

# Concerns Regarding Inter-Agency Safeguarding Practice (Professional Disagreements)

A Multi Agency Protocol for Practitioners working with Children,  
Young People and Adults at Risk

Cwm Taf Morgannwg Safeguarding Board	Date: September 2019	Status: Approved September 2019
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## **1. INTRODUCTION**

This document has been produced to support practitioners who are working with children and young people or adults at risk in finding a resolution when they have a professional disagreement or concern in relation to interagency safeguarding practice.

Professionals do not always agree about what action is required to best safeguard children and adults at risk. In the majority of cases these issues are resolved by discussion and negotiation between the professionals concerned. It is important that professionals have the confidence to question the opinion of other professionals when working with children and adults at risk. This principle applies to staff of all agencies working in the field of child and adult safeguarding.

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.

Many adult and child practice reviews and serious case reviews, both nationally and locally, have identified an apparent reluctance to challenge inter agency decision making. The 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.

Professional challenge is a positive activity and a sign of good professional practice, a healthy organisation and effective multi agency working.

This protocol does not supersede, and should be read in conjunction with, the Wales Safeguarding Procedures.

The objective of this document is to clearly set out the responsibility of each professional to:

- put the wellbeing of children and adults at risk first;
- challenge constructively if disagreements arise;
- follow through concerns to ensure that children and adults at risk are being adequately safeguarded.

## **2. SCOPE**

Disagreements or concerns can arise in a number of areas, such as differing views on thresholds, lack of understanding of roles and responsibilities, the need for action or communication issues.

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, initiate adult safeguarding procedures, undertake a proportionate assessment or No Further Action (see Wales Safeguarding Procedures)
- An agency's failure to co-operate with addressing safeguarding concerns by refusing to provide requested information or to participate in the Safeguarding process.
- The conduct of a strategy discussion or meeting (see Wales Safeguarding Procedures)
- Outcome of a medical examination e.g. balance between medical opinion and social work concerns
- Decision regarding the need for, or the outcome of, an adult safeguarding investigation
- Disagreement with any aspect of the Child Protection process eg differing views about thresholds, lack of understanding of roles and responsibilities, communication issues
- Issues arising from Child Protection Conferences e.g. decision whether or not to convene, decision about child protection registration and /or process followed for reaching that decision; concerns about the conduct of the conference
- Functioning of Core Group or a professional difference relating to interagency safeguarding practice (Concern about drift and delay to be dealt with separately via the Core Group Guidance).
- A decision to end adult safeguarding procedures
- A professional feels a child or an adult at risk is not adequately safeguarded
- Legal action to safeguard a child or an adult at risk

Before using this protocol the practitioner should attempt to resolve professional disagreements or concerns with their counterpart in the agency involved. This should be done as soon as possible with a view to addressing the concern, resolving any differences and agreeing a course of action if necessary.

This inter-agency protocol applies to each stage of the child and adult protection process. It applies to all agencies working with children, adults at risk and their families who have a responsibility for safeguarding. It provides guidance as to what action should be taken if there is a disagreement between professionals about how best to safeguard a particular child, young person or adult at risk.

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 Cwm Taf Morgannwg Safeguarding Board representative

This Policy does **not** apply in the following circumstances:

- Professional disagreements or concerns within a single agency. It is the responsibility of all agencies to ensure that they have robust arrangements to resolve their own internal disagreements or concerns.

- Complaints from children, young people, adults at risk or families who should be advised to follow the relevant complaints procedure.
- Complaints 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.
- Concerns arising from Child Protection Conferences, including concerns about the decision of the Conference. These should be raised as set out in the **Escalation Procedure for the Resolution of Problems and Issues for Conference Chairs in Respect of Child Protection Conferences**. The procedure is intended to address professional differences that have arisen in Child Protection Conferences, as well as Conference Chairs' concerns regarding the Conference decision and/or the Care and Support Protection Plan.
- Where the issues of a lack of consensus relate to practitioner differences this protocol may need to be used at a later date.
- Where there are concerns that a child on the child protection register is not adequately being protected. If any professional has concerns that a child on the child protection register is not being adequately protected, this must be brought to the immediate attention of their manager and their named child protection professional as well as the key worker and the social services team manager supervising the key worker. In their absence, or, if the response from the team manager is judged inadequate, the senior manager responsible for child protection in social services must be notified.

### 3. PROCESS

***Professionals must ensure that resolution should be sought within the shortest timescale possible with the safety of the child or adult at risk being a priority.***

***Disagreements or concerns should be resolved at the lowest possible stage. However, if a child or adult at risk is thought to be at risk of immediate harm, discretion should be used as to which stage is initiated.***

***Following this guidance must not delay action to protect a child or adult at risk's safety.***

If there are unresolved inter-agency professional disagreements or concerns then the following actions should be taken:-

#### **STAGE 1 - SINGLE AGENCY RESPONSE**

If a disagreement or concern cannot be addressed by resolution between individuals then the professional should immediately raise their concerns with their immediate manager. Alternatively they should seek advice from the person in their organisation who has been identified as being the lead for safeguarding children and/or adults at risk.

