



**Nottingham City Child Protection Dispute Resolution Policy**  
**Safeguarding and Quality Assurance Service**

**Introduction and Background**

Problem and resolution is an integral part of interagency working. Effective working together depends on an open approach with honest relationships between all agencies.

Effective working together depends on resolving disagreements to the satisfaction of those workers involved from agencies and a belief in a genuine relationship. Professional disagreement is only unproductive if not resolved in a constructive and timely fashion.

Disagreements and discord could arise in a number of areas, but are most likely to arise around thresholds, roles, and responsibilities.

Some examples may include:

- Lack of progress regarding Child Protection Plans.
- Statutory functions have not been adhered to.
- Where an agency believes the current plan is inappropriate in terms of the child's needs being met.
- Multiple changes of Social Workers that has resulted in no relationship with the young person.
- Lack of promoting the voice and wishes and feelings of the child.

Throughout any dispute between individuals and organisations, practitioners must remain child focused. The safeguarding of young people remains the paramount consideration.



This process is intended to ensure that Child Protection Chairs (CPC) can carry out their quality assurance functions and responsibilities in a timely manner, ensuring the safeguarding of the child is paramount.

### **The Dispute Resolutions Process**

Whenever it comes to the attention of the CPC that there is a problem in relation to the safeguarding of a young person it is the responsibility of the CPC to seek a prompt resolution. This includes in cases where it is suggested that an agency has:

- Failed to address the needs/safety of the child set out in the care plan and/or
- Failed to implement effectively any decisions/recommendations made at a conference.
- Is otherwise in breach of its duties to the child in any significant way.

The child's allocated CPC is responsible for seeking resolution, even if it may not be in accordance with the child's wishes and feelings, but in their view in accordance with the best interest and welfare of the child, including their human rights.

There will be times when the CPC may be advised by the Local Authority (LA), that there are obstacles in the way of resolving the issue that are outside or beyond the control of the LA, for example staffing, interagency or resourcing issues. However, if these are impacting on the LA's ability to safeguard and meet the needs of the child, as identified in the child's care plan, the CPC should continue to escalate the issue. An example might be multiple allocated social workers or professional engagement (including all agencies).

At any point during the resolution process, the CPC can refer a case to the Independent Chair of the Local Safeguarding Children Board (LSCB). It is noted however, that such a referral should be regarded as an exceptional step and will only be used if the internal process has not found a sufficient outcome

All the dispute forms can be at the back of this document.

## **Nottingham City Dispute Resolution Process**

Where the CPC identifies problems with the care plan in relation to the safeguarding of a child, the CPC will, in the first instance seek to resolve the issue informally with the practitioner and their line manager.

### **Informal Process**

A discussion should be held and these should be recorded on Liquid Logic as a case note (this is an internal measure until Liquid Logic is developed sufficiently to accommodate full recording on case notes). This informal stage should be resolved within a week, either by the practitioner or by their Team Manager. If there is no satisfactory resolution within the agreed timescales, the formal dispute resolution will be instigated.

### **Formal Dispute Resolution Process (20 working days in total)**

In line with the IRO handbook, the formal process should take no longer than 20 working days altogether.

#### **Stage 1 (5 working days) - Team Manager**

Where the CPC identifies a problem during the Child Protection Conference or during on-going monitoring of the case, that they have been unable to resolve informally, the CPC will complete the dispute form for Stage 1. They will then notify Team/Line Manager by attaching this to an email. This will be recorded on Liquid Logic using the case note recording.

The CPC must ensure that they record on the form the problem identified and how attempts were made to resolve this informally.

Within a **maximum of five working days**, the receiving Team/Line Manager should respond in writing at the appropriate place on the dispute form, detailing the actions



taken to resolve the problem or proposed actions, via the dispute resolution email [Dispute.Resolution@nottinghamcity.gov.uk](mailto:Dispute.Resolution@nottinghamcity.gov.uk).

The CPC will respond to the Team/Line Manager promptly and agree or not, the proposed actions. This will be recorded on the dispute form, emailed back to the Team Manager, entered onto Liquid Logic and sent to [Dispute.Resolution@nottinghamcity.gov.uk](mailto:Dispute.Resolution@nottinghamcity.gov.uk)

Where there is no agreement and/or satisfactory resolution within the 5 working days, the CPC should instigate Stage 2 of the dispute resolution process.

