

Rotherham Safeguarding Adults Board

Escalation and Resolution Policy

Refreshed September 2019



Introduction

The safety of vulnerable adults is paramount and learning from reviews has highlighted the need for all staff across partner agencies to have a clear understanding about their responsibility for professional challenge and to know how to escalate concerns about decisions made where there are concerns about safeguarding.

Multi-agency working is the foundation of good safeguarding work. All partner agencies have their own roles to play in the safeguarding process as set out in the agreed multi-agency policies and procedures. It is important that partner agencies are committed and accountable for delivering their part of the safeguarding adults' process to a high standard.

This policy aims to support positive resolution of any professional difference between agencies working to safeguard vulnerable adults in Rotherham. Whilst there is generally a good working relationship between agencies and professional difference can be a driving force in developing practice, occasionally disagreements may arise which requires timely resolution so as not to delay decision making.

The Rotherham Safeguarding Adults Board (RSAB) is clear that there must be respectful challenge whenever a professional or agency has a concern about the action or inaction of another. Similarly, agencies / professionals should not be defensive if challenged. Practitioners and managers should always be prepared to review actions, decisions and plans with an open mind and act proportionately.

Working together effectively to safeguard and promote the welfare and well-being of vulnerable adults is essential to achieving good outcomes.

On occasion, there will inevitably be some areas of disagreement or concern between professionals or organisations in relation to responsibilities, opinions, decisions, responses and actions and how these are impacting on progress and positive outcomes for individual adult. In order to promote and maintain effective multi agency working, it is vital that these concerns and disagreements are discussed in a timely, open and transparent manner and that appropriate challenges are made.

Providing or receiving challenge from another professional can sometimes be difficult for those parties involved but if it is undertaken appropriately and is always in the best interest of the adult, it will provide positive opportunities to reflect, review and revise opinions, approaches and decisions; as well as supporting the development of professional confidence and competence.

Resolving professional differences about practice should be seen as an opportunity to learn and develop both from each other as individuals and as organisations; it is about improving outcomes and providing accountability.

Wherever possible, all efforts should be made to resolve these issues at the lowest possible level within and between organisations or agencies, as it is at this level that the adult's circumstances and needs are known.

At no time must professional disagreement detract from ensuring the adult is appropriately safeguarded. The adult's wellbeing, wishes and safety must remain paramount throughout. Any new concerns presenting about the adult(s) subject to escalation should be referred in to the Safeguarding Adult's Team at the Local Authority in the usual manner.

A common area of professional disagreement occurs when an enquiry is to be closed to Adult Social Care, these decisions should be centred on whether the desired outcome has been achieved for the adult(s) at risk and all duty of care has been met in line with the care act.

1) Principles of Resolving Professional Differences in Practice

The following principles apply when resolving professional differences of opinion:

The safety and wellbeing of individual is the paramount consideration in any professional disagreement. Professional differences of opinion, disagreements, or disputes that obscure the focus on the person at risk of harm, or delay to services being provided must be avoided.

The aim should be to resolve any difficulties at the practitioner level or between agencies as simply and as quickly as possible. And in doing so be proportionate to the issues giving cause for concern.

The adult at risk should not become involved in differences of professional opinion unless it is deemed appropriate to seek some level of agreed clarification or their views, wishes and feelings are required to assist with a way forward.

The views of all those involved with the adult should have their views and opinions valued and respected and any challenge should be in relation to practice and not the individual professional.

It is important to remember that multi-agency working with vulnerable adults requires both individual and collective professional judgements to be made and these directly influence practice and decision making. Differences of opinion over professional judgements will not necessarily signify that there are practice issues. However, it is expected that any significant decision influenced by professional judgements have sound rationale supporting them which is transparent, evidenced, clearly recorded and where appropriate, communicated to all those involved in providing multi-agency services to the adult.

Professionals have a duty to appropriately challenge one another when they believe that poor practice - judgement, decision making or delay may impact negatively on positive outcomes for the adult; this includes where statutory requirements or local

procedures are not being adhered to and includes where there is a lack of consideration of the adult's wishes and feelings.

The number of Professional differences/disputes is reduced when there is clarity and understanding relating to the respective duties, roles and responsibilities of individual professionals and agencies and a genuine belief in partnership working.

