

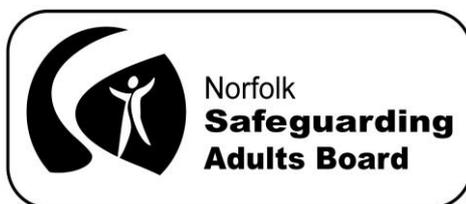
Norfolk Safeguarding Adults Board

# Managing Professional Difficulties

FINAL

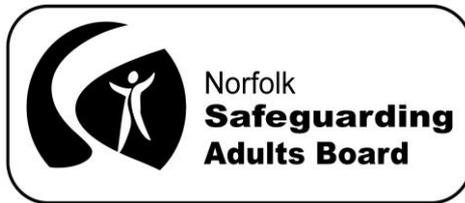
19 February 2018

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## **1. Resolving professional difficulties**

- 1.1. Regardless of professional difficulties, priority must be given to protection of adults with care and support needs, whose safety must be paramount. As this procedure is followed, the safeguarding of the person/people involved must be coordinated while any dispute is resolved.
- 1.2. Working with adults with care and support needs can be difficult and complex and involves dealing with uncertainties and making important, complex decisions on the basis of incomplete information, to demanding timelines in often changing, hostile and stressful circumstances.
- 1.3. When working in the arena of safeguarding and adult protection it is inevitable that from time to time there will be disagreement between practitioners from within and between agencies. Whilst this is understandable and generally acceptable, it is vital that such differences do not affect the outcomes for adults with care and support needs. In most circumstances, there is mutual agreement between professionals working together to safeguard adults in Norfolk.
- 1.4. Problem resolution is an integral part of professional co-operation and joint working to safeguard adults with care and support needs and it is important to:
  - Ensure professional disputes do not put adults at risk or obscure the focus on the adult.
  - Ensure professional disputes between agencies are resolved in a timely, open and constructive manner.
  - Identify problem areas in working together where there is a lack of clarity and to promote resolution via amendment to protocols and procedures.
- 1.5. The safety of the adult is the paramount consideration in any professional disagreement and any unresolved issues should be escalated with due consideration to the risks that might exist for the adult.

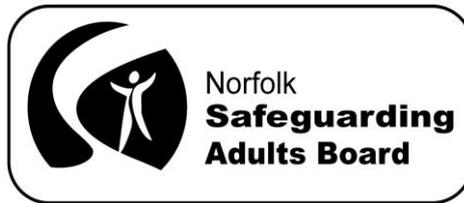


## **2. Professional challenge**

- 2.1. Professional challenge is a positive activity and a sign of good professional practice and effective multi-agency working. Being professionally challenged should not be seen as a criticism of the practitioner's professional capabilities.
  
- 2.2. Both national and local Safeguarding Adults Reviews (SARs) continue to draw attention to the importance of interagency communication and have identified an apparent reluctance to challenge interagency decision making, with concerns that were not followed up with robust professional challenge potentially altering the professional response and the outcome for the adult(s) at risk.

## **3. Reasons for professional difficulties**

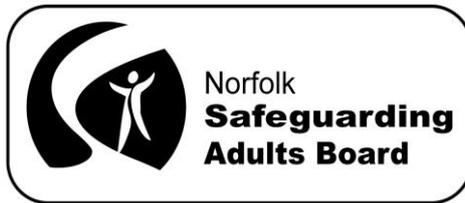
- 3.1. Disagreements can arise in a number of areas of multi-agency working such as:
  - threshold decisions
  - outcomes of assessments
  - mental capacity issues
  - issues concerning consent and best interest decisions
  - decision making
  - roles and responsibilities of practitioners
  - service provision
  - information sharing and communication in relation to practice or actions which may not effectively ensure the safety or well-being of an adult with care and support needs or others within the family including children
  - recording practices
  
- 3.2. Many professional difficulties will be resolved on an informal basis by contact between the professional raising the challenge (or their manager) and the agency receiving the challenge and will end there.
  
- 3.3. Managing professional difficulties is about challenging decisions, practice or actions which may not effectively ensure the safety or well-being of an adult at risk and other family members including children.



- 3.4 To establish processes to ensure a culture which promotes professional challenge and resolution of professional difficulties is embedded across all agencies, the following stages are likely to be involved:
- Identification of area of disagreement
  - Recognition there is a disagreement over a significant issue in relation to the safety and wellbeing of an adult at risk or a family member
  - Identification of the problem
  - Identification of the possible cause of the problem
  - Planning needs to be achieved in order for it to be resolved
- 3.5 If a professional disagrees with the outcome of a safeguarding strategy meeting or a review meeting then other professionals involved with the adult at risk have the right to challenge the decision in accordance with this policy.
- 3.6 In addition to this if there are concerns that professionals are not sharing information appropriately in line with national and local guidance and not working within the NSAB procedures, professionals should challenge non-compliance. Lack of information at safeguarding strategy meetings and reviews or lack of sharing with carers and family members can impact on the adult and impact upon effective conduct of the meetings.

### **3 Professional resolution and escalation process (see Appendix 1 – flowchart)**

- 3.1 Each stage of the escalation process should be executed within five working days or a timescale which protects the adult. A clear record should be kept at all stages, by all parties. In particular this must include written confirmation between the parties about their rationale for decision-making, an agreed outcome of the disagreement and how any outstanding issues will be pursued. This written confirmation must be retained and made available to the chair, should the issue escalate to stage four.
- 3.2 Escalation routes for individual agencies is outlined in Appendix 2.
- 3.3 Escalation can be via telephone, face to face meeting or teleconference calls.