### **Stage 2 (5 working days) - Service Manager**

Where no satisfactory resolution to the problem has been achieved at Stage 1, the CPC will move to Stage 2. This will involve the CPC convening a meeting with the Service Manager and the Principal Manager. The meeting should seek to agree proposed actions and resolve the problem (actions from this meeting will need to be recorded by the CPC on the form for Stage 2 of this process).

This will also be recorded on Liquid Logic using the case note process. The Stage 2 dispute form should be emailed back to the Service Manager, entered onto Liquid Logic and sent to the dispute email [Dispute.Resolution@nottinghamcity.gov.uk](mailto:Dispute.Resolution@nottinghamcity.gov.uk).

### **Stage 3 (5 working days) – Head of Service**

Where no satisfactory agreement and or resolution to the problem has been achieved at Stage 2, the CPC in conjunction with the Principle Manager will complete the form for Stage 3 disputes and notify the Head of Service (HOS) by attaching this to an email with the actions from the meeting convened at stage 2 of the process.

This will be recorded on Liquid Logic using the case note recording. The CPC must ensure that they record on the dispute form the problem identified, how attempts



were made to resolve this at stage 2 and must recommend how the resolution is to be sought with the HOS.

Within a maximum of five working days, the HOS should respond on the dispute form, to seek to resolve the problem.

Where there is no satisfactory agreement and/or resolution agreed with the HOS that will immediately resolve the problems identified to the satisfaction of the CPC, they should instigate Stage 4 of the formal process. This too must be captured on the Stage 3 dispute form and recorded on Liquid Logic and sent to the dispute email [Dispute.Resolution@nottinghamcity.gov.uk](mailto:Dispute.Resolution@nottinghamcity.gov.uk)

#### **Stage 4 (5 working days) – Director of Children’s Integrated Services**

Where no satisfactory agreement and/or resolution to the problem has been achieved at Stage 3, the CPC will complete the dispute form for Stage 4 and notify the Director.

This will be recorded on Liquid Logic as a case-note. The CPC must ensure that they record on the dispute form, the problem identified, how attempts were made to resolve this. At all the stages if relevant, and indicate a recommendation for the Director to consider.

Within a maximum of five working days, the Director should respond, either in writing or by email. Alternatively, they can request that the CPC convene a meeting with the relevant parties, as identified by Director, to seek to agree proposed actions to resolve the problems. Any actions from the meeting will need to be recorded by the CPC on the Stage 4 dispute form and captured on Liquid Logic, sent to the dispute email [Dispute.Resolution@nottinghamcity.gov.uk](mailto:Dispute.Resolution@nottinghamcity.gov.uk) and then business admin will record on the dispute resolution database.

This is the final stage of the formal dispute resolution process. Where there is no satisfactory resolution at this stage, the CPC should consider a referral to the

**Corporate Director** following consultation with the Principle Manager and the Director.

**Examples of where the Dispute Resolution Process may be used:**

Although it is not possible within the guidance to provide an exhaustive list of every concern relating to practice and process that would require the intervention of a CPC under the dispute process.

Examples include:

- Incomplete or poor standard of documentation provided to the Child Protection Conference or not found to be maintained on the child's case record. This may include non-completion of assessment.
- Statutory visits are not undertaken within timescales or the record of visits is missing or incomplete.
- Frequent changes of social worker and lack of evidence of relationship with the child.
- Where one or more decisions agreed at a conference and not disputed by the LA within 5 working days of the meeting have not been acted upon and completed within the timescale agreed. For example referrals to other agencies, including Child Sexual Exploitation (CSE) matters.
- Where there is drift and delay in the care plan or the care plan is not meeting the individual needs of the child, including the need for protection.



- Where the rights and/or well-being of the child are not being met, for example the child's views are not being given sufficient weight in the decision making process.
- Where there is a concern about provision of services/ resources allocated to meet the child's individual needs.

### **Access to Independent Legal Advice for the Child Protection Chair**

The following arrangements are made available to CPC's within Nottingham City Council:

- Level 1: Advice can be sought from the LA childcare solicitor who does not have conduct of the case. This would be appropriate for straightforward legal advice about statutory requirements for processes.
- Level 2: A discussion with the HOS for the safeguarding to determine and agree where required for independent legal advice to be sought.

