

Safeguarding Alerts and Looked After Children Dispute Resolution Alerts

1. Introduction

- 1.1 While formal processes exist these should not replace professional dialogue. It is expected that the reviewing processes and professional discussion should be utilised to resolve issues before a formal alert is raised. Unless the risk is such that to do so would place a child at risk.
- 1.2 It is important for IRO and CP Chairs to have collaborative relationship with social work staff and management with the responsibility for ongoing care planning for children in care. As the IRO and CP Chairs fulfil a quality assurance function it is important that they also recognise and report on good practice by individuals or teams.
- 1.3 When the standard of practice impacts on the implementation of care or child protection plans or outcomes for a child, the IRO/CP Chair should ensure that they negotiate with management up to the highest level, if necessary, in order to resolve the dispute by negotiation.
- 1.4 Usually alerts will initially be raised at Informal stage and move to formal dispute resolution if not resolved. Alerts will be escalated where there is no response received or the response does not adequately address the concern.
- 1.5 QA DHOS reports alerts, outstanding alerts and monitoring form information from CPC and LAC Reviews to DD every month. From September QA HOS and DHOS will meet with HOS and DHOS from Safeguarding and CiC Services on a monthly basis to review and monitoring the progress of alerts. All alerts will be analysed on a quarterly basis by QA Service and included in the QA quarterly report. The report will be shared with managers to inform policy, practice and workforce development.
- 1.6 The DHOS is responsible for monitoring the performance of IRO's and CP Chairs as well as ensuring that they are discharging their responsibilities in relation to procedures, regulations and this guidance. Workers and team managers should speak to the CPC or IRO or the DHOS directly if they have feedback with regard to the CPC/IRO's performance. If there are concerns about the performance of an IRO/CPC or about the organisation and conduct of a review or conference the matter should be referred to the DHOS who will arrange an investigation and feedback within 15 working days. If the matter is not resolved satisfactorily escalation to QA HOS or DD will take place.

2. IRO Dispute Resolution

- 2.1 It is a statutory requirement that each local authority has a formal dispute resolution process for IRO to raise concerns. The process should have a timescale no more than 20 working days in total. This time frame is setting minimum standards and every opportunity for taking less than proposed times should be encouraged.
- 2.2 It will involve escalating the matter in dispute through a number of levels of management for a response at each stage. The IRO may bypass any stage and start the dispute to the level she considers most appropriate.
- 2.3 IROs may also refer matters to the Children and Family Court Advisory and Support Service (CAFCASS). While IROs have the authority to refer to CAFCASS at any stage, there is a local expectation that efforts to resolve issues are undertaken through agreed internal processes in the first instance.

3. IRO Alert

- 3.1 The independent reviewing service believes in immediate problem solving with team managers and social workers whenever possible. IRO will begin to address issues in a constructive cooperative manner.
- 3.2 Regulations state that decisions are made at statutory review and that a care plan should not be changed unless the proposal is agreed at a statutory review (unless this is not reasonably practical).
- 3.3 The team manager will be sent the decisions from the Review within 5 working days of the review. The team manager will respond within 5 working days of receiving them and advise the IRO if they are unable to agree them. If no response is received the IRO would consider that the manager has agreed the decisions and they should be implemented within the timescales set.
- 3.4 The process for seeking dispute resolution is set out in 5 distinct stages. The IRO may bypass any stage and progress the dispute to the level s/he considers appropriate subject to prior discussion with their line manager, except in emergencies.
- 3.5 **There are five stages:**
 - First stage informal resolution;
 - Second stage alerts go to team managers;
 - Third stage alerts go to head of service (with copy to QA head of service);

- Fourth stage alerts go to divisional director;
- Fifth stage where alerts cannot be resolved at stage 4 they will be escalated to Deputy Chief executive.

Stage 4 matters will be discussed with the QA DHOS and/or HOS before being progressed. The IRO can discuss (not refer) a matter with CAFCASS at any stage.

4. Administration

4.1 The IRO will complete IRO Alert Form and send it to the team manager and record it on FWi. Copy (notification) will be sent to QA and Service line manager/s for information and business support.

4.2 It is the responsibility of the receiving manager to respond to the alert within 5 working days of receipt, unless an alternative timescale has been agreed with the IRO. Responses should be completed on the alert template and recorded on FWi. If the matter is unresolved the IRO will use their discretion whether to liaise further with the manager or escalate to the relevant HOS on the same alert form. HOS has 5 working days to respond. Alerts that remain unresolved at this point are escalated to the Divisional Director setting out the concerns and attempts made to resolve them. A response is expected within 3 working days.

