



Tayside Practitioner's Guidance: Resolution and Escalation Arrangements



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Introduction

This Practitioner's Guide has been produced by the 3 Tayside Adult Protection Committees based on the Perth & Kinross Child Protection Committee (CPC) Guidance.

This Guidance has been developed to provide all practitioners and managers, working directly or indirectly with adults at risk and their families across Tayside, with clear practice guidance on how to resolve practice issues and where necessary, how to escalate them.

Protecting people is a shared responsibility for all practitioners and managers working across the public, private and third sectors. This guidance should complement, not replace, any existing service or agency resolution and escalation guidance.

Guidance alone cannot protect people; but a competent, confident, curious and skilful workforce, working together with a vigilant public can. First Line Managers / Supervisors are therefore key to the successful implementation of this practice guidance.

Context

All agencies have an essential role to play in ensuring that adults at risk are protected from harm, mistreatment or neglect.

Purpose

Occasionally, situations may arise where practitioners within one service or agency feel that the actions, inaction or decisions of another practitioner, service or agency do not adequately **safeguard, support** and **promote** the **wellbeing** of an adult at risk.

This guidance aims to ensure that in such situations; issues between practitioners, services and agencies are resolved in a **timely and effective manner and if not, are escalated quickly and without delay.**

Professional disputes or disagreements will sometimes arise over one practitioner, service or agency's actions, inactions or decision-making in relation to their involvement with, and support for the adult at risk and their family.

For example, in terms of the need to ensure the continuum of care of an adult at risk (their journey through the system) and a whole-system holistic approach, this could include a dispute or disagreement in relation to the following areas of practice (this list is not exhaustive):

- a need for service or agency intervention and support;
- adult at risk's level of need or risk;
- a concern report / referral pathway;
- a screening process outcome;
- an Inter-Agency Referral Discussion outcome;
- an investigation outcome;
- an assessment outcome;
- a planning agreement;
- an agreed course of action not being completed / complied with;

- a single / inter-agency meeting decision
- a timescale decision;

Which a practitioner, service or agency considers not to be in the best interests of the adult at risk.

Whilst professional disputes and disagreements can be healthy and can foster creative ways of working with adults at risk and their families; disputes and disagreements always require a resolution. Problem resolution is an integral part of effective partnership working.

Practitioners have a duty of care to others and should trust their judgement, intuition or gut feelings. **Professional Curiosity** is vital, and all practitioners should be respectful and assertive; whilst exercising professional judgement and common sense.

Practitioners have authority to question, challenge and raise concerns about adults and decisions being made, or in some cases, not being made, about them.

The adult at risk safety and wellbeing must be the paramount consideration at all times and professional disputes or differences must not detract from timely, effective and clear decision making.

Key Working Practice Principles

Practitioners should:

- ***ensure the adult at risk is safe as far as possible;***
- keep their focus on what is in the adult at risk's best interests at all times;
- avoid disputes or disagreements that put adults at risk or delay decision-making;
- seek to resolve any disputes or disagreements based on evidence, assessment and discussion and do so quickly and without delay;
- ensure that the process is kept as simple, succinct, transparent and as open as possible;
- seek a resolution quickly at the practice level, rather than escalating it to the management level;
- familiarise themselves with the routes for resolution and escalation within their own service or agency;
- identify any single or multi-agency process or practice areas where there is a lack of clarity or a need for further guidance and report this onwards;

Resolution

Where there is a professional dispute or disagreement, practitioners should:

- ***be mindful of the above key working practice principles;***
- ***ensure the person is safe;***
- not feel frightened or intimidated;
- seek a meeting with the other practitioners, services and agencies involved in the dispute or disagreement quickly and without delay;
- keep in mind the roles, remits and responsibilities of the other practitioners, services and agencies involved;

- respect and recognise the experience and status of the other practitioners involved;
- keep an open mind, do not allow the dispute or disagreement to become personalised or lost in process;
- clarify their own role, remit and responsibility;
- confirm what their own service or agency perspective is;
- ask that they have their views listened to, understood and respected;
- explain their own thinking and rationale for the dispute or disagreement;
- attempt to resolve the dispute or disagreement by way of dialogue and discussion;
- seek to resolve the dispute or disagreement quickly and without delay;
- where possible reach a shared / agreed resolution at practitioner level;
- if no resolution can be found, ask that their position be noted and recorded in writing into any record being kept;
- intimate that it is their intention to escalate the dispute or disagreement further;
- record their position accurately and contemporaneously in their own service or agency records;
- quickly and without delay, escalate the dispute or disagreement further via their own service or agency arrangements;
- ***Remember – Doing nothing is not an Option!***

Escalation (Stage 1)

Where there has been a professional dispute or disagreement, which could not be resolved at practitioner level, and the practitioner feels that the adult at risk ***is not safe***, the practitioner should:

- ***be mindful of the above key working practice principles;***
- ***ensure they have exhausted all possible means of resolving the dispute or disagreement through discussion and dialogue at the practitioner level;***
- seek support and discuss the matter with their First Line Manager / Supervisor quickly and without delay;
- explain what steps have been taken to resolve the dispute or disagreement at practitioner level;
- clarify the thinking and evidence the nature of the concern and reason for the dispute or disagreement;
- if necessary, quickly seek professional advice from their service or agency designated Lead for Adult Support & Protection;
- ask that the actions, inactions or decision-making dispute or disagreement be reviewed at First Line Manager / Supervisor level;
- confirm with the First Line Manager / Supervisor what their thinking is (whether they agree or disagree) and their rationale for that decision;
- confirm with the First Line Manager / Supervisor the agreed next steps, course of action and the timescales, if any;

- keep a written record of the discussion and agreement in their own service or agency records;
- where further action was agreed, ask for and seek feedback in due course;

Escalation (Stage 2)

At each stage it is important that the practitioner who originally raised the concern is supported, kept informed and given feedback on what action (if any) has been taken in response.