### **Quality Assurance**

The CPC will ensure that all correspondence and discussion in relation to the dispute resolution process are recorded on the child's electronic care records (Liquid Logic).

The CPC will forward a copy of all disputes to the Dispute Resolution Email [Dispute.Resolution@nottinghamcity.gov.uk](mailto:Dispute.Resolution@nottinghamcity.gov.uk), for monitoring purposes. This will also require a copy to the Principal Manager. The CPC business administrator will update the database

### **Child Protection minutes**

Working Together 2015 gives guidance about timescales for the production of minutes by the CPC following an Initial or Review Child Protection Conference.

- The CPC will produce a written record of the recommendations/decisions made at the Conference within 24 hours when possible but no longer than 3 working days. This will be recorded on Liquid Logic and an e-mail sent to the allocated Social worker and Team Manager informing them of this.
- If no response is received by the CPC from the Social Worker and Team/Line Manager within 5 working days of receipt of the recommendations/decisions, the CPC will consider that they are agreed by the LA and will expect them to be implemented within the timescales set out.
- The LA has a duty to ensure the child, parents/carer's and other significant conference attendees are informed in a timely manner of the decisions by the Team Manager not to implement the conference recommendations and why.
- Within 10 working days of receipt of the CPC's recommendations/decisions, the Social Worker will update the care plan in relation to any changes agreed.
- The minute taker should distribute the full written record of the Child Protection Conference within 20 working days. All those in attendance should receive a copy of the minutes and recommendations/decisions. Those who are absent for a variety of reasons will be given the contents as deemed appropriate/necessary by the CPC.
- Social Workers and their Team Managers are responsible for notifying the CPC of any significant changes to the child's circumstances in order for the CPC to decide whether there is a need to convene an early conference.

### **Compliments around good practice**



It is equally important that the CPC recognises and reports on good practice demonstrated by individual Social Workers and Practitioners from other agencies. Attached at the end of this document is a compliments form that CPC's will complete and e-mail to the identified Practitioners Team Manager, Line Manager, Service Manager and Head of Service.

### **Child Protection Dispute Resolution Process Flowchart 20 working days**

#### **Informal process**

CPC to give a timescale for completion of the requested activity and to monitor whether this is successfully completed within the agreed timescale



#### **Formal process**

**Stage 1** – CPC to contact the Social Worker's Team Manager / Line Manager with concerns to be addressed

(5 days)



**Stage 2** – CPC to hold a meeting with the relevant Service Manager

(5 days)



**Stage 3** – CPC to hold a meeting with the relevant Head of Service

(5 days)



**Stage 4** – CPC to hold a meeting with the Director of Children's Integrated Services

(5 days)





**Stage 5** – CPC to take legal advice to consider referral to Corporate Director



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Date of concern:

Child Protection Chair's (CPC) name:

**CPC Dispute Resolution Stage 1- Team Manager**

Deadline for response:

<b>Childs name:</b>  <b>Childs ID Number:</b>  <b>DOB:</b>	<b>Team:</b> <b>SW:</b> <b>TM:</b> <b>SM:</b> <b>HOS:</b>
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**Concerns from informal stage (5 working days):**

  
  
  
  

**Requested Action:**

  
  
  
  

**Response of Team Manager / Line Manager (to include any practise development issues)**

  
  
  
  
  
  
  

Proceed to Stage 2

Concerns Resolved

Date:



**CPC Dispute Resolution – Stage 2- Service Manager**

**Meeting with Service Manager Outcomes:**

Proceed to Stage 3     Concerns Resolved

**Date:**

**CPC Dispute Resolution – Stage 3 Head of Service**

**Meeting with Head of Service outcomes:**

Proceed to Stage 4     Concerns Resolved

**Date:**

**Meeting with the Director of Children’s Integrated Services**

**IRO Dispute Resolution – Stage 4 Director of Children’s Integrated Services**

**Proceed to Stage 5     Concerns Resolved**

**Date**

**Resolution of Dispute – If not resolved, seek legal advice and consider progress to Corporate Director:**