



Multi-Agency Process for the Resolution of Professional Disagreements Relating to Safeguarding & Protection of Adults

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Author: Swindon Safeguarding Partnership

1. Introduction

Working with adults with care and support needs is often complex and means from time to time staff from different professional backgrounds may hold a different professional opinion. It is important that this is fully understood as a different perspective has the potential to cause conflict and lead to poorer outcomes.

Often there may be no right or wrong solution and quite legitimately, practitioners may exercise their professional judgement differently and have differing opinions of what the right approach should be.

It is of vital importance that adults with care and support needs do not become entangled in professional disagreements and that where such disputes do occur, they can be resolved together, with minimum delay.

In reaching a resolution it is essential that at all times, disputes are approached in a considerate manner and one, which both respects and seeks to understand the views and concerns of others when engaging with adults.

This resolution process has been agreed with all our partners, as a mechanism for seeking solutions that places the needs of the adult at its centre.

The primary aim of the resolution process is that professional disagreements are resolved at the lowest possible level, by those working directly with adults with care and support needs.

The resolution process recognises that adults are best safeguarded, when professionals who support them work well together through timely, respectful, solution-focused, communication and coordinated action.

The resolution process applies to and should be used by ALL agencies who work with adults with care and support needs in Swindon.

The safety and rights of an individual adult is the paramount consideration in any professional difference /disagreement and any unresolved issues should be addressed with due consideration to the risks that might exist for the adult. All workers should feel able to challenge decision-making and to see this as their professional right and responsibility in order to safeguard the adult and to promote effective multi-agency safeguarding practice.

This policy provides professionals with a framework within which they can raise concerns they may have about decisions made by other professionals or agencies in a way that:

- Avoids professional anxiety or disagreement that puts adults at risk or potentially obscures the focus on safeguarding the adult
- Resolves the difficulties within and between agencies quickly and openly
- Identifies any areas of practice where there is a need to clarify or review multi-agency policies or procedures.

Effective working together depends on an open approach and honest relationships between agencies. Problem resolution is an integral part of healthy challenge, professional co-operation and joint working to safeguard adults.

If there are significant concerns for the adult's well-being that requires immediate action at any stage of this process and there is potentially no resolution, then the Swindon Safeguarding Partnership and Swindon Safeguarding Partnership Executives must be informed immediately (Stage 5).

It should also be recognised that differences in status and/or experience may affect the confidence of some professionals to pursue resolution unsupported and in these cases, the safeguarding lead for that organisation should support them throughout.

Any worker who feels that a professional decision is not safe or is inappropriate should initially consult their Safeguarding Lead or Line Manager to:

- Clarify their thinking in order to identify the problem
- Be specific as to what the concern is about; and what they aim to achieve
- Evidence the nature and source of their concerns and keep a record of all discussions

2. Key Principles

1. Keep the focus on the adult's at all times.
2. Professionals must share the key information and factual evidence, their interpretation and assessment appropriately and what may be the likely impact on the adult
3. Professionals must seek to resolve the issue in a timely way.
4. Avoid professional disagreement, which may place adults at further risk by obscuring the focus, which may delay decision making.
5. Work in a professional way so that the family and adult are not aware of the professional discussions
6. Liaise with professionals and safeguarding designates in the respective organisations at the earliest opportunity. Clarity is expected from all agencies in respect of designated roles and responsibilities.
7. Ensure that at each stage of the process that there is accurate record made of the agreed actions of each agency.

N/B If at any time if a professional considers an adult is at immediate risk of significant harm then the professional must ensure that their concerns are escalated on the same working day using established safeguarding procedure

3. The Resolution Process

This process is managed through the resolution procedure, which is outlined in detail in the table below. It is not always clear to professionals if the resolution process is the most appropriate approach to take, and when this happens advice should be sought from the Swindon Safeguarding Partnership Strategic Support Unit who can be contacted by sending an email to Safeguardingpartnership@swindon.gov.uk

All disputes should be resolved in a timely way, at the earliest possible level, so that the welfare and rights of the adult remains paramount. In some situations, it may be necessary to instigate all of the stages within a short period of time or to escalate the process so that the safety and rights of the adult is not compromised.

All practitioners have a positive duty to facilitate the use of the resolution process with other practitioners even when they do not agree that the use of the procedure is necessary. For example, there is a duty to immediately provide relevant contact details for line management where this relates to the necessary next stage in the resolutions process.

Wherever possible, at each of the stages, discussions should be carried out between professionals of a similar level of seniority within their respective agencies. This is to avoid situations where there is an imbalance between the seniority of professionals, which might inhibit the conduct of an open, frank and balanced discussion about the case.