4.3 IRO must record each alert raised on the spread sheet as well as each escalation. QA DHOS will provide Divisional Director with monthly data on alerts. This is to ensure that issues are tracked; recurring themes identified which can be addressed.

4.4 Category for Alert

- Significant drift in permanence planning
- Failure to visit as required by regulations/internal protocol
- Failure to plan as required by regulations/internal protocol
- Key documentation missing e.g. care plan, placement plan, pep, health assessment, pathway plan, social work report, post adoption support plan
- Non- implementation of review decisions
- Change of care plan without consulting young person

- Change of care plan without consulting IRO
- Failure to inform IRO of significant event between reviews

5. **The IRO responsibilities**

- To ensure when concerns arise the IRO will initiate alerts to the relevant level of management or other agency and notify QA management.
- To keep all tracking and monitoring processes up to date.
- To consider and if they are in agreement act on requests from managers for further time to resolve the matter.
- To progress matters to the next appropriate level of management if is not satisfactorily resolved
- To seek independent legal advice if required

6. **Operational manager's responsibilities**

- To respond within timescale to the concerns specifically addressing the requested action
- To request further time if required to resolve the alert.
- To inform their manager if it is likely that the alert will not be progressed

7. **Principle IRO's responsibilities**

- To support and assist IRO as necessary
- To monitor IRO alert spread sheet and report to Divisional Director on a monthly basis. Advise operational managers of outstanding alerts on a monthly basis.
- Quarterly analysis of alerts for feedback in the QA quarterly report will be circulated to IRO's and operational managers. The information and data will be included in the IRO Annual Report.
- To monitor and quality assure the performance of IROs and the operation of the Service. This will include auditing of cases via other quality assurance

arrangements in which an alert had not been initiated but where practice fell short of expected practice standards.

- To advise IRO should they be acting outside of regulation and WF procedure

8. Disputes are likely to be avoided when there are positive working relationships and when: -

- IRO's complete the review record and decisions within timescale
- The team manager confirms acceptance of review decisions within 5 days
- We ensure that children and young people are routinely consulted
- Social workers advise the IRO without delay of any significant change of circumstances failure to carry out decisions
- The social worker and IRO make sure that the young person/child is aware of their right to an advocate to complain.

9. QA Safeguarding Concerns – Resolving issues arising from child protection conference

9.1 It is anticipated that in the vast majority of cases the CP coordinator will be able to resolve issues and concerns through the initial informal process.

9.2 In cases where discussion does not resolve the concern or cases of immediate and serious concern are identified. Or if there have previously been concerns raised. The formal alert process will commence.

10. Resolution Process

10.1 There will be six levels for resolving CPC concerns. When a concern is identified at a conference - within two working days the Chair.

Informal Resolution

10.2 **Level 1:** When a CP coordinator has concerns following a CP conference or after monitoring a case in between reviews the CPC will initially discuss

issues with the responsible team manager and resolution sought. A summary of the discussion and expected outcome will be confirmed on template form and uploaded onto FWi. The team manager will complete the action plan and timescale for tasks to be completed. The team manager will return form to the Chair when actions have been completed. The Chair will sign off and note concerns have been resolved on FWi template.

- 10.3 **Level 2:** the informal process will start here if a subsequent low level concern is identified.

Formal Resolution

- 10.4 **Level 3:** CPC will complete formal concern form on Fwi and send it to the team manager. Managers will be expected to respond within 10 working days. If the matter is not resolved it will be escalated to DHOS

- 10.5 **Level 4:** the completed formal concern form will be sent to the DHOS and response expected within 5 working days. If the matter is unresolved it will be escalated to HOS.

- 10.6 **Level 5:** the completed formal concern form will be sent to the HOS and response expected within 5 working days.

- 10.7 **Level 6:** in exceptional circumstances concerns will be escalated to Divisional Director.

Category of Concern

- Inadequate practice – will be defined
- Significant drift
- Non implementation of CP plan arising from family or professional (state which agency)
- Decision making
- Safeguarding issues not adequately addressed

11. Administration

- 11.1 Until FWi templates are in place word documents will be completed. Chairs will register formal and informal concerns and good practice with business support to be recorded on database at each stage. QA DHOS will be copied in. HOS will be copied in if concerns are escalated to HOS.