Where further escalation has been agreed as being necessary, the First Line Manager / Supervisor should:

- ***be mindful of the above key working practice principles;***
- ***ensure the practitioner has exhausted all possible means of resolving the dispute or disagreement through discussion and dialogue at a practitioner level;***
- seek a meeting with their opposite number, or equivalent, in the other services or agencies involved in the dispute or disagreement quickly and without delay;
- explain what steps have been taken to resolve the dispute or disagreement at practitioner level;
- clarify the thinking and evidence the nature of the concern and reason for the disagreement;
- ask that the actions, inactions or decision-making dispute or disagreement be reviewed and seek a resolution at First Line Manager / Supervisor level;
- if no resolution can be found, ask that their position be noted and recorded in writing into any record being kept;
- intimate that it is their intention to escalate the disagreement further;
- record their position accurately and contemporaneously in their own service or agency records;
- quickly and without delay, escalate the dispute or disagreement further via their own service or agency arrangements to Senior Management / Head of Service;
- provide feedback to the practitioner who raised the original concern;

Escalation (Stage 3)

Where further escalation has been agreed as being necessary, the Senior Manager / Head of Service should:

- ***be mindful of the above key working practice principles;***
- ***ensure they have exhausted all possible means of resolving the dispute or disagreement through discussion and dialogue at a practitioner level and First Line Manager / Supervisor level;***
- seek a meeting with their opposite number, or equivalent, in the other services or agencies involved in the dispute or disagreement quickly and without delay;
- explain what steps have been taken to resolve the dispute or disagreement at practitioner and First Line Manager / Supervisor level;

- clarify the thinking and evidence the nature of the concern and reason for the dispute or disagreement;
- ask that the actions, inactions or decision-making dispute or disagreement be reviewed and seek a resolution;
- if no resolution can be found, ask that their position be noted and recorded in writing into any record being kept;
- intimate that it is their intention to escalate the dispute or disagreement further;
- record their position accurately and contemporaneously in their own service or agency records;
- quickly and without delay, escalate the dispute or disagreement further via their own service or agency arrangements to the **Chief Social Work Officer (CSWO)**;
- provide feedback to the practitioner who raised the original concern and the First Line Manager / Supervisor who brought the original concern to their attention;

Escalation (Stage 4)

Where it has been necessary to escalate the dispute or disagreement to the CSWO, the Senior Management / Head of Service should:

- ***be mindful of the above key working practice principles;***
- ***ensure they have exhausted all possible means of resolving the dispute or disagreement through discussion and dialogue at a practitioner level, First Line Manager / Supervisor level and at Senior Manager / Head of Service level;***
- seek a meeting with the CSWO quickly and without delay;
- explain what steps have been taken to resolve the dispute or disagreement at practitioner, First Line Manager / Supervisor level and at Senior Manager / Head of Service level;
- clarify the thinking and evidence the nature of the concern and reason for the dispute or disagreement;
- ask that the actions, inactions or decision-making dispute or disagreement be reviewed and seek a resolution;
- if no resolution can be found, ask that their position be noted and recorded in writing into any record being kept;
- ask that the CSWO escalate the dispute or disagreement quickly and without delay to the Adult Protection Committee (APC) / Chief Officers Group (COG);
- record their position accurately and contemporaneously in their own service or agency records;
- provide feedback to the practitioner who raised the original concern, the First Line Manager / Supervisor and Senior Manager / Head of Service who brought the original concern to their attention;

Chief Social Work Officer (CSWO)

The important role of the CSWO is clearly specified in [Protecting Children and Young People: Child Protection Committee and Chief Officer Responsibilities](#) (Scottish Government: February 2019).

In summary, the CSWO's role includes a responsibility for providing professional advice and challenge to all partners on *values and standards; practice and managerial decision – making; leadership; accountability; reporting arrangements and learning and development through reflective discussions and constructive debate.*

The CSWO will have the final determination responsibility in terms of any unresolved dispute or disagreement. If, in the unlikely event, the original dispute or disagreement remains unresolved, the CSWO may decide to refer the matter to the Adult Protection Committee (APC) and / or the Chief Officers Group (COG).

Shared Learning

Throughout this process, all participants should be provided with regular feedback and where necessary de-briefed in terms of the outcome (s). To be effective, the process of resolution and escalation should be followed quickly and without delay in every case.

Throughout this process, any practice, policy and / or procedural learning should be identified and shared with the practitioners, services and agencies involved.

Where there is an identified need for practice, policy and / or procedural improvement work, then this will be referred to the APC and / or the APC Sub-Group.

This will promote and encourage continuous improvement and effective partnership working.

Any concerns which relate to professional behaviour, conduct and / or wrong-doing which do not fall within the scope of this guidance. These are matters that should be progressed via existing service / agency formal statutory complaints and / or disciplinary procedures.

If appropriate, single and / or multi-agency Whistleblowing procedures can also be considered, and if necessary, applied.

Appendix 1 Practitioner's Flowchart