At all times it should be recognised that the different partnership agencies have different structures and that it may not always be possible for discussions to take place between partnership colleagues of the same equivalent grade. In every case, anyone raising a safeguarding concern/disagreement with a partnership colleague, irrespective of position or grade must be listened to and their concern treated with professionalism and respect.

All communication between agencies, from Stage 2 onwards, should be documented, ideally within an email. The Swindon Safeguarding Partnership must be copied into any communication so that they are aware of current issues and can ensure that the procedure is being used effectively.

Each agency is also required to keep their own log of any instances where they have used the resolutions process themselves. This log should include a record for each stage of the process; start date, who the concern was raised with, and the outcome or resolution agreed. These logs will provide the information needed to enable the Swindon Safeguarding Partnership to monitor and evaluate the effectiveness of the resolution process on a regular basis.

4. Stages

Stage	What	When
<p>Stage 1: Internal Discussion</p>	<p>Any professional who disagrees with a decision should initially consult with their line manager so that they can discuss the issue to clarify their thinking in order to identify the problem and be specific about what the disagreement is about.</p> <p>This discussion may help clarify the issues at this stage so that the professional in question no longer disagrees with the decision made by the other professional.</p>	<p>The discussion should take place within two working days of the disagreement or concern arising.</p>
<p>Stage 2: Inter-agency Discussion</p>	<p>Most disagreements can be resolved between professionals by discussing the reasons for the difference of opinion and without having to escalate further. The professional who has a concern should speak to the other professional to better understand their position and discuss their concern. These discussions should be conducted in an open and professional manner without the need for either party to be accusatory or defensive. At all times the needs, safety and rights of the adult should be paramount.</p> <p>From Stage 2 onwards any communication between agencies should be documented</p>	<p>The discussion should take place within five working days of the completion of Stage 1 above.</p>
<p>Stage 3: Team / Inspectors /Service Manager</p>	<p>If the professionals are not able to resolve their disagreement at Stage 2, their disagreement must be reported to their line managers or second-tier managers or equivalent. In most cases, the relevant line managers /second-tier managers will be able to resolve the disagreement between them.</p> <p>The purpose of this contact is to review the available information and to resolve the concern. Any action agreed should be fed back immediately to the relevant professionals and the detail of the dispute and agreements reached should be recorded on the adult's file.</p>	<p>The line manager should contact their opposite number in the partner agency within five working days of the completion of the Stage 2 above.</p>

	<p>Any communication between agencies should be documented (ideally in an email)</p>	
<p>Stage 4: Heds / Leads/ Directors / of Service.</p>	<p>Where it is not possible to resolve the disagreement at second-tier management level (Stage 3), the matter should be referred without delay to Heads/Directors of Service.</p> <p>The purpose of this contact is to review the available information and to resolve the concern. Any action agreed should be fed back immediately to the relevant professionals and the detail of the conflict and agreements reached should be recorded on the adult's file.</p> <p>The purpose of escalating the dispute to this level is to reach a position where differing professional opinions have been considered and efforts made to explore whether the dispute has arisen through lack of clarity or understanding in the professional dialogue. Ultimately, a decision will need to be reached where agencies agree a way forward where the interests, safety and rights of the adult take precedence over a professional stalemate.</p> <p>Any communication between agencies should be documented</p>	<p>The Heads/Directors of Service should contact their opposite number in the partner agency within five working days of the completion of Stage 3 above</p>
<p>Stage 5: Swindon Safeguarding Partnership</p>	<p>In the unlikely event that the professional disagreement remains, the disagreement should be escalated to the Strategic Safeguarding Partnership Manager at the Swindon Safeguarding Partnership to seek a multi-agency resolution. This can be done by completing the form at Appendix 1 and sending it to Safeguardingpartnership@swindon.gov.uk</p> <p>The Strategic Safeguarding Partnership Manager will then contact the person (s) who represents the organisation on the Partnership or its Executive Group to seek a final resolution. The learning from this resolution meeting or review will be disseminated to all parties within one month of the meeting or review.</p>	<p>A referral should be made to the Safeguarding Partnership by or on behalf of the Heads/Directors of Service within five working days of the completion of Stage 4 above using the form at Appendix 1.</p>

	Any action agreed should be fed back immediately to the Heads of Service and Second tier management staff involved with details of the agreements reached.	
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Resolution Panel

If there is still no resolution then a Resolution Panel should take place involving the key directors and chaired by the Swindon Safeguarding Partnership chair, and should contain representation from senior leaders across the partnership – at least two other agencies. It is important to also understand that on occasions, the decision of a senior leader/director will stand, and they are accountable for the decision made.

