

South Lanarkshire Child and Adult Protection Committees



Escalation Guidance for High Risk or Complex Cases in South Lanarkshire

Children, Young People and Adults

December 2021

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1 Introduction

South Lanarkshire Child and Adult Protection Committees are pleased to offer this updated Joint Multi-Agency Escalation Guidance for High Risk or Complex cases in South Lanarkshire. It is aimed at all agencies who are involved with Children, Young People and Adults.

This Multi-Agency Escalation Guidance should sit alongside any single agency child or adult protection escalation procedure, policy, or guidance already in place within your organisation. Any agency who already has an escalation policy or guidance should take both into consideration.

For the purposes of this Joint Escalation Guidance the focus is on those children, young people, and adults whether they have existing vulnerabilities or new concerns arise. It is directed at those services that ensure every opportunity is taken to meet the needs of children, young people, and adults.

I welcome this revised Child and Adult Protection Escalation Guidance which acts as an endorsement of our continued commitment to work collectively to promote, support and safeguard the wellbeing of all children, young people, and adults in South Lanarkshire.

Safaa Baxter
Independent Chair
South Lanarkshire Adult and Child Protection Committees

2 Equality and diversity

South Lanarkshire Child and Adult Protection Committees promote equal access, and opportunities to all individuals. All partners are committed to treating people respectfully, fairly and equally and to tackling discrimination in all of its forms as described in the [Equalities Act \(2010\)](#). No one should be discriminated against on the basis of race, ethnicity, disability, sexual orientation, religion, gender, or age. All partners within both Committees value diversity and actively challenge discrimination and prejudice. Those who participate in services should be listened to and respected and should have access to services which are fair, consistent, and accessible to everyone, irrespective of their race, ethnicity, disability, gender, age, religious belief, or sexual orientation.

3 Who is this guidance for?

This guidance is designed to support both adult and children's services in working effectively to promote, support and safeguard the wellbeing of children, young people, and adults. The guidance will be particularly relevant for those working in situations where concerns about the wellbeing of both adults and children may arise and multi-agency discussion takes place.

The rights of the child, young person and adult must always be considered, and their views recorded as appropriate to the circumstances being discussed.

4 Purpose of this guidance?

At no time must professional disagreement detract from ensuring that the child, young person, or adult is protected. The child, young person and adult's wellbeing and safety must remain paramount throughout whether known to child or adult protection services or both.

This guidance refers to preventing disputes and the processes to be followed when disagreements cannot be resolved through discussion and negotiation between professionals working on the front line with direct or indirect contact with children, young people, adults, their families, or their supporters.

5 The Context for Child Protection

The new [National Guidance for Child Protection in Scotland \(2021\)](#) describes the responsibilities and expectations for all involved in protecting children. The Guidance also acts as a useful resource for practitioners on particular areas of practice and signposts where additional information can be found.

The integration of child protection within the [Getting it Right for Every Child](#) (GIRFEC) continuum and framing responses to child protection concerns within this national practice model is a critical feature of this revised Guidance. There is a clear articulation of the importance of GIRFEC in protecting children, particularly in recognising that all children must receive the right help at the right time.

6 The Context for Adult Protection

Legislative responsibilities in relation to the support and protection of adults at risk of harm are contained within the [Adult Support and Protection \(Scotland\) Act 2007](#). The [Adult Support and Protection Revised Code of Practice \(2014\)](#) accompanies the Adult Support and Protection (Scotland) Act 2007 and is complemented by the [West of Scotland Inter-agency adult support and protection practice guidance](#) which provides details of agency response and responsibilities and these, in turn, inform single agency adult protection procedures.

In addition, there are two other Acts which provide provision in relation to the support and protection of adults, these are; the [Adults with Incapacity \(Scotland\) Act 2000](#) and the [Mental Health \(Care and Treatment\) \(Scotland\) Act 2003](#)

All three Acts have similar principles, including that any use of legislation must: -

- Provide benefit to the adult, be necessary and be the least restrictive option for the adult.
- Take into account the past and present wishes of the adult, where these can be ascertained.
- Ascertain the views of relevant others.
- Respect the adult's individual abilities, background, and characteristics.
- Ensure the adult is not treated less favourably than any other person who does not meet the criteria for an 'Adult at Risk of Harm' in a comparable situation.

