

Escalation Protocol

1. What is the CYSAB Safeguarding Adults Escalation Protocol?

The CYSAB Safeguarding Adults Escalation Protocol provides a framework to manage professional disagreements about safeguarding practice. It was developed because the learning from several Safeguarding Adults Reviews showed that staff were unable to escalate or navigate around difficulties in communication between partner organisations. The Escalation Protocol has been adopted by the City of York Safeguarding Adults Boards, so all partners involved in safeguarding adults in the area are committed to using it.

2. When to use the Escalation Protocol

At times professionals may disagree about the decisions or actions taken to keep an adult at risk safe. A culture of professional co-operation and open partnership working means that sometimes we need to raise concerns about the practice or decisions of staff working for another agency. All staff have a duty to raise concerns about the safety and wellbeing of service users and to act promptly.

Safeguarding adults can provide extremely challenging and complex cases/situations that involve a number of different agencies all with diverse contributions to individual cases. Occasionally, one of two circumstances can occur that may cause confusion and are not easily resolved.

The first circumstance occurs when workers from one or more agencies do not feel that decisions made by a worker from another agency, with regard to safeguarding, are safe ones or adequately protect the individual from abuse or neglect.

In the first case disagreements could arise in a number of areas, but are most likely to arise around:

- Level of risk and its assessment
- Roles and Responsibilities
- Interventions
- Communication
- Information sharing

The second circumstance can occur when agencies are working in a collaborative, person centred way to safely manage risks but have reached a point where elements of risk are unmanageable and beyond the operational group's level of accountability.

3. Aims of this protocol:

- To reduce unnecessary delay in implementing prevention plans.
- To help keep the focus on the adult at risk.

- To provide a series of steps for the escalation of complex cases with unmanageable risk.
- To resolve the disagreement quickly, with the adult's needs and views at the centre and without putting the adult at further risk.

4. Possible areas of disagreement could include:

- Whether the threshold has been met to take action in response to a safeguarding concern
- Concerns about safeguarding case management
- Case closure or lack of action by an agency
- Lack of engagement of key partners in the multi-agency risk management process

This Escalation Protocol is only to be used for disputes about safeguarding practice. It does not cover other matters such as assessments, care management or funding for care and support needs. It should not be used to raise concerns about the practice of colleagues within your own organisation - you should use your own internal policies for this.

5. How to use the Escalation Protocol

Before raising the concern using the Escalation Protocol, you should involve the adult and/or their representative (for example a family member or advocate). Remember that the adult's safety and wellbeing is the most important consideration in any disagreement. In line with the principles of Making Safeguarding Personal you should always involve the adult and respect their views, wishes and desired outcomes.

Sometimes the views of the adult may be at odds with those of professionals. If the adult has mental capacity, they have the right to make unwise decisions which may place them at risk of harm. Multi-Agency Risk Management needs to be considered in line with CYSAB multi agency policy and procedures which can be found here: <https://wynny-cityofyork.trixonline.co.uk/chapter/overarching-aims-duties-and-principles?search=risk%20management>

If there is disagreement between professionals or family members about a best interest's decision for an adult who lacks mental capacity, the Mental Capacity Act Code of Practice should be used. It may be necessary to refer to the Court of Protection. Practitioners and managers should always be prepared to review decisions with an open mind and should avoid being defensive when they are challenged.

6. Four Stages of Escalation

At all stages:

- Check back to make sure there is shared understanding of what has been agreed
- The agreed actions and decisions must be recorded in writing by all agencies. Include a review date. If there are still outstanding areas of disagreement, these should be recorded along with confirmation of how they are going to be resolved.
- The decisions must be shared with operational staff, including the person who initially raised the concern.
- Don't forget to check back to ensure agreed actions have been fully implemented.

Stage 1: Direct discussion should be held between the relevant team managers or agency equivalent as a first option to try to resolve any dispute. This should be held through either telephone or face to face discussion as a priority and key points confirmed in writing.

Stage 2: If through direct discussion between team managers, either through telephone or face to face discussion, a resolution or agreement cannot be reached, then contact will need to be established between allocated senior manager or head of service within 5 working days. Key points should be confirmed in writing.

Stage 3: If within 10 working days, a resolution has not been achieved then responsibility will transfer to the responsible Assistant Director/Senior Manager to seek direct discussion in order to achieve resolution. Focus again will remain consistent on direct discussion first and foremost but the template in Appendix A should also be used to report and record the escalation formally.

Stage 4: If at any point risk escalates or resolution cannot be achieved, contact with City of York Safeguarding Adults Board SAB@york.gov.uk should be used to support resolution. The template in Appendix A should again be used to report and record the escalation formally. N.B. if an adult is at immediate risk of harm there is an expectation that the timescales will be shorter than the 10 days

7. Where can I get more information?

- The Escalation Protocol is available on the CYSAB website:
<https://www.safeguardingadultsyork.org.uk/resources/local-policies-practice-guidance-resources>
- You can contact the CYSAB and the CYSAB Independent Chair at sab@york.gov.uk

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