

**FFORWM DIOGELU PLANT DYFED-
POWYS
SAFEGUARDING CHILDREN
FORUM**

**Protocol for the Resolution of
Professional Differences.**



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1. Introduction.

- 1.1 The Welsh Assembly Government guidance, *Safeguarding Children: Working Together Under the Children Act 2004*, requires that Local Safeguarding Children Boards have a protocol for resolving professional differences. This protocol provides a problem resolution process for professionals and individual staff members who work with children and families, and, with adults who pose a risk to children.
- 1.2 Each agency working with children and families, and with adults who pose a risk to children, has an important contribution to make towards safeguarding and promoting the welfare of children in accordance with their roles and responsibilities. All professionals and individual agency staff members are required to work cooperatively using their knowledge, skills and experience within the framework of the Integrated Children System and All Wales Child Protection Procedures 2008.
- 1.3 It is essential that all professionals and individual agency staff members are able to constructively and critically challenge the practice and decisions of others in order to achieve positive and safe outcomes for individual children. Agency managers are therefore responsible for ensuring that their staff are competent and supported when they want to report concerns and disagreements within and/or between agencies.
- 1.4 The resolution of professional differences protocol is not a child protection decision making process. All child protection decisions are made in accordance with the arrangements in the All Wales Child Protection Procedures 2008.
- 1.5 The resolution of professional differences protocol is separate and distinct from whistle blowing arrangements within agencies.

2. Principles for Managing Professional Differences.

- 2.1 Some common reasons for professional disagreements in the safeguarding children context are decisions about thresholds and eligibility criteria, planned agency action/ lack of action, roles and responsibilities, and, failure to communicate.
- 2.2 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.
- 2.3 Whenever there is a professional differences the following principles apply:

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- Do not obscure the focus on the child, and thereby place that individual child at likely risk of harm;
- Resolve the difficulties promptly and openly;
- Make every effort to resolve the difficulty at the level at which it occurred, or at the next management level;
- Identify any lack of clarity or omissions in multi agency policies, procedures and/or protocols, and, where relevant, seek a resolution through the development or amendment of them.

3. Resolution of differences

3.1 Professional differences can arise at any level within or between organisations, and at any stage in the processes for safeguarding children in need.

3.2 It is an expectation that professionals will discuss their concerns with the relevant person and seek a resolution at the earliest opportunity.

3.3 When a professional difference has not been resolved the professional/agency staff member will inform the manager with responsibility for safeguarding children and their line manager, the concern must be put in writing.

3.4 The resolution of professional differences must be achieved within the following 3 stages.

Stage 1.

3.5 The individual professionals or staff members should initially attempt to resolve the differences together through discussion and/or a meeting, within 5 working days of the written communication being sent about the professional difference, or a timescale that ensures that a child is safeguarded from harm, whichever is less.

3.6 The individual professionals and/or agency staff members will seek to resolve their differences by clarifying the nature of the disagreement in order to reach a common understanding, reviewing their respective standpoints and working towards a mutually acceptable solution, which safeguards and promotes the welfare of the child.

3.7 All parties should keep a written record of the disagreement and the agreed resolution, which is signed by both parties and maintained on the non-disclosure section of the child's case file.

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3.8 If the professional difference has arisen because of a lack of clarity about a procedure or the absence of a procedure, the professional/individual agency staff member will refer the matter to the body responsible for the procedure.

Stage 2.

3.9 If the matter is not resolved at Stage 1 and within 10 working days, the professionals/ individual agency staff members should bring the matter to the attention of their line managers, or an appropriate level of management, who should convene a further meeting.

3.10 It is the responsibility of the agency managers to read and review the case files, hold a meeting with the professionals/individual agency staff members, and record the reason for the disagreement and the agreed outcome on the case file.

3.11 The following steps are required:

- Recognition and acknowledgement that there is a disagreement about a significant issue which has implications for the safety and welfare of a child;
- Identification and clarity about the disagreement, and the desired outcome of both parties;
- The achievement of an agreed outcome, and identification of continuing concerns expressed by either party

3.12 There should be a written record of all discussions/meetings/ consultations. In particular it must include written confirmation about agreed outcomes, and in the event of continuing unresolved matters how they will be addressed.

Stage 3.

3.13 When individual professionals and/or staff members are unable to resolve their differences in Stage 2 the matter must be reviewed by agency senior managers within 10 working days of the completion of Stage 2, or a timescale that protects a child from harm, whichever is less.

3.14 The managers in Stage 2 will discuss the issue and recommend the appropriate management level at which the matter should be reviewed on the basis of the nature and seriousness of the dispute, avoiding any delay and ensuring the child is safeguarded.

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3.15 The managers are responsible for contacting their respective senior managers/appropriate agency manager immediately.

3.16 The professionals and/or staff members involved in the unresolved dispute are responsible for submitting their written records to the senior managers.

3.17 The senior managers will arrange a meeting and contact the relevant professionals and/or individual agency staff members. The meeting will be arranged and conducted in the following way:

The senior managers will agree an attendance list, which may include the managers or designated staff with responsibility for safeguarding children in the respective agencies;

- The senior manager with social services responsibilities will chair the meeting;
- The senior managers conducting the meeting will have access to and examine the case files;
- The senior managers will be provided with a copy of the Stage 2 records by the manager chairing the previous meeting;
- The meeting will decide on an outcome of the dispute;
- A record will be kept of the meeting and outcome;
- All parties should accept the outcome of the problem resolution meeting;
- The senior managers will inform Heads of Service for the respective agencies about the details of the professional difference, the arrangements for the meeting, and its outcome.

