



**Durham
Safeguarding Adults
Partnership**

Managing Professional Differences

A procedure to support Professionals, Practitioners, and Volunteers



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1. Acknowledgement

This procedure has been adapted and developed with acknowledgement to Durham Safeguarding Children Partnership and Darlington Safeguarding Partnerships. It is hoped that the document is reflective and supportive of the connection to wider partnership working locally and of cross-boundary working.

2. Purpose

To inform all professionals, practitioners, and volunteers of the local procedure for addressing differing opinion(s) and/or disagreements in relation to safeguarding adults.

It should be read in conjunction with documents accessible from the 'DSAP Good Practice Guidance for Professionals' related [website page](#) and specifically the:

[DSAP Information Sharing Agreement](#)

DSAP Information Sharing Good Practice Toolkit

[Durham Safeguarding Children Partnership – Managing Professional Differences¹](#)

3. Introduction

The Durham Safeguarding Adults Partnership is committed to collaborative working in the arena of safeguarding adults. This includes promoting and encouraging the 'voice of all practitioners, professionals and volunteers to be heard'.

The DSAP is committed to embedding the six safeguarding principles. Empowerment, Partnership and Accountability are three of those principles, as such, all professionals, practitioners and/or volunteers should feel 'empowered' to address openly any differences of opinion or disagreements that may arise. Equally, they should feel supported by their respective management, DSAP board representative and organisation to embed that practice.

The nature of adult safeguarding informs us that a wide range of agencies may have knowledge of, or work with 'adults at risk'². Agencies are often reliant upon, what is known and by whom, and professional judgements made. It is not unrealistic to expect that opinions may differ or that professionals may disagree from time to time.

This guide aims to support practitioners, professionals, and volunteers with an effective means of addressing differing opinion(s)/disagreement(s) and is supportive of professional and respectful challenge. It should be viewed by all agencies as a positive activity that ensures 'adults at risk remain at the centre of effective safeguarding practice'.

¹ See also – [Durham Safeguarding Children Partnership Information Sharing Protocol](#)

² Hereinafter 'adult'.

Embedding a 'positive culture of challenge' within and between organisations provides opportunities to learn from one another, and often take a wider view of professional perspectives, which is fundamental to effective inter-agency working with adults.

Learning has emerged from a range of Safeguarding Adult Reviews, Safeguarding Children Practice Reviews (formerly Serious Case Reviews) and wider reviews. A common theme can be drawn, highlighting the importance of interagency communication³, and an apparent reluctance to challenge interagency decision-making for reported concerns through robust professional challenge, where proactive challenge may have altered the professional response and the outcome for the adult.

This guidance sets out the local process and includes:

- Disagreement examples
- The steps practitioners, professionals and volunteers can take
- How to escalate disagreements if unresolved
- Advice and support available

4. When might disagreement(s) or differing opinion arise?

A wide range of safeguarding adults activity can take place, the below provides a brief illustration of where disagreement(s) or differing opinion may arise:

- When information sharing and communication issues arise in relation to practice or action/inaction which may not effectively ensure the safety or well-being of an adult with care and support needs⁴, or others within the family (e.g. carer) or a child/ren (see also [Durham Safeguarding Children Partnership- Procedures](#)).
- not recognising that an adult(s) is at risk of or experiencing abuse or neglect (or others within the family including children)⁵
- action and/or inaction related to a safeguarding concern/enquiry
- decision making – including proportionality, convening timely meeting(s) or strategy discussion(s), or decisions during multi-agency safeguarding meetings
- decisions regarding implementation and/or responding to Executive Strategy (or organisational concerns) processes (including convening timely meeting(s), responding to information requests, clarity of requests) and addressing any issues
- issues concerning consent
- mental capacity issues and/or best interests decisions
- outcomes of assessments
- recording practices
- roles and responsibilities of practitioners
- service provision (see also Safeguarding examples, page 7)

³ Read in conjunction with the DSAP information sharing agreement.

⁴ Also links to local learning (Mental Health Homicide Review)

⁵ See DSAP briefing – Professional Curiosity

5. Professionals, Practitioners, Volunteers – ‘So what can I do?’

All professionals, practitioners and volunteers should feel able to share a difference of opinion and/or disagreement, to have a voice, and to promote good working relationships with individual agencies and/or wider multi-agency working. It applies to any activity relating to safeguarding adult(s). This is an approach which is wholeheartedly supported by the DSAP and its members, and best demonstrated by the Professional, Practitioner, Volunteer – I can statements to reach resolution:

- I can raise my concern(s) direct with the decision maker.
- I can seek support from my respective line management, Named Practitioner or Designated Safeguarding Lead.
- I can outline my concern(s) in writing to a Head of Service/Agency DSAP board representative.
- I can request the Head of Service/Agency DSAP board representative share my concern(s) with the DSAP Independent Chair.

