

# Process for Resolution of Professional Disagreements Relating to the Safeguarding & Protection of Adults at Risk

## Multi-Agency Escalation Process

Effective working together depends on an open approach and honest relationships between all professionals and organisations. Problem resolution is an integral part of healthy challenge, professional co-operation, and joint working to safeguarding adults at risk

This is mirrored by an equivalent process for resolution of disputes to keep children and young people safe

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## Introduction

This policy outlines the steps to be taken when there are disagreements between practitioners (from different agencies) in relation to concerns about the safety of an adult at risk, and/or action(s) being taken to safeguard them or an absence of action. This policy ensures that all professionals have a quick and straightforward means of resolving professional differences to safeguard adults

When working with adults at risk and their families/friends there will inevitably be times when practitioners have differing views on the best course of action, and when made respectfully, challenge can promote reflection and may foster creative ways of working. However, without appropriate management, disagreements may negatively impact on working relationships and consequently on our shared ability to safeguard adults

Professional disagreements always require constructive management and **timely** resolution. This policy outlines the actions required to escalate concerns when a resolution cannot be reached with individual workers, despite open communication about concerns.

The escalation process must take place promptly to avoid any additional risk to the adult at risk

## Definitions

Adult at Risk (Care Act 2015) –

- Aged 18 and above
- And
- The adult has Care and Support Needs – irrespective of whether these are being met by any organisation
- And
- The Adults is at risk of, or experiencing harm or abuse
- And
- The Adult is unable to protect themselves from the harm or abuse

## Background

Effective working together depends on an open approach and honest relationships between workers and their organisations to deliver our shared aim to safeguard adults and children.

Learning from Case Reviews and Safeguarding Adults Reviews have highlighted a lack of awareness and use of escalation to resolve dispute about risk assessments, action plans and organisational ownership.

This policy applies to all organisations working with adults at risk and provides professionals with a framework within which they can raise concerns about decisions/actions in a way that:

- Avoids professional anxiety or disagreement that potentially increases the risk of further harm to the adult or child and obscures our legal duty to safeguard.
- Resolves the difficulties within and between organisations quickly and openly
- Identifies any areas of practice where there is a need for clarity or review of multi-agency policies/procedures or address training needs.

Differences in professional opinions can arise when professionals disagree about the plan to safeguard adults – some examples of when this is likely to occur are listed below:

- Levels of need and intervention - differing opinions about thresholds
- Adults are deemed to have “capacity” to make choices about remaining in abusive situations
- Differences in the handling of referrals/requests for services between organisations
- Lack of understanding or disagreement about roles and responsibilities for safeguarding duties
- Disagreement regarding decision making and action to be taken
- Differences in opinion with regards to risk assessment, planning and coordination
- Concern about the action or inaction of another professional in relation to the safety and wellbeing of an adult or family member
- Timeliness and commitment to sharing information to support a shared understanding of the risks faced by the adult/child/family.
- Concerns that there is a drift or unreasonable delay in case progression
- Disagreement over the provision of services

Throughout our work the safety and wellbeing of the adult is the primary concern, and professional disputes must not obstruct this. If you feel that a practitioner or an organisation is not acting in line with this legal duty/professional responsibility to safeguard adults and children, you have a responsibility to respectfully challenge and to follow this policy.

## Principles of Resolution

When trying to resolve disagreements, practitioners should work within the following principles:

- The safety and wellbeing of the adult is paramount
- The adult should remain at the centre of all professional discussions
- Ensuring that the “necessary” conversations are had with the right people at the right time
- Resolve disagreement using a restorative and solution focused approach which includes appropriate and respectful challenge
- Professionals must share the key information, assessments, and their professional views on the assessments appropriately and how they view the likely impact on the safety of the adult

- Professionals should identify what needs to be achieved to resolve the problem to safeguard the adult
- Professionals should prioritise resolving disagreements in a timely manner, if necessary, by escalation to senior colleagues.
- Concerns, actions, responses, and outcomes must be recorded and agreed
- The process must be open and transparent
- Avoid professional disagreement which may place adults at further risk of harm due to the absence or delay in decision making.