3.18 In exceptional circumstances the respective Heads of Service will review the process and take appropriate action, which may include a referral to the LSCB.

4. Professional disagreements regarding child protection conferences

4.1 The All Wales Child Protection Procedures 2008 section 3.14.16 addresses decision making at child protection conferences where consensus is not reached.

4.2 In the event of a majority decision the Chair and other professionals/agency staff might disagree with the decision and/or safeguarding plan's capacity to adequately protect the child. In these circumstances he/she should take their concern to a senior manager with responsibility for safeguarding children. Stage 2 of the problem resolution protocol will be invoked and the LSCB Chair informed.

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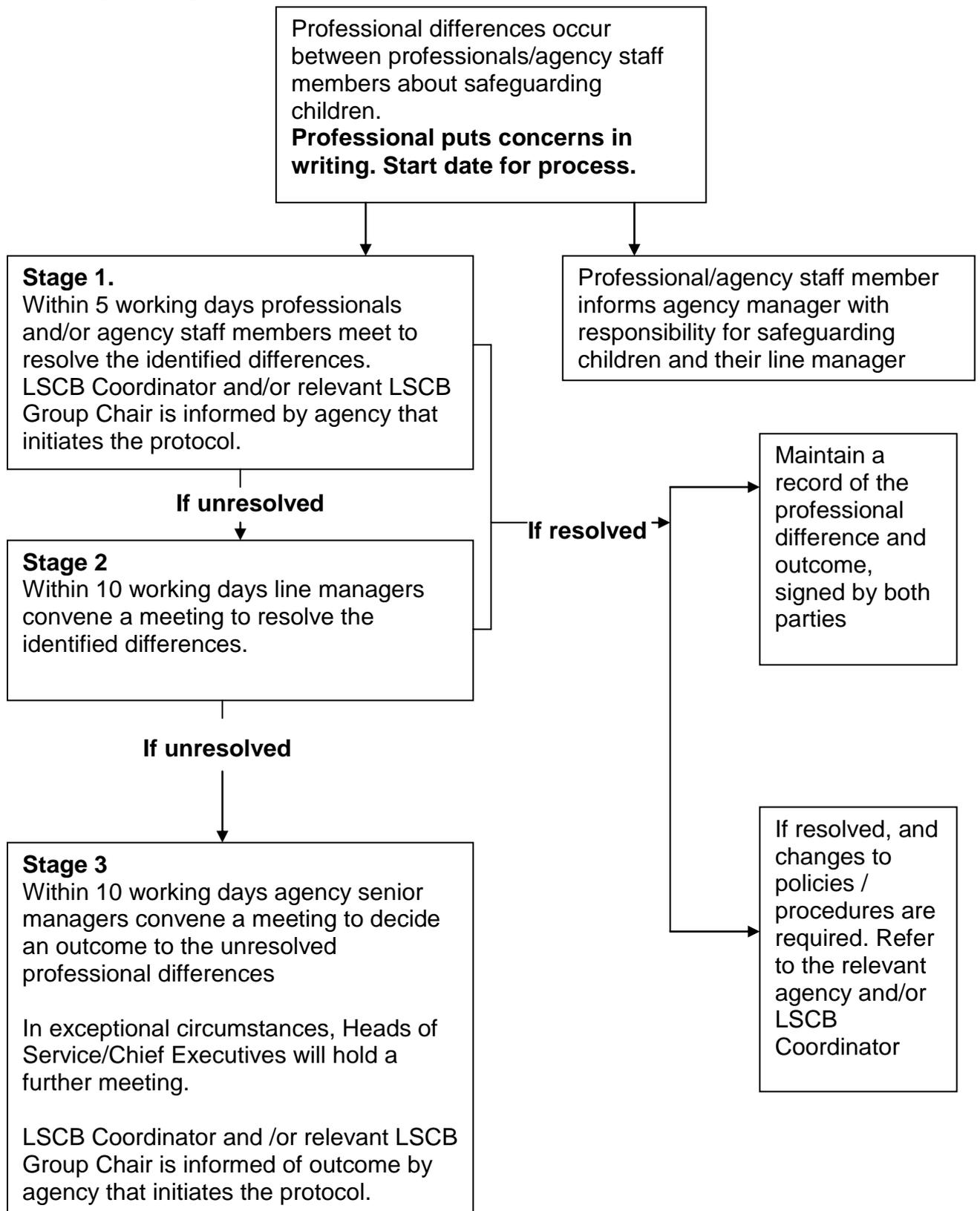
5. Conclusion

5.1 Problem resolution is an integral part of professional cooperation and multi-agency working to safeguard and promote the welfare of children.

5.2 Research and the findings of serious case reviews have shown that unresolved professional differences can lead to conflict which may result in less favourable outcomes for children. Therefore when disagreements occur the dissenting professional and/or staff member must still remain fully engaged in the child in need or child protection process.

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Safeguarding Children: Resolution of Professional Difference Flowchart



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