer it to the safeguarding partners. An Independent Scrutiny Officer will be requested by the Children's MARS Board / safeguarding partners to facilitate a mediation meeting with the relevant Head of Service from the Local Authority / senior manager and practitioners / supervisors involved.

Equally divided view in a child protection conference

If there is an equally divided view, the conference will be adjourned for a brief period – not exceeding 15 working days in order for the matter to be reassessed.

Staff will inform their line manager and agencies should re-evaluate their evidence, analysis and professional judgement in preparation for the meeting. Line managers can discuss the case with the Service Manager for the Independent Reviewing Service.

Line managers should attempt to resolve any disagreement and ensure that a clear record is kept at all stages by all parties. In particular this must include written confirmation between the

parties about the nature of the disagreement(s) and how any outstanding issues will be pursued.

The conference will be reconvened and each agency consulted to reach a consensus.

During this period the child will continue to be subject of a child protection plan. If it was an initial conference where there was an equally divided view the child will be made subject of a child protection plan pending a reconvened meeting to reach a consensus.

A. Head of Independent Review to Senior Officer.

If the reconvened conference cannot reach a unanimous or majority view then the child will continue to be the subject of a child protection plan. The issue will be passed to the Head of Service for Independent Review for further consideration alongside senior managers within the respective organisations or agencies where the concerns lie.

B. Multi agency review of the case

If professional disagreements remain unresolved following discussion at a senior manager level the Head of Service for Independent Review and a senior officer from the relevant agency will facilitate a multi agency discussion to review the case with practitioners / supervisors involved.

The meeting will be chaired by a Head of Service from the local authority or a senior officer from another agency. The chair will be agreed by the Head of Independent Review for Independent Review and the senior manager within the respective organisation or agency where the concerns lie.

A written record will be made of the key areas of discussion, disagreement, agreements and actions. The Local Authority will retain this record on the child's file.

C. Independent Scrutiny Officer

In the unlikely scenario that the matter remains unresolved, the Head of Safeguarding Children from the Local Authority will refer it to the safeguarding partners and an Independent Scrutiny Officer employed by the Children's MARS Board will be requested to facilitate a mediation meeting with the relevant practitioners and managers

Differences of opinion in relation to cases that may be serious child safeguarding cases

Should there be any differences of opinion about:

- whether a case meets the criteria of a serious child safeguarding case
- whether a child safeguarding practice review or multi agency local learning review should be undertaken or
- any part of the process

The organisation's representative(s), who holds the difference of opinion, will liaise with the safeguarding partner's representatives and the Multi Agency Innovation Hub in relation to this issue.

A. Safeguarding Partner's Representative

The safeguarding partner's representatives are the Designated Nurse (North Lincolnshire Clinical Commissioning Group), Head of Safeguarding Children (North Lincolnshire Council) and Detective Superintendent (Humberside Police). The safeguarding partners representatives have been delegated the responsibility for making recommendations to the safeguarding partners.

B. Safeguarding Partners

Should the matter remain unresolved the safeguarding partner's representatives will refer the case to the safeguarding partners for them to reach a resolution.

C. Independent Scrutiny Officer

If the matter remains unresolved, an Independent Scrutiny Officer will be requested to facilitate a mediation meeting with appropriate staff from the relevant organisations.