6. Values

All agencies of the DSAP should adhere to their own code of conduct and value base, and promote and enable professionals, practitioners, and volunteers to be competent and confident in challenging practice. As a minimum all agencies should encourage and support:

- Operating with openness and transparency
- Placing the ‘adult/s’ at the centre of any safeguarding activity (in line with Making Safeguarding Personal)
- Promoting constructive and respectful feedback
- Resolving differing opinion/disagreements as soon as possible
- Embedding a learning culture
- Reflecting with a ‘lens’ on improvement
- Preventing an adult or other(s) being placed at further risk.

7. Steps 1 to 4

There is an expectation that responsibility rests with all involved parties in responding to safeguarding concerns/enquiries to speak up in decision making forums (or at any point in the process where differences of opinion or disagreements arise) to enable others, including the decision makers, to consider alternative viewpoints. Decision makers have responsibility to consult and ensure that all views have had a chance to be heard and considered as part of the decision-making process.

The steps below outline the action that can be taken when differing opinion or professional disagreement may arise (see Appendix 1).

Step 1

Every effort should be made by professionals, practitioners, and volunteers to resolve issues. Step 1 of the process should be undertaken within 1 working day of a difference of opinion/disagreement arising (wherever possible). This should take place through an open and transparent discussion/liaison with the original decision maker, to reach a resolve.

Practitioners, professionals, and volunteers should record their rationale and any agreed action(s). Recording should include an account for any delay(s) in raising any difference of opinion (i.e. out with of 1 working day).

Step 2

Should Step 1 fail to reach a resolve. The professional, practitioner or volunteer can raise their concern(s) with their respective (line) manager, Named Practitioner or Designated Safeguarding Lead. Ideally this should be completed with 3 working days. The respective manager/Named Practitioner/Designated Safeguarding Lead will review the request and determine whether any further action is required. If it is felt resolution should be sought for any disagreement/difference of opinion they can liaise with the appropriate lead/equivalent level of management within the relevant agencies.

The respective (line manager), Named Practitioner/Designated Safeguarding Lead may also request completion of the 'Managing Professional Differences form' (Appendix 2) and/or request an inter-agency meeting.

Important Note: Any outcome and/or agreed action(s) to reach a resolve should be recorded on the form (Appendix 2) and shared with all involved parties. In addition, agencies will be mindful of any internal recording requirements.

Step 3

Should Step 2 fail to reach a resolve. The professional, practitioner or volunteer (or their manager) can raise their concern(s) with their Head of Service or DSAP Board Representative. This should be completed as near to the Step 2 outcome as possible to ensure any decision(s)/resolution can be reached in a timely manner and ensure the 'adult' remains the focus. Ideally, this should be no longer than 21 days from the disagreement/differing opinion first being raised.

A 'Managing Professional Differences form' should be completed (if not already) and shared at the same time of the request. The professional/practitioner/volunteer (or their manager) should also account for any delays.

Important Note: Any outcome and/or agreed action(s) to reach a resolve should be recorded on the form (Appendix 2) and shared with all involved parties. In addition, agencies will be mindful of any internal recording requirements.

Step 4

Should Step 3 fail to reach a resolve. The organisation Head of Service/equivalent or DSAP Board Representative should escalate the concern to the DSAP Independent Chair. Ideally, this should be no longer than 28 days from the disagreement/differing opinion first being raised.

A copy of the 'Managing Professional Differences tool' should be sent along with any additional information to sabbusinessunit@durham.gov.uk

The DSAP Independent Chair in conjunction with statutory partners will review all information shared and determine an outcome and identify any action(s).

Important Note: Any outcome/decision and/or agreed action(s) to reach a resolve should be recorded on the form (Appendix 2) and shared with all involved parties. In addition, any escalated requests will be recorded in the DSAP challenge log.

8. Safeguarding examples of disagreements or differing opinion

The [Care Act 2014](#) and [Care and Support Statutory Guidance](#) outlines the local authority as the agency with overall responsibility for S42 safeguarding enquiries for adults at risk of or experiencing abuse and/or neglect, however, all agencies of the DSAP have a role in working together effectively to safeguard adults.

