

# ESCALATION GUIDANCE

## Practice concerns and Professional disagreements

This guidance is in place to clarify the process of raising concerns that have arisen through practice issues and decisions linked to allegation management. It clarifies boundaries and channels of decision-making around escalating concerns within the Children's Workforce to resolve matters quickly and where appropriate reflect on lessons learnt. This guidance should be read alongside the KSCMP – Resolving Professional Disagreements and the Escalation of Professional Concerns procedure.

The overarching aims are to:

- Resolve matters quickly between agencies.
- Identify learning or problem areas.
- Drive accountability.
- Promote resolution via amendment to practice, protocols, and procedures.

Key principles:

- The primary and paramount consideration is the safety of children and young people.
- To strive for safe recruitment practices and safe cultures across the Children's Workforce.
- To have robust proportionate risk analysis around managing allegations against staff.
- Disagreement based on a passion to improve outcomes for children is healthy professional practice.
- Resolution of disagreement is an integral part of professional cooperation and joint working to safeguard children.
- Effective working together is dependent on an open and honest relationship between agencies and professionals.

It is the role of the LADO to ensure allegation management is timely, proportionate, and effective in addressing risk levels believed to be posed by members of the Children's Workforce. It is expected that advice, guidance, and challenge will be provided by the LADO as part of their quality assurance role. There are times where it is recognised that difference of opinion may arise, or practice, internal protocol or understanding needs to be resolved. In all circumstances the expectation is that this can be managed respectfully, timely and without out the need to escalate for the resolution to be achieved.

The CLS has a number of ways of working with employers and if the allegation is complex or lengthy the LADO can convene a Position of Trust Meeting or an Evaluation Meeting to help address professional disagreements and or concerns.

COUNTY LADO SERVICE February 2021

Review Date: February 2022

## Managing Allegations against Members of Staff within the Children's Workforce

### Practice issues that may be part of an escalation process:

- Timescales
- Not following LADO advice and guidance
- Inaction or decisions have not addressed risk
- Practice could place children at risk
- Not adhering to legislation

In all cases the LADO will aim to resolve difficulties at practitioner level between agencies without having to implement the escalation process. This should involve an open, respectful, and professional discussion to attempt to find a resolution. A clear record will be kept at all stages including the written confirmation of the outcome on the case record held within the CLS. Public bodies that fail to comply with their obligations under law are held to account through a variety of regulatory and inspection activity.

### LADO escalation process:

Step One: The LADO will raise any concerns directly with the practitioner who is involved with the allegation management process. If the matter cannot be resolved or concerns are still evident then the LADO will make contact, via email to the **practitioner's line manager** copying in the County LADO Manager.

The email will outline the reason for escalation, specifically if appropriate, what is considered to be unsafe, and request a response within **3 working days**. The email will be recorded on the electronic case record maintained in the CLS along with any response received.

The Line Manager should respond directly to the County LADO Manager with their analysis of the situation and any plan to address the concerns or reflection on learning.

Step Two: A virtual meeting may be necessary to progress the matter if it cannot be resolved by telephone or email communication. The LADO will schedule the meeting if necessary and invite the County LADO Manager, Line Manager and practitioner. Depending on the purpose of the escalation the invite may be extended to employers own HR Services.

Step Three: If there is no response to the escalation or the issues cannot be resolved the County LADO Manager will escalate to the next level with the Service Manager for Safeguarding & Quality Assurance within ICS.

**Wider Childrens Workforce:** within the setting/agency e.g., Head Teacher, Police Professional Standards Department or Director

**ICS:** Assistant Director in the relevant area

A response at this stage is expected within **5 working days**.

Step Four: It is hoped that this final stage of escalation is not required and that matters can be addressed at the earlier stages. However, if there has not been a satisfactory response to the

COUNTY LADO SERVICE February 2021

Review Date: February 2022



## Managing Allegations against Members of Staff within the Children's Workforce

escalation the matter will be forwarded to the Assistant Director of Safeguarding, Quality Assurance & Professional Standards within ICS and :

**Wider Children's Workforce:** the **Governing Body** of the employer. For example: CQC, Ofsted, Sports England, Scouts Association, Charity Commission.

**ICS:** to the Assistant Director of Safeguarding, Quality Assurance & Professional Standards and potentially the Director, Integrated Children's Services (Social Work) or the Director of Integrated Children's Services (EHPS).

### How to escalate a concern within the County LADO Service

**Step One:** It is understood that the employer/referrer may wish to raise concerns regarding professional disagreements and or concerns directly related to the practice and conduct of the LADO. If this is the case and constructive challenge is required, it is expected that professionals concerned share the difficulties with the **LADO directly** to try and find a resolution. Any disagreements or challenge will be recorded transparently on the case record held within the CLS. The LADO would aim to respond within **3 working days**.

**Step Two:** If the matter is unable to be resolved then an escalation to the **County LADO Manager** via email should be made within **5 working days**. The County LADO Manager will audit the decision making and conduct linked to the case and respond accordingly. It may be beneficial that a virtual meeting is convened to discuss the findings and a request may be sent.

**Step Three:** If the above stages have not resolved or outlined a clear plan to address matters raised this should be escalated to the **Service Manager for Safeguarding & Quality Assurance** in ICS.

### KCSMP Child Safeguarding Practice Review

A child safeguarding practice review (CSPR) is a multi-agency case review carried out by the local safeguarding children partnership (LSCP) of the circumstances of serious child safeguarding cases. It may be considered within the latter escalation stages that a referral to KSCMP for a CSPR is required.

The purpose of a review is to:

- establish whether there are lessons to be learnt from the case about the way local professionals and organisations work together to safeguard and promote the welfare of children.
- identify what those lessons are, how they will be acted on, and what is expected to change as a result, and therefore, improve inter-agency working and better safeguard and promote the welfare of children.

A CSPR is not a criminal enquiry and is separate from an investigation undertaken by the police. This process is not about blame or any potential disciplinary action, but about an open and transparent learning from practice to improve inter-agency working.

COUNTY LADO SERVICE February 2021

Review Date: February 2022