#### **4 Stage One: direct professional to professional discussion**

- 4.1 Differences of opinion or judgement should be discussed between frontline professionals to achieve a shared understanding and agree a resolution and plan. If professionals are unable to resolve differences within time scale, the disagreement should be escalated to stage two.

#### **5 Stage Two: direct first line manager to first line manager discussion**

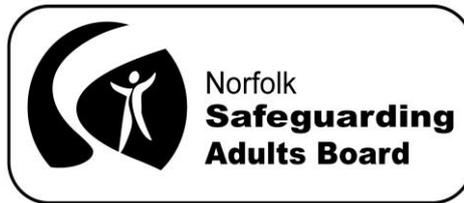
- 5.1 If stage one fails to resolve the issue then each professional should discuss the issue with their first line manager or safeguarding supervisor/named nurse. The first line manager should then liaise with the other professional's line manager in an attempt to reach a resolution. If a resolution cannot be reached, the disagreement should be escalated to stage three.

#### **6 Stage Three: senior manager to senior manager discussion**

- 6.1 If concerns remain unresolved at this stage a senior manager to senior manager discussion should take place to discuss the concerns and convene jointly a meeting with the practitioners and first line managers to try to resolve the professional difficulties. Advice and support should also be sought from the designated professional within their agency. The board manager may be advised at this stage to give the board advance notification if there is potential for the matter to escalate to stage four.

#### **7 Stage Four: Norfolk Safeguarding Adults Board (NSAB) resolution panel chaired by the NSAB independent chair**

- 7.1 In the unlikely event that the issue is not resolved by the steps described above and/or the discussions raise significant policy issues, the matter should be referred urgently to the NSAB for resolution. This should include forwarding a written account of the dispute and what attempts have been made to resolve this. The chair of the NSAB who will convene a resolution panel made up of senior representatives from the statutory and voluntary organisations within the NSAB.

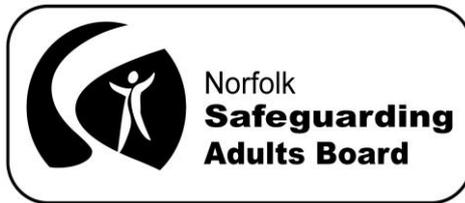


## **8 Learning from professional disagreements and escalation**

- 8.1 When the issue is resolved, any general issues should be identified and referred to the agency's representative on the NSAB for consideration by the relevant NSAB subgroup to inform future learning.
- 8.2 At any stage in the process, it may be appropriate to seek expert advice to ensure resolution is informed by evidence based best practice.

It may also be useful for individuals to debrief following some disputes in order to underpin and support continuing effective working relationship.

END.  
19 February 2018



## Appendix 1 Flowchart for managing the escalation process

### **Stage One: direct professional to professional discussion**

Differences of opinion or judgement should be discussed between frontline professionals to achieve a shared understanding and agree a resolution and plan. If professionals are unable to resolve differences within time scale, the disagreement should be escalated to stage two.



### **Stage Two: direct first line manager to first line manager discussion**

If stage one fails to resolve the issue then each professional should discuss the issue with their first line manager or safeguarding supervisor/named nurse. The first line manager should then liaise with the other professional's line manager in an attempt to reach a resolution. If a resolution cannot be reached, the disagreement should be escalated to stage three.



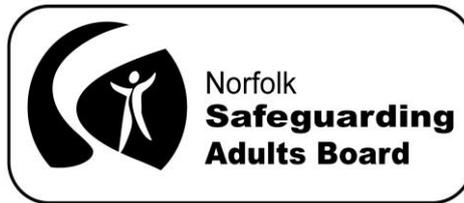
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### **Stage Four: Norfolk Safeguarding Adults Board (NSAB) resolution panel chaired by the NSAB independent chair.**

In the unlikely event that the issue is not resolved by the steps described above and/or the discussions raise significant policy issues, the matter should be referred urgently to the NSAB for resolution. This should include forwarding a written account of the dispute and what attempts have been made to resolve this. The chair of the NSAB will convene a resolution panel made up of senior representatives from the statutory and voluntary organisations within the NSAB. A clear record should be kept at all stages, by all parties. In particular this must include written confirmation between the parties about an agreed outcome of the disagreement and how any outstanding issues will be pursued.



## Appendix 2

### Escalation routes for individual agencies

If unresolved, the problem should be referred to the worker's own line manager, who will discuss with their opposite number in the other agency. Some examples of agencies working primarily with adults with care and support needs are given below:

- **Adult Social Care**
  - Social Worker → Team Manager → Head of Service/Head of Operations/Assistant Director → Assistant Director of Social Work → Director
- **GP Practices**
  - GP → Safeguarding Lead GP → NHS Named Doctor/Designated Nurse/Doctor → Lead Nurse for Safeguarding (CCG)
- **Acute Hospital Trusts**
  - Acute Staff → Named Nurse/Doctor Safeguarding Adults → Director of Nursing
- **Mental Health Services including Norfolk Recovery Programme**
  - Mental Health Practitioner → Named Professionals → Head of Patient Safety and Safeguarding
- **Police**
  - Police Constable or Police Staff member → Safeguarding and Investigation command (S&I) Detective Sergeant (DS) → S&I Detective Inspector → S&I Detective Chief Inspector → S&I Detective Superintendent → Ch Supt S&I
- **Voluntary Sector Organisations**
  - Member of Staff / Volunteer → Designated Safeguarding Lead → Senior Manager (if applicable) → Chair of Trustees/ Board of Management
- **Community Health Providers**
  - Community Health Practitioner → Line Manager → Named Nurse/Doctor Safeguarding Adults → Director of Nursing
- **Probation Service**
  - Offender Manager → Senior Probation Officer → Senior Operational Support Manager → Head of Local Delivery Unit → Divisional Deputy Director