7. Escalating a Concern

This section aims to support **positive resolution of professional difference** between agencies working with children, young people, and adults in South Lanarkshire. Whilst there is clear evidence of good working relationships between partners, occasionally disagreements may arise which require timely resolution so as not to delay decision making. Other concerns that may delay meeting the needs of an adult, child or young person are also considered for escalation where these are due to availability of a service to meet their needs.

It is specifically aimed at colleagues across all services and agencies working with adults, children or young people including those who are parents or carers in high risk and complex cases where child or adult procedures may apply. It relates specifically to multi agency disagreement and does not cover disagreement within single

agencies which should be addressed by agencies own escalation policies or procedures.

This **does not apply** to cases where there may be concerns about the behaviour or conduct of another professional that may impact on an adult, child or young person's safety or wellbeing. In such cases, reference should be made to their agency's own disciplinary and whistleblowing processes. The staged process for escalation can be referred to in Section 8 of this guidance.

We encourage the use of this section where a resolution cannot be reached in complex cases in protecting adults, children, and young people through usual processes.

Their safety, wellbeing and protection cannot be compromised at any stage.

7.1 Potential Areas of Disagreement

Disagreements can arise in a number of areas, but are most likely to arise around thresholds, roles and responsibilities, the need for action and communication or service provision. Although not exhaustive please find some examples as follows:

- A referral is not considered to meet the threshold of significant harm or eligibility criteria for assessment by social work, health, education, police, or other partners.
- Social Work, Health, Education, Partners and Police Scotland place different interpretations on the need for specific agency responses in relation to a child or adult protection concern.
- There is disagreement between partners as to whether the child or adult protection procedures should be instigated based on available information. Where a child or young person is concerned, in Child Protection the Initial Referral Discussion (IRD) will apply in most cases.
- There is a disagreement over the proportionate sharing of information and/or provision or services. For example, an agency may be unclear what can be shared.
- Where one practitioner, manager or agency disagrees with another around a particular course of action, such as taking no further action.

- Where one practitioner, manager or agency considers that another agency has not completed an agreed action for no acceptable or understood reason which impacts on the safety of the child, young person, or adult.

7.2 Key Principles

Professionals will always acknowledge that the safety of adults, children and young people is the paramount consideration in any professional disagreement even in the most challenging situations. Particular attention to young people (16-18yrs) is essential in getting it right to avoid them falling through the gap between services. **Practitioners and managers across the multi-agency workforce should endeavour to resolve difficulties quickly and openly and be mindful when considering escalating matters.**

Professional disagreement is often reduced by clarity about roles and responsibilities and networking which enable problems to be shared and resolved through collaboration and it can be a positive way in changing how we work together.

Haringey Council in their escalation policy (revised after the death of child referred to as Baby P) suggest:

“The best way of resolving difference is through discussion and where possible a face to face meeting (using secure social media platforms if necessary) between those concerned which will enable clear identification of the specific areas of difference and the desired outcomes for the child or young person. Email communication, whilst important, can be open to misinterpretation and should be avoided when making key decisions in challenging situations”.

7.3 Preventing Disputes

Most disagreements can be resolved through professional discussion and negotiation. Each agency must ensure they are clear on who the relevant contact person is when escalation is required. The professionals involved across agencies should attempt to resolve differences through discussion **within one working day**, but if they are unable to do so, their disagreement must be reported by them to senior officers with responsibility for Adult or Child Protection. For example, Service or Fieldwork Manager for Social Work, the Head Teacher, Head of Establishment or Quality Improvement Officer within Education, or the equivalent level of manager within Health. For Police Scotland partner liaison and daily discussions works to help recognise and manage risk in agreement with partners and mitigate dispute where possible.