Effective working together depends on transparency and accountability within and between organisations, and an open and honest approach between professionals.

It should be acknowledged that differences in organisational or professional status and or experience may affect the confidence of some professionals to challenge practice. This should not be a reason for this not to happen and appropriate support should be in place and provided within each organisation to enable and support its professionals / workforce to do so.

2) Process for Resolving Professional Differences in Practice

The following processes and stages are likely to be involved:

Identification or recognition that there is or may be a practice issue

If a professional identifies that there is or may be a practice issue, it is incumbent on them to work in partnership with colleagues in their own and other organisations to clarify the issue. Early identification and resolution is key to maintaining the focus on outcomes for the adult and prevent an escalation of any issues at a later stage.

Recognition of a Practice issue may be as result of something a professional has observed, read, discussed, heard or been notified of (including from the adult) and / or arise from knowledge about Legislation, Procedures, Protocols and Pathways or Best Practice Guidance.

Clarification of the practice issue within and between agencies

Early clarification of the Practice issue is essential and will be informed by the status and circumstances of the adult, the likely impact on them and the level and priority of concern potentially raised by the issue. Clarification could involve consulting an experienced colleague, Line Manager, or named safeguarding professional (this should not be a substitute for supervision within the guidelines of the professional's own organisation) and can help clarify thinking in the wider context of the case, checking procedures and other Practice documentation.

Seeking early clarification with colleagues in partner agencies involved with the adult may be enough to provide reassurance that a Practice issue is not evident or that there are actions being taken or to be taken to address any adverse impact on the adult.

Resolution of the Practice issue

In progressing to this stage the professional who has identified a Practice issue must adhere to all the principles set out in Section 1 of this protocol.

Stage one

Any worker who feels that a decision is not safe or is inappropriate should initially consult a supervisor/manager (in the agency concerned or in their own organisation, if the latter is the same as stage 3). When consulting with the supervisor/manager they should:

1. Clarify their thinking in order to identify the problem
2. Be specific as to what the disagreement is about;
3. Be clear about what they aim to achieve.

Initial attempts should be taken to resolve the problem at the lowest possible level. This would normally be between the people who disagree. It should be recognised that differences in status and/or experience may affect the confidence of some workers to pursue this without support.

In all cases, this should be documented on the adult's case record by each of the professionals involved in the discussion, being careful to differentiate between fact and opinion, and to record the outcomes from the discussion.

Stage two

If the problem is not resolved at stage one, the concerned worker should contact their supervisor/manager within their own agency who should raise the concerns with the equivalent supervisor/manager in the other agency. All recording should be completed as in Stages 1

Stage three

If the problem is not resolved at stage two the supervisor/manager reports to their respective operations manager or named /designated safeguarding representative. These two managers must attempt to resolve the professional differences through discussion. All recording should be completed as in Stages 1 and 2.

