

Dispute Resolution Process

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**Introduction**

When working with a range of professionals from differing agencies and organisations, it is inevitable that at times there will be disagreements between professionals in relation to how to take action of a safeguarding concern about children, young people and their family.

Even though this is expected, it is crucial that these differing opinions do not detract or hinder a constructive and timely result. The welfare and safety of children and young people and their family should remain paramount throughout.

As a professional if you feel that a practitioner is not acting in the best interest of children, young people and their family you have a duty and responsibility to question and challenge the practitioner.

There should be a clear and concise process in place in order for professionals working in a multi-agency or single agency way to feel supported in challenging practitioners. In order for professionals to discuss their concerns with other professionals the process needs to be open and transparent. However, there are times when disparity cannot be resolved and need to be escalated up through the organisation for the concern to be addressed.

**Principles of dispute resolution**

The following principles should be used when trying to agree a resolution to a dispute:-

* The safety and welfare of children and young people and their family should be of primary concern and if it is felt that there remains a risk of significant harm then the Duty and Advice team should be contacted. (01484) 414960.
* Children, young people and their family are at the forefront of all professional discussion at all times.
* Where possible discussions and explanation should take place face to face with the correct professionals within an agreed timescale.
* Timescales must be agreed in order to resolve differences.
* Feeling supported to challenge disparity in a safe environment.
* Disputes, actions, decisions and outcomes must be recorded in writing by everyone at all stages of the process.
* At each step of the process, discussions should be had with your Designated Safeguarding Lead, Named Professional or agency
* At any step during the process actions and decisions can be resolved.

**Resolving disputes**

Step 1

**Professional to discuss their concern with the person who has made the decision and attempt to try and resolve any disagreements.**

Step 2

**Designated Safeguarding Lead, Named Professional or agency should discuss their concern with the Team Manager.**

Step 3

**KSCP Manager, Designated Safeguarding Lead, Named Professional or agency to discuss decision, concern or response.**

**Professional decision changes and concerns are resolved**

**Professional decision remains unchanged**

**If the Designated Safeguarding Lead, Named Professional or agency is still not happy with the decision the matter should be referred to the KSCP Independent Scrutineer and Head of Service for both agencies.**

**NB** If a disagreement remains in relation to calling a CPC any professional with due concern for the child has the right to request CSC to convene a conference

**At any step during the process actions/decisions can be resolved; this must be recorded in writing by everyone at all stages of the process and shared with relevant personnel. Timescale need to be agreed for each step of the process. The whole process should be completed within one calendar month.**

1. Prior to starting the dispute process professionals should discuss their concerns with their line manager, Designated Safeguarding Lead or Named Professional in order to clarify their rational and practice and try to resolve any disparity.
2. If after a discussion there is still a disparity the matter should be raised with your line manager and discussed with the Designated Safeguarding Lead or named professional. This should then be discussed with the Team Manager. (Agencies where there is no line manager i.e. faith groups, self-employed voluntary, community etc.) should contact their management committee, funder, professional bodies etc. all this should be completed within an agreed timescale from the initial concern to receiving a response from the Team Manager. Ideally this should not exceed 10 working days between each step and should be fully completed in one month.
3. If both line managers are unable to come to an agreed understanding then the concern should immediately be referred to the KSCP Manager and Head of Service, this should also be conducted within an agreed timescale.
4. If the concern is still not resolved at this stage then the issue needs to go the KSCP Manager, KSCP Independent Scrutineer and both Heads of Service for each organisation.

The NSPCC has a Whistleblowing helpline offering free advice and support to professionals with concerns about how child protection issues are being handled in their own or another organisation. This does not propose to replace current processes to resolve disputes. Professionals should always use their agencies procedures in combination with this process.

**Contacts**

Front Door to Children’s Services **01484 414960**

KSCB **kscb.admin@kirklees.gov.uk**

NSPCC Whistleblowing Helpline **0800 028 0285**

[**www.nspcc.org.uk**](http://www.nspcc.org.uk)