A variety of situations may arise where agencies disagree or have differing opinion; the below outlines some examples (not exhaustive) of when this guidance may apply.

For example, in the arena of safeguarding, disagreements/differing opinion may arise (as examples):

- between front line practitioners/professionals or volunteers and actions identified/requested or any inaction
- between front line agencies and what constitutes safeguarding
- between front line agencies relating to level of response, level of risk

Safeguarding Concerns

The DSAP provides guidance in relation to when a safeguarding concern should be reported. However, due to the complexity and nature of working with adults with care and support needs, it may be difficult at times to judge when a reportable instance has occurred. All agencies can refer to the DSAP website for related policy and practice guidance.

Agencies can always seek advice from Social Care Direct 03000 26 79 79, when faced with a safeguarding issue that they find particularly challenging (and as outlined in 14.6 Care and Support Statutory Guidance).

However, multi-agency guidance does not replace the responsibilities upon agencies to consider the level of risk posed, form a professional judgement, or report their concerns. The local authority may also determine an alternative action to S42 safeguarding enquiry (which may include):

- Care and Support needs assessment (by the local authority)
- Review of needs (by the local authority or multi-disciplinary)
- Establishment Concerns and / or Executive Planning
- Referral to Commissioning/Contracting for action
- Signposting to complaints processes
- Signposting to alternative services, for example, voluntary sector or specialist services such as Drug and Alcohol

Equally, if agencies disagree with decisions for example, where a concern does not instigate an enquiry, there is an expectation that agencies aim to resolve disagreements between one another (Step 1).

If issues remain unresolved agencies should consider escalation to Step 2 as outlined above.

Safeguarding Enquiries (Section 42 enquiries)

The decision to carry out a safeguarding enquiry does not depend on a person's eligibility for services but should be taken wherever there is reasonable cause to think that the person is experiencing, or is at risk of, abuse or neglect and appears to have care and support needs. Whilst the Care Act 2014 and accompanying statutory guidance⁶ make clear the local authority is the lead for safeguarding/decision making, they can request others to carry out enquiries. The local authority will therefore need to cooperate with relevant partners and in turn each relevant partner must also co-operate with the local authority.

Relevant partners and other agencies that are likely to cooperate in safeguarding adult activity include (not limited to):

- NHS England
- NHS Integrated Care Boards (formerly NHS Clinical Commissioning Groups)
- NHS Foundation Trusts
- Department for Work and Pensions
- Police
- His Majesty's Prison and Probation Service prisons
- His Majesty's Prison and Probation Service probation services
- General Practitioners
- Dentists
- Pharmacists
- Housing, Health, and Social Care Providers

⁶ 14.3 Care and Support Statutory Guidance – the safeguarding duties have a legal effect in relation to organisations other than the local authority on for example, the NHS and Police.

The Care and Support Statutory Guidance (14.9) tells us that safeguarding is not a substitute for⁷:

- providers' responsibilities to provide safe and high-quality care and support
- commissioners regularly assuring themselves of the safety and effectiveness of commissioned services
- the Care Quality Commission (CQC) ensuring that regulated providers comply with the fundamental standards of care or by taking enforcement action
- the core duties of the police to prevent and detect crime and protect life and property

Disagreements may arise for a variety of reasons, however in relation to this guide the focus should be on 'safeguarding' and examples may include (not exhaustive):

- Level of response (e.g. whether it should instigate an adult protection level of enquiry)
- Actions/inaction identified and/or timeframes
- Action/inaction where a potential criminal offence has occurred, and the adult is placed at further risk or remains at risk.
- A disagreement as to whether disciplinary processes may apply or not
- A disagreement for omitted/involved parties during enquiries

Where disagreements arise between agencies in relation to any action(s) or inaction for safeguarding enquiries, agencies should aim to resolve between one another and only where the issue remains unresolved refer to Step 2 of this guide.

Executive Strategy Meetings (ESMs)

Executive Strategy Meetings are a multi-agency process that supports an effective action-led response to organisational concerns that arise for a service provider.

As such a range of agencies may attend to share information and raise any issues. An ESM should offer opportunity for all voices to be heard and provide equitable opportunity to fully participate in the process.