With respect to most day-to-day issues, the relevant managers/ designated officer or equivalents as agreed for each service, will be able to resolve the disagreement if required and should initiate contact **as soon as possible** (within 24 hours). The purpose of this contact is to review the available information and to resolve the concern. On

a practical note, managers or designated officers should consider including the professionals involved in the escalation at this stage in preference to moving immediately to senior officers.

Any action agreed should be fed back immediately to those involved and the detail of the agreements reached should be recorded in the client / service user's file. NB - Professionals should refer to their own guidance for recording information in the first instance.

Disagreement should be resolved at the earliest possible stage between the people who disagree. Any worker who feels that a **decision is unsafe** should consult their manager, designated officer, or direct manager with responsibility for adult or child protection immediately. It should be acknowledged that differences in status and / or experience may affect the confidence of some workers to pursue this unsupported. Senior Officers across services and establishment should be involved to offer advice and support as required.

It should be noted that the Lead Officers for Child and Adult Protection Committees are **not intermediaries to disagreements**. Whilst they can be consulted, they are not operational and will not get involved in dispute resolution. This is an operational matter. Their role is to ensure the escalation process and guidance are being followed and make available any documents which may assist partners reach an agreement.

8. The Staged Escalation Process

Stage 1

If professionals are unable to reach agreement about the way forward in an individual case, then they must escalate their concerns to the appropriate manager in their service without delay. For example, in Social Work this will mean the first line manager in children and justice or adult and older people services who will discuss with all relevant managers, designated officers or equivalents across partner agencies linked to the client / service user.

Stage 2

If the concern continues about professional disagreement or service provision or availability, relevant managers, designated officers, or equivalents will discuss and agree how matters should proceed with the aim of ensuring the safety and wellbeing of the individual concerned. For example, within Education at this stage the designated officer would be the Manager (Inclusive Education Service). Agencies must be clear they know who to refer to in such circumstances.

Within agreed agency processes for recording, written records should be kept of all these discussions and should be retained in the individual's file or as agreed by your agency. It is important that timely feedback is given to the person or agency who

raised the concern as to what action has been taken in response and what resolution at that stage is proposed.

Individuals should be offered a professional debrief following some disputes in order to promote continuing good working relationships and identify possible training needs. Practitioners across services should be actively seeking support and supervision from their own service in conjunction with the escalation process.

A resolution should be reached at the earliest opportunity.

Stage 3

If despite following the process the disagreement remains, the matter will be referred to an appropriate senior officer, within each agency who will consider the matter with their equivalent level of management with the concerned agency/agencies in the dispute. For example, in Police Scotland this would be a Detective Chief Inspector.

The purpose of escalating the dispute to this level is to reach a position where differing professional opinions have been considered and efforts made to explore whether the dispute has arisen through lack of clarity or understanding in the professional dialogue, or the matter requires revisiting by practitioners. Ultimately a decision will need to be reached where agencies agree a way forward where the interests of the child, young person or the adult take precedence over a professional impasse.

Although rarely seen, where no resolution can be reached or when an identified service cannot be provided, placing the child, young person, or the adult at increased risk it must be referred to the Head of Service (or equivalent) for discussion. If necessary, the respective Heads of Service (or equivalent) will discuss with their colleagues of the same level of seniority in partner agencies. For example, in Health this could be a Nurse Director, Clinical Service Manager or Medical Director. The senior managers of the respective services will discuss with their equivalent(s) across services to agree a resolution.

The Chair of the Child and Adult Protection Committee will be notified as required where lessons can be learned from the disagreement. The Independent Chair can decide whether the matter needs to be escalated to the Chief Officers Group (COG) Public Protection.

9. Learning and Development

Any wider learning from challenging escalation examples can be referred to the Chair of South Lanarkshire's Adult and Child Protection Committees for consideration in future work / training.

Agencies can refer staff to current learning and development programmes as required.

Child Protection Training Programme – www.childprotectionsouthlanarkshire.org.uk

Adult Protection Training Programme – www.adultprotectionsouthlanarkshire.org.uk

General enquiries about guidance, learning, development, or training to;
PublicProtectionOffice@southlanarkshire.gov.uk

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