TSAB Professional Challenge Procedure

Version 1

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1. Purpose

- To provide a framework that encourages professional challenge in a constructive and non-threatening way

- To establish processes which promote a culture of learning from professional challenge within adult safeguarding practice across the Boroughs of Hartlepool, Middlesbrough, Redcar & Cleveland and Stockton-on-Tees

- To ensure that staff in all agencies are competent and confident in challenging practice in the interests of adults at risk of abuse or neglect

2. Introduction

2.1 Professional challenge can be a positive activity and a sign of good professional practice, a healthy organisation and effective multiagency working. Being professionally challenged should not be seen as a criticism of the person's professional capabilities.

2.2 Decisions are made on the information available to people at the time; no-one sets out with the intention to make a bad professional decision. We need, then, to be open to someone questioning why we reached a decision or took a particular course of action.

2.3 Some safeguarding adult reviews (SAR), both nationally and locally, have identified an apparent reluctance to challenge decision making – both decisions within our own organisation and across agencies. Many SARs have identified that concerns have not been followed up with robust professional challenge which may have altered the professional response.

2.4 Inspections, Peer Audits and the Teeswide Safeguarding Adults Board Quality Assurance Framework look at leadership and culture within organisations and whether there is the opportunity for staff to raise concerns within their own organisation about decisions and practice. Organisations should have processes in place for responding to whistleblowing incidents: this procedure supports this process and also offers a channel for raising issues within a structure where professionals may be from different professional backgrounds.

2.5 Professional challenge and critical reflection about the focus and intended outcome of intervention should include questioning and being open to professional challenge from colleagues as well as being confident to challenge others.

2.6 Professional challenge is a fundamental professional responsibility. Professionals are expected to comply with any Code of Conduct and/or registration requirements of their role and this procedure will work alongside these. In this context this procedure is in place to challenge decisions, practice or actions which could jeopardise the safety or well-being of any adult at risk of or subject to abuse or neglect.

2.7 Many professional challenges will be resolved on an informal basis by contact between the individual raising the challenge (or their manager) and the individual/manager/agency receiving the challenge and will end there.

3. Making Safeguarding Personal (MSP)

3.1 Decisions made within adult safeguarding may be challenged be professionals 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.

3.2 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

3.3 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.

4. Process for Challenge

Stage 1: Any professional who disagrees about the decision or action taken should in the first instance contact the person who made the decision or took the action to express their views and concern.

Stage 2: If the issue cannot be resolved between them the person who disagrees about the decision or action should raise the issue with their manager or named professional.

Stage 3: If the manager/ named professional considers it appropriate then an interagency meeting should be held between the agency raising the professional challenge and the receiving agency to discuss the different views. Following this discussion the TSAB Business Unit should be notified in writing of the details of the professional challenge including:

      a. A summary of the challenge
      b. The actions taken to address the challenge
      c. The outcome of the actions taken
      d. How the issues were resolved?
      e. Are the professionals involved satisfied with the outcome?

Stage 4: If the issue cannot be resolved at the interagency meeting then the manager of the person raising the professional challenge should escalate the issue to the relevant Head of Service who will determine if any further action is required.

Stage 5: If a resolution is not agreed at stage 4, then the Head of Service will raise the issue with the Agency's TSAB representative for discussion at a Board meeting.

Any personal data received at any stage of the process will be dealt with in accordance with the current Data Protection legislation and the TSAB Information Sharing Agreement.

5. Monitoring Professional Challenge

5.1 The details of any professional challenge will be considered by the Policy, Procedures and Practice Sub-Group to determine if any further review of policies, procedures or guidance is required. Any learning from the outcomes of professional challenge will be shared, as appropriate.

5.2 This framework does not replace existing Human Resources policies and procedures for dealing with performance issues eg, Capability and Disciplinary Procedures and Staff Concerns Policy.