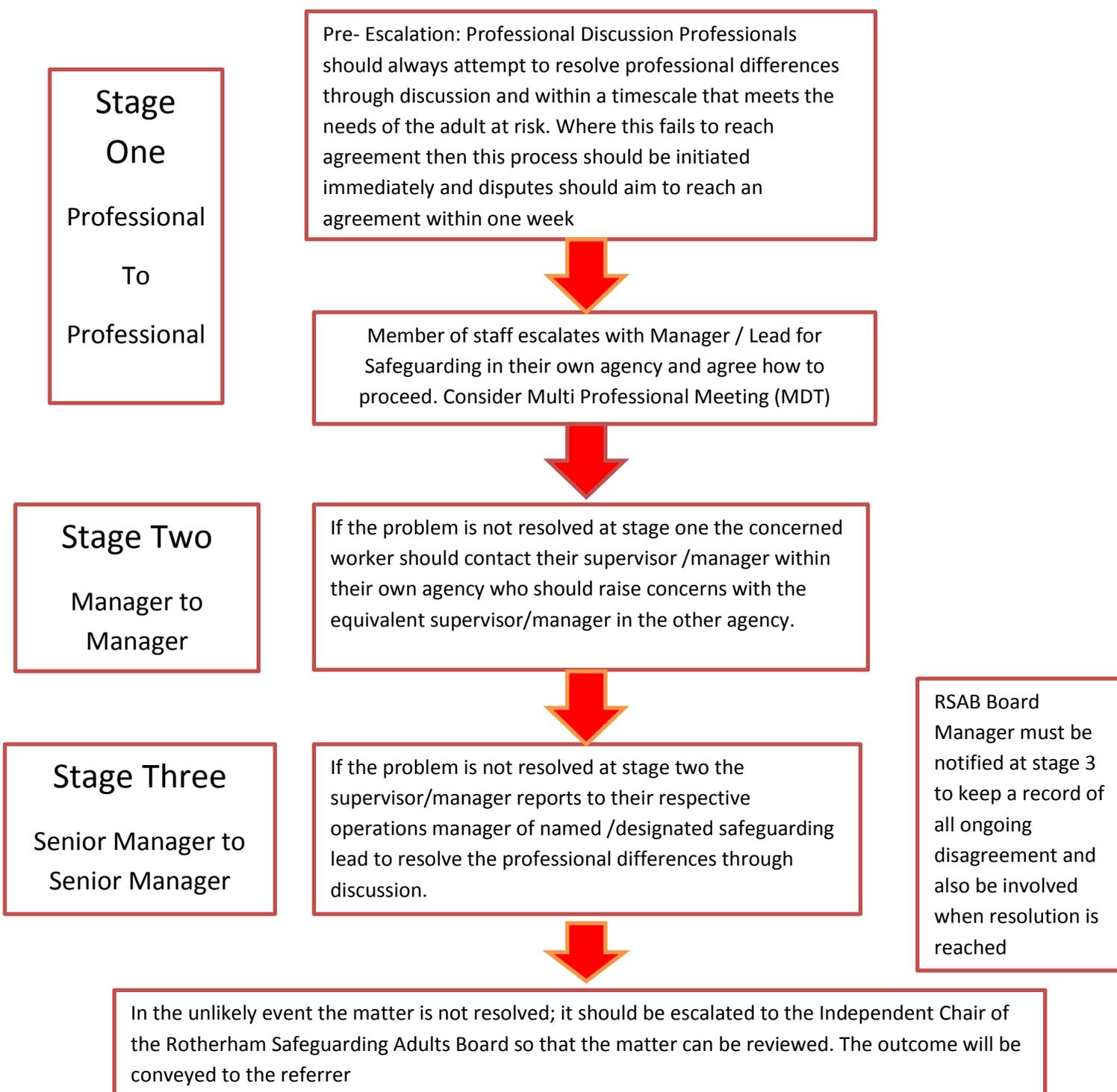
Stage four

If it has not been possible to resolve the professional differences within the agencies concerned a Safeguarding Adults Board Resolution Panel will be convened by the Chair of the Safeguarding Adults Board. The panel must consist of representatives from three agencies (including the agencies concerned in the professional differences). The panel will receive representations from those concerned and make a decision as to the next course of action, resolving the professional differences concerned.

The decision of the panel is binding on all agencies concerned. The panel will produce a brief report of the issues and decisions made, which is submitted to the Safeguarding Adults Board on an annual basis.

The Board recognise that information in certain case discussions may need to be shared with commissioning in line with contract compliance.

Escalation and Resolution Procedure for Raising Safeguarding Concerns Flowchart





Record of Escalation, Challenge and Conflict Resolution between Practitioners or Agencies

At all stages of escalation records of discussions and any decisions made should be recorded in writing and shared with any relevant personnel.

When stage 3 is reached the RSAB Board Manager must be informed to record the disagreement and inform the Independent Chair

The RSAB does not prescribe a specific reporting format, but this form can be used where helpful.

Name of adult at risk.		
Summary of reason for dispute – include views of all agencies	Include evidence such as: Case notes Minutes Emails Supervision notes etc.	
Agreed outcomes or actions if satisfactory resolved / agreed next steps including escalation to the next stage if unresolved		
Please indicate who this information is being copied to		
Stage at which resolution agreed	Time taken to reach resolution	Additional notes:
Referrer	Name	
	Job Title	
	Agency	
	Date	

Action Note: Copy of this form to be held on the adult's record in all agencies involved in the resolution of professional difference. If escalating to next stage use as basis of report to manager at next stage.