Disagreements may arise for a variety of reasons examples may include those as outlined above:

- Differing professional opinion for the level/s of risk
- Actions/inaction identified and/or timeframes
- A disagreement as to whether issues should be de-escalated from executive strategy
- A disagreement as to whether issues should trigger an executive strategy

⁷ See also Executive Planning (Organisational safeguarding)

- A disagreement as to whether commissioning/contracting action is needed or not
- A disagreement for omitted/involved parties during executive strategy

In any instance professionals/practitioners and volunteers are **encouraged to raise their concerns within the ESM forum** with openness and transparency and **in line with the Terms of Reference for ESMs**. Where issues/disagreements remain unresolved the escalation process should be considered.

9. Monitoring arrangements

Durham Safeguarding Adults Partnership has a key role in monitoring the effectiveness of local multi-agency safeguarding arrangements, it includes identification and recording of challenges and risks to effective collaborative working.

There is an expectation that the DSAP be made aware of disagreements that arise and which are addressed through Step 3 and 4 of this procedure.

Should any professional, practitioners and volunteers escalate their differing opinion/disagreements via Step 3 or 4 the form at Appendix 2 should be used.

A copy of the form should be sent to sabbusinessunit@durham.gov.uk to enable the DSAP to monitor application of this procedure and identify any potential challenges/risks to partnership working.

10. Organisations that have endorsed these procedures

Durham County Council Adult and Health Services

Position: Strategic Development Officer and Principle Social Worker

Date: 20/09/2022

NHS North East and North Cumbria Integrated Care Board

Position: Designated Nurse - Safeguarding Adults

Date: 16/09/2022

Durham Constabulary

Position: Detective Superintendent

Date: 13/01/23

Tees, Esk and Wear Valleys NHS Foundation Trust

Position: Named Nurse Safeguarding Adults

Date: 9/09/2022

County Durham and Darlington NHS Foundation Trust:

Position: Associate Director of Nursing

Date: 23/09/2022

County Durham and Darlington Fire and Rescue Service

Position: Director Community Risk Management

Date: 18/08/2022

His Majesty's Prison and Probation Service (HMP and YOI Deerbolt, HMP Durham, HMP Frankland, HMP Low Newton)