The manager/safeguarding lead should discuss the concerns raised with their counterpart in the other agency/organisation and attempt to resolve the matter within 5 working days to agree a course of action between the practitioners concerned and their line managers/supervisors.

If the practitioner is not satisfied with the way their manager has dealt with the issue they should refer to their internal whistle blowing or escalation procedures.

### **STAGE 2 - ESCALATION TO CTMSB**

If the matter is not resolved at Stage 1, the manager (or lead professional) should refer the issue to the Safeguarding Board Business Unit using the form attached (Appendix 1).

The Business Unit will ensure that the concern is recorded and will co-ordinate a resolution between partner agencies. The responding agency will have 10 working days to submit the form to the Business Unit. Where this timescale is not achieved or in cases where a resolution is not achieved, the concern will be raised at the next meeting of the relevant Board QA Sub Group.

The Business Unit will ensure that the outcome of the meeting is recorded and fed back to the agencies concerned. The agencies involved should hold a copy of the documentation in the case records.

### **STAGE 3 - ESCALATION TO CTMSB CHAIR**

If the disagreement or concern is not resolved via the QA process then the Chair of the QA Sub Group will arrange for the issue to be escalated to the Co-Chair of the Board who will be independent of the case.

A decision will be made by the Co-Chair on whether a review of the case concerned is undertaken. The Co-Chair will inform the agencies' representatives within 5 days of their decision.

If a review is required this will either be undertaken by the respective Board Child or Adult Review Group or a request will be made to the individual agency concerned to undertake a review. In the case of the latter, the individual agency must ensure that there is an independent Safeguarding Board member on the review panel. The Business Unit will support in setting up the panel.

Following completion of the review, a report will be presented to the next CTMSB meeting, identifying actions taken and the outcomes for the child/adult at risk. The key learning points will be disseminated to agencies as appropriate.

Some disagreements or concerns may be so sensitive/critical and need to be immediately escalated to Stage 3. This may involve:

- Cases with high level media/political interest

- Cases that have resulted in (or could have caused) death or serious harm
- Where an effective response requires senior manager level multi-agency co-ordination to manage threat, risk and harm.

Any disagreements or concerns of this nature should be immediately discussed with the individual agency lead professional for safeguarding.

The CTSB will receive update reports on all Stage 3 concerns as and when they arise.

## **MONITORING AND REPORTING**

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

The Cwm Taf Morgannwg Safeguarding 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 CTMSB Business Unit will record the information regarding cases that reach stages 2 and 3. The relevant QA Sub Group will monitor and audit the use of this protocol.

## CONCERNS REGARDING INTER-AGENCY SAFEGUARDING PRACTICE

This form supports Stage 2 of the 'Protocol for Resolving Concerns Regarding Inter-Agency Safeguarding Practice'. The form should only be used in cases where a professional disagreement or concern has:

1. not been resolved at an individual level, and
2. following the Stage 1 process, has not been resolved through single agency processes.

### PART A - TO BE COMPLETED BY AGENCY RAISING THE CONCERN

Name of Child/Adult at Risk:

Date of Birth:

Address:

Occurrence number (if appropriate):

Name(s) and Dates of Birth of Parent(s)/Carer(s):

<b>NAME OF PERSON RAISING CONCERN:</b>			
<b>ORGANISATION:</b>			
<b>CONTACT NUMBER:</b>		<b>DATE:</b>	
<b>WHAT IS THE ISSUE?</b>			
<b>WHAT HAS BEEN DONE ALREADY TO RESOLVE THIS?</b>			

**WHAT IS THE OUTCOME THAT YOU ARE LOOKING FOR?:**

**AGENCY/AGENCIES REQUIRED TO RESPOND:**

**PART B - TO BE COMPLETED BY RESPONDING AGENCY WITHIN 10 WORKING DAYS OF RECEIPT**

<b>NAME OF PERSON RESPONDING:</b>	
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<b>ORGANISATION:</b>	
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<b>CONTACT NUMBER:</b>	
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<b>DATE:</b>	
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**RESPONSE:**

**PART C - RESOLUTION AGREEMENT**

<b>DATE FEEDACK SENT TO AGENCIES CONCERNED:</b>	
<b>RESOLUTION REACHED (YES/NO):</b>	
<b>IF YES, NAME OF PERSON ACCEPTING THE RESPONSE:</b>	

**IF RESPONSE IS NOT SATISFACTORY ESCALATE TO QA GROUP:**

**PART D - TO BE COMPLETED BY SAFEGUARDING BUSINESS UNIT**

<b>SBBU REF NO:</b>		<b>DATE REPORTED TO QA:</b>	
<b>OUTCOME AND FOLLOW ON ACTIONS:</b>			