



## CONFLICT RESOLUTION BETWEEN PRACTITIONERS OR AGENCIES August 2008

### 1. Introduction

- 1.1 The protection of children will always be an area in which there may be differences of opinion about the best course of action. It is very important that all those working with children and families feel able to air their views and constructively challenge the action of others.
- 1.2 Research and the findings of serious case reviews have shown that differences in opinion between professionals and agencies can lead to conflict which may result in less favourable outcomes for children. When dissent occurs, it is essential that the dissenting professional or agency must remain involved in any child protection or child in need plan and in all relevant future decision making, whilst a process of resolution takes place.
- 1.3 The following procedures are to ensure that there is appropriate management oversight of the decision making process, that the child is safe from harm and that professional disagreements about one case do not adversely affect inter-agency relationships.
- 1.4 All agencies are responsible for ensuring that their staff are competent and supported in referring intra and inter-agency disagreements.
- 1.5 **All parties should promote a respectful acceptance of different viewpoints being aired; acknowledging the important role that challenge can play in the safeguarding of children.**

### 2. Disagreements

- 2.1. Disagreement over the handling of concerns may occur where:
  - there is Internal disagreement within an agency about whether a concern should be brought to the attention of Children's Services, either for consultation or referral;
  - a referral is not considered to satisfy eligibility criteria for assessment by Children's Services;
  - information or advice is being sought but Children's Services conclude that a referral is required;
  - Children's Services conclude that further information should be sought by the referrer before the referral is progressed;
  - Children's Services believe that an initial assessment should be pursued without invoking child protection procedures;
  - there is disagreement on the need for a S47 enquiry and/or criminal investigation;
  - there is disagreement about whether or not an initial child protection case conference should be convened;
  - there is disagreement in relation to information sharing;
  - there is disagreement about the conclusion of an investigation/enquiry;

- there is disagreement about whether a case should be closed.
- 2.2. Practitioners should always attempt to resolve differences through discussion, within a timescale that protects the child from harm.
  - 2.3. If the practitioners are unable to resolve differences within the timescale, or anticipate that they will be unable to do so, their disagreement must be referred to more experienced/more senior staff to address – see appendices for your organisation's named contact.
  - 2.4. Most day-to-day inter-agency differences of opinion will require a first line manager to liaise with her/his equivalent first line manager in the relevant agency e.g.:
    - Children Service's Team Manager
    - Detective Sergeant in the Police CAIU
    - Designated Person for Child Protection in School
    - Nominated/Designated child protection/safeguarding advisors within the agency/organisation
  - 2.5. If agreement cannot be reached following discussions between the above first line managers within a timescale that protects the child from harm, the issue must be referred without delay through the line management to the equivalent of operations manager/detective inspector/head teacher or other designated senior manager.
  - 2.6. Records of all discussions must be maintained by all the agencies involved.

### **3. Where Professional Differences Remain**

- 3.1. If professional disagreements remain unresolved, the matter must be referred to the heads of service for each agency involved.
- 3.2. In the unlikely event that the issue is not resolved by the steps described above and/or the discussions raise significant policy issues, the issue should be raised with the BSCB Policy and Procedures Sub Committee or the Strategic and Serious Case Review Sub-Committee for resolution.

### **4. Dissent at/arising from Child Protection Conferences**

- 4.1. If the chair of a conference is unable to achieve a consensus as to whether a child is to be made the subject of a child protection plan, then s/he will make the decision and any dissenting views will be recorded in the minutes.
- 4.2. The agency or individual who dissents from the chair's decision must determine whether to challenge the conference decision further.
- 4.3. Should the dissenting professional believe that the decision reached by the chair places a child at (further) risk of significant harm, s/he should formally raise the matter with her/his agency's Designated Person for Child Protection/Operations Manager/Detective Inspector.
- 4.4. If that Designated Person concurs with the concerns of the professional, s/he should immediately alert the Safeguarding Co-ordinator in Buckinghamshire County Council.
- 4.5. In the light of representations made, the Safeguarding Co-ordinator must determine whether to:

- Uphold the decision reached by the conference chair, or
- Ensure that immediate interim child protection plan is put in place; and/or
- Require that a review conference be brought forward
- Refer the matter to relevant Head of Service

## **5. Allegations against Staff and Volunteers**

- 5.1. Where there is disagreement in the initial handling of an allegation against a member of staff or volunteer working with children, then the Designated Senior Manager for allegations should inform the Local Authority Designated Officer (LADO).
- 5.2. Where a member of staff or volunteer disagrees with a decision by the Designated Senior Manager not to consult the LADO or is concerned that the LADO will not be appropriately consulted – and it is believed that a child/ren could remain at risk of significant harm – then the person with this concern should make direct contact with the LADO (see Whistleblowing below).
- 5.3. If there is a disagreement in the management of an allegation that cannot be resolved following consultation with the LADO, or the disagreement relates to the advice given by the LADO, then the matter should be referred to the Named Senior Officer for Allegations in the agencies concerned.

## **6. Whistleblowing**

- 6.1. Fear about repercussions may make it difficult for staff or volunteers to raise child protection concerns about colleagues or managers. These concerns may relate to harm posed directly to children by the colleague or manager, or they may relate to poor practice in the safeguarding of children.
- 6.2. Senior managers should, therefore, ensure provision of a well-publicised 'Whistleblowing' or 'Speak out' procedures that provide alternative methods of reporting concerns.

Public Concern at Work – an independent charity can give free confidential advice about how to raise a concern about malpractice at work (020 740 6609) [www.pcaw.co.uk](http://www.pcaw.co.uk)

## Appendix – Named Officers for Advising on Conflict Resolution

<b>Named Officer for Advising on Conflict Resolution</b>			
Please enter names and contact details for your organisation			
<b>Name of Organisation / Service Area:</b>			
<b>Named Senior for the organisation's internal conflict resolution:</b>	<b>Name:</b>	<b>Position:</b>	<b>Contact details:</b>  <b>Tel:</b> <b>Mob:</b> <b>Email:</b>
<b>Named Senior for inter-agency/organisation conflict resolution:</b>	<b>Name:</b>	<b>Position:</b>	<b>Contact details:</b>  <b>Tel:</b> <b>Mob:</b> <b>Email:</b>