Position: Group Safety Lead, North East Prison Group

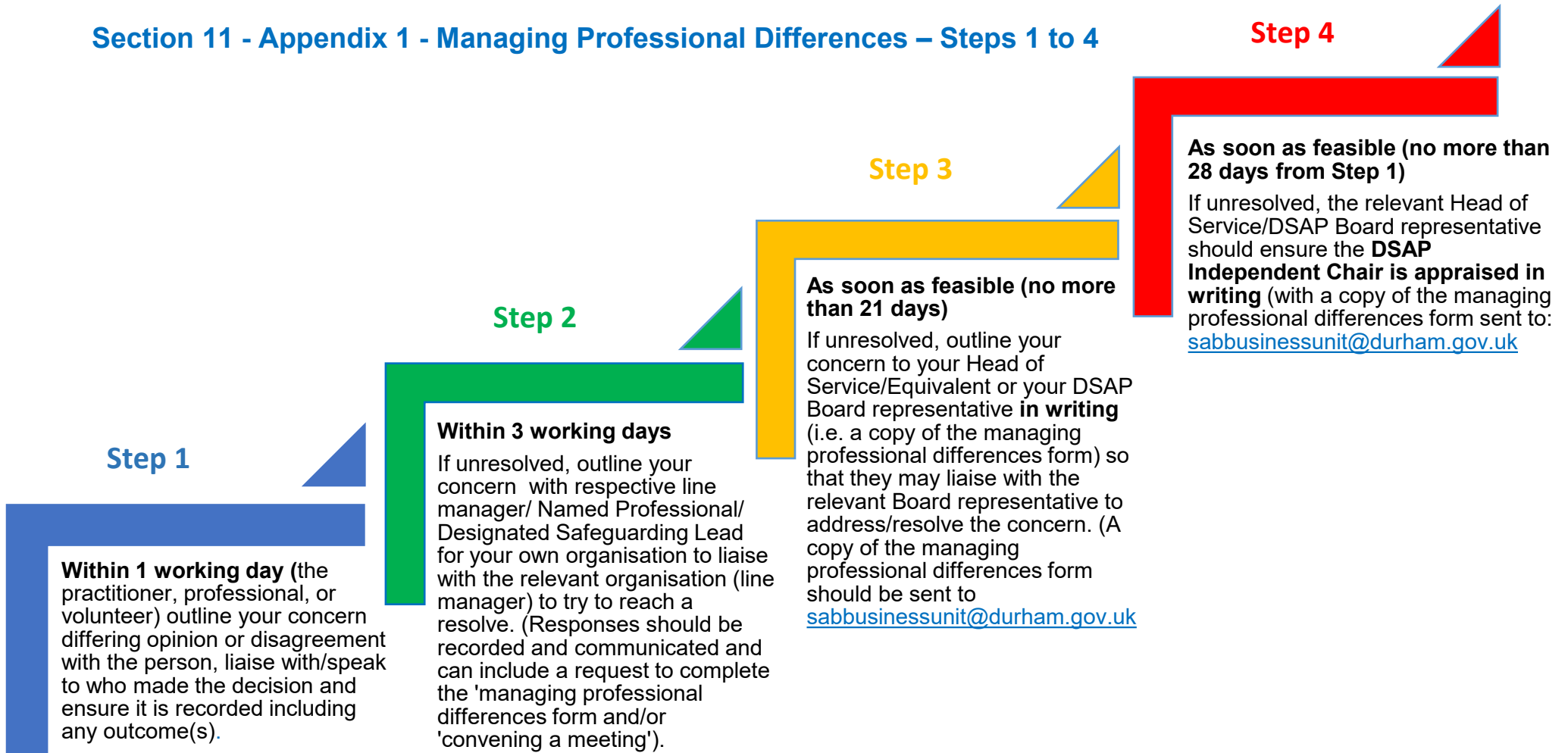
Date: 05/02/2023

His Majesty's Prison and Probation Service – Durham and Darlington Probation Service North East


Position: Head of County Durham and Darlington Probation Service North East

Date: 08/09/2022

Section 11 - Appendix 1 - Managing Professional Differences – Steps 1 to 4



Section 12 - Appendix 2 – Managing Professional Differences Form (illustration only)
Please contact sabbusinessunit@durham.gov.uk to request a copy of this form.

 Durham Safeguarding Adults Partnership Managing Professional Differences Form		For advice/support in completing the form please contact sabbusinessunit@durham.gov.uk This form <u>can be used for all Steps</u> to assist agencies to keep record of action(s) taken to resolve difference opinion and/or disagreement. It must be completed for Steps 3 and 4 of this procedure as standard.			
Name of Professional/Practitioner/Volunteer					
Role Title					
Agency/Organisation Name:					
Does the difference of opinion/disagreement relate to an ongoing safeguarding activity or concern(s) for an 'adult' (family member or child/ren). <i>Important Note: Please do not record details of individual(s) – if required, they can be requested by the relevant lead(s)/managers.</i>					<input type="checkbox"/>
Does the difference of opinion/disagreement relate to ongoing safeguarding activity and/or concerns regarding an agency/organisation? If box checked, what is the agency/organisation name? <i>(Text box expands)</i>					<input type="checkbox"/>
Please provide a brief overview of the differing opinion and/or disagreement (e.g. decision making for safeguarding, executive strategy etc). <i>Do not include person/client identifiable detail</i> <i>(Text box expands)</i>					
Please record agency/organisation(s) which the issue has been raised with:					
Raised with Agency(ies):		Contact Details (e.g. Email, Tel):			
Raised with Staff/Officer (Name/s):					
Steps that have been followed – check as appropriate <i>*If completing this form as Step 3 or 4 (and only when all other steps have been followed) completed forms should be sent to sabbusinessunit@durham.gov.uk</i>		Step 1 (1 working day) <input type="checkbox"/>	Step 2 (3 working days) <input type="checkbox"/>	Step 3* <input type="checkbox"/>	Step 4* <input type="checkbox"/>
Please record detail of action(s) taken to resolve, (include date/time, format) and outline any challenge(s) to resolve: <i>(Text box expands)</i>					
Date form completed:		<i>Please account for any delay(s):</i>			
Date form shared:					
Form completed by (check as appropriate):					
Professional/Practitioner	<input type="checkbox"/>	Named Professional		<input type="checkbox"/>	
Volunteer	<input type="checkbox"/>	Designated Safeguarding Lead		<input type="checkbox"/>	
Respective Manager(s)/Registered/line	<input type="checkbox"/>	Head of Service/DSAP Board Member		<input type="checkbox"/>	
Send a copy to sabbusinessunit@durham.gov.uk For DSAP Business Unit Use only:					
Date received:		Officer (initials)		DSAP Chair notified:	
Date entered to DSAP Challenge Log:		Date confirmed as resolved:			
Brief Narrative of action(s) taken to resolve: <i>(Text box expands)</i>					