Appendix 1:

Resolution Form (for use in Stage 5 of the process)

RESOLUTION FORM	
Name and D.O.B of the Adult requires support:	
Address	
Name of the agency seeking a solution	
Name, role and contact details of agency representative seeking a solution	
What are you worried about?	

What action do you believe is needed?	
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TELL US WHAT YOU HAVE DONE SO FAR.

Stage	Date Contact Made	Who did you contact (Name & Title)	How did you contact them	Outcome/Reason for moving to next stage
1				
2				
3				
4				

If you have not found a suitable resolution on completion of Stage 4 (Day 17) then please forward this completed form on to the Swindon Safeguarding Partnership Safeguardingpartnership@swindon.gov.uk

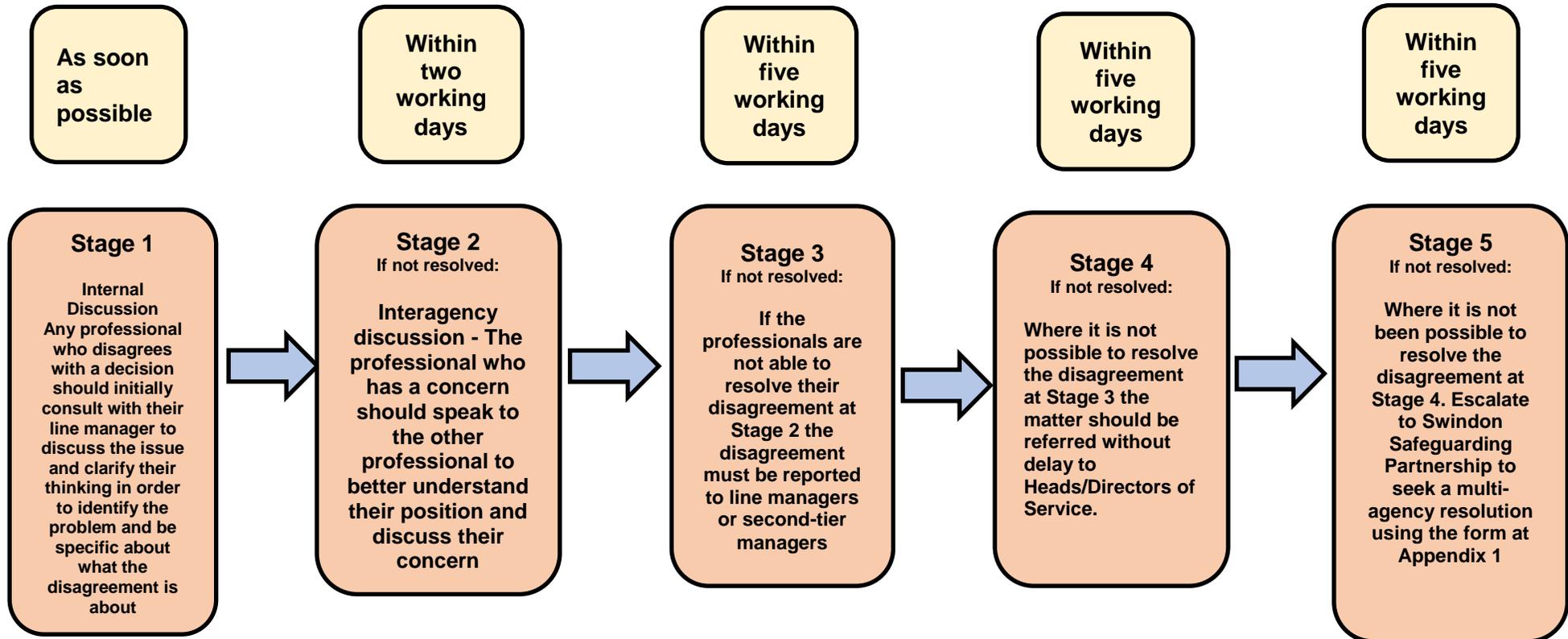
It may be useful for individuals to have a de-brief following some disputes in order to promote continued good working relationships. A post decision reflective learning event should be held with all stakeholders if the escalation reaches stage 5.

NOTE

Where a disagreement or concern relates to the behaviour or conduct of an employee, the South West Adult in a Position of Trust Framework should be followed. https://safeguardingpartnership.swindon.gov.uk/downloads/download/106/south_west_position_of_trust_framework

Swindon Safeguarding Partnership Resolution Process Flowchart

Do not delay in taking action if you consider the adult to be at risk of significant harm



Details of the disagreement must be recorded in each agency's records and resolution forms at stage five must be completed within five working days.

Any learning opportunities for multi-agency practice should be referred to the Safeguarding Partnership Strategic Support Unit