## PROCESS – A Staged Approach

### 1 Professional to Professional

It is expected that most disagreements can be resolved by professionals discussing the concerns and agreeing a way forward to safeguard the adult/child/young person, as set out in legislation.

Prior to any formal escalation there should be a conversation applying the principles outlined above. The concerns should be clearly explained and supported with evidence/research, as appropriate, and reference to local thresholds.

Please follow any internal guidelines/processes for internal escalation.

#### **Adult example of professional-to-professional resolution would be:**

An alcohol worker and a social worker disagree about the ability of an adult to protect themselves from harm when under the influence of alcohol. They discuss the case and agree that the individual will be safeguarded with active support from the alcohol service worker. This is approved by their team managers and no further action is required

**If there are significant concerns for the adult's well-being and safety at any stage of this process and there is potentially no resolution, then the case should be escalated directly to the safeguarding partners (stage 3).**

It should be noted that the 5 working days referred to is for guidance only, and whilst we would expect resolution within this timeframe, there may be circumstances where it is acceptable/unavoidable and deemed safe to go outside these parameters. **If the risks to the adult are increasing it is not appropriate to wait until the five working days have elapsed, before escalating to safeguarding partners**

## Formal Escalation

### Stage One:

1. If not already consulted, both practitioners should discuss with their safeguarding lead/manager and the following process adopted:

#### **Adult example**

The ward sister at the hospital is very worried about the safety of a patient who is about to be discharged back to the care of her family. The adult was admitted in a neglected state and there are

concerns about her ability to make choices about who she lives with. The social worker is adamant that the patient wishes to return home and can self-care but “chooses” not to. The social worker has committed to visit the home post discharge; however, the family have a history of refusing access to the property. The sister contacts the Adult Safeguarding Nurse and Head of Safeguarding who contacts the relevant service manager in adult social care for an urgent discussion prior to discharge from hospital, but not later than 5 working days

*The lead/manager initiating the process should inform the Safeguarding Adults Board Manager that the escalation process has been triggered via [SafeguardingAdultsService@barnsley.gov.uk](mailto:SafeguardingAdultsService@barnsley.gov.uk) (marked for the attention of the Board Manager), who will record this on the escalation tracker*

### **Stage Two:**

If it has not been possible to reach a satisfactory solution at stage one; the lead/manager will progress the discussion with the next tier of management.

This progression should continue until it reaches a resolution and will culminate at the Head of Service (or equivalent).

At this stage the organisations representative on the Safeguarding Partnership (and for Health the Designated Nurse) should be made aware of the escalation to provide intervention/support as appropriate.

As with stage one, this should take no longer than 5 working days, the process should be recorded on the escalation record and the Safeguarding Adults Board Manager is informed, and the tracker updated.

The agreed outcome should also be recorded and notified as in stage one.

### **Stage Three:**

In rare circumstances where a resolution has not been achieved the Heads of Service or equivalent (in the case of health the Designated Nurse) should escalate the case to the Safeguarding Partners for final resolution.

The Board Manager should inform all involved of the conclusion reached.

Stage 1, 2, 3 are all formal stages of the escalation process and as such a notification should be made to the Board/ Partnership Manager at commencement.

Thereafter the initiating safeguarding lead/manager should update him/her regarding progress made at each step of the process or every 5 working days. Additionally, the escalation record should be used to record each stage and should be sent to the Board Manager at conclusion of the process, for embedding in the tracker.

Additionally, any learning should be extracted and be addressed as appropriate i.e., any perceived policy changes or training would be escalated to the relevant subgroup or BSAB which may reduce the risk of future disagreements.

**Please note whilst this is generally a tiered approach, if there are significant concerns for the safety and welfare of the adult or child, they should be escalated straight to level 3.**

**Data about the escalations will be shared with the relevant subgroups of both BSAB and if appropriate discussed at BSAB meetings or by statutory partners.**

## **Appendix 1: Escalation Policy**



Appendix 1 for  
escalation policy.do

## **Appendix 2: Escalation Tracker**



Appendix 2  
Escalation Tracker -