

Escalation Policy

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Introduction:

This policy has been developed to ensure that HND Children's Care Ltd has a robust escalation process through which issues or concerns might be raised and resolved involving care plans for children looked after. It aims to encourage that issues are addressed and resolved at the earliest point possible; to prevent drift and delay for children; to promote more consistency across the service and to improve practice in Children's Social Care

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1. Introduction:

One of the responsibilities of the manager is to challenge the local authority where any concerns arise within the care planning process for a child. It is expected that the manager establishes positive working relationships with the social workers, and other related professionals, of the children for whom they are responsible. Where problems are identified in relation to a child's case, for example in relation to care planning, the implementation of the care plan or decisions relating to it, resources or practice issues, the manager will, in the first instance, seek to resolve the issue informally with the social worker or the social worker's managers.

In these situations, the manager has the duty to negotiate with the local authority management, in the first instance informally. Should this not result in resolving the issue the manager should consider taking formal action and escalating his / her concerns up to



the highest level. The case escalation process is set out in Table 1 showing escalation from Level 1 through to Level 5 where appropriate. The manager must advise staff at an appropriate level of seniority of this failure. Senior managers then work to resolve the failure within a timescale that meets the needs of the individual child. The complete procedure through all levels should not take longer than 28 working days.

In terms of homes managers, if they should exhaust all stages of the dispute process (or deem that the time it is taking to exhaust the stages is unreasonable) and (s)he believes there is still a danger that the child's human rights may be being breached due to action or inaction of the local authority, (s)he may (in liaison with either or both the responsible individual and company Director) seek 'independent legal advice'.

2. Reasons for Raising Concerns:

There are various situations where the home and manager might have concerns and initiate the case management escalation process. It is a matter of professional judgement as to what level of escalation is needed and the impact on the child is the significant factor.

Concerns that may be dealt with at an informal level:

- Poor preparation by the social worker for the Looked After Review.
- Quality of reports provided.
- Repeated absence or late arrivals for home visits meetings.
- Inadequate management oversight / supervision of a social worker.
- Concerns about lack of effective partnership working with parents and other professionals.

Concerns that might need formal escalation:

- Assessments / care plans not being completed / progressed in time.
- Key documents not completed.
- Non-completion of actions within timescales.
- Social worker visits to the child/ren not being within the expected timescales.
- Concerns about the quality of risk assessments.
- Evidence of poor partnership working amongst agencies which has compromised the effectiveness of a CLA Care Plan.
- Concerns about lack of child participation.
- Avoidable drift and delay in children's plans.
- Health provision.
- Education provision.
- All parties not being consulted about final care plan.

3. Informal Resolution:

It is important for HND Children's Care Ltd to have a collaborative relationship with placing authorities and management with the responsibility for ongoing care planning for the

children in the care of that authority and children subject to a protection plan and recognise and report on good practice by individuals or teams.

Informal escalation is viewed as part of the quality assurance role of HND Children's Care Ltd. Wherever possible, the homes manager will attempt to resolve a problem by negotiation, including contacting the social worker responsible and their line manager, attempting to resolve the problem directly with the team. S/he should seek to resolve difficulties face to face or by talking on the telephone rather than relying on email. The manager is to record all such conversations and how the concerns have been resolved is required in this case, setting out the facts and how resolution was found.

If informal resolution proves unsuccessful, the manager will raise the concern through the formal escalation process following discussion and agreement with the individual responsible or company Director who will ensure that all attempts have been made to resolve the issue at an informal stage.

4. Escalation and Formal Resolution:

Where issues relating to practice are identified and the manager is dissatisfied with the informal response or timely solution to the issue, s/he will continue to negotiate with management up to the highest level, if necessary, in order to resolve the issue.

There are four levels to the formal resolution process. Exceptionally, when more urgent or serious concerns remain unresolved, the manager has the discretion to proceed directly to the level s/he considers most appropriate. This would usually be Level 2. The stages are:

Table 1:

Level:	Responsible Officer:	Response Expected within Working Days:
Level 1:	Team Manager	7
Level 2:	Head of Service	7
Level 3:	Assistant Director Children's Services / Director of Children's Services	7
Level 4:	Chief Executive of the Council	7

For Levels 1 – 2, the manager will record concerns and email them to the Team Manager / Head of Service. At each of these stages, a response is required within a maximum of 7 working days of receipt, unless the Responsible Individual or company Director has specified a different timescale.



Stages 3-4, the manager will discuss any lack of progress with either or both the Responsible Individual and HND Children's Care Ltd Director before moving to stages 3 and 4, at which point a meeting should be convened and chaired by either the responsible individual or company Director who has received the escalation. The meeting should be recorded. All key personnel should be invited to the meeting. The manager may attend the initial part of the meeting to clarify their position and answer any queries the local authority may have regarding the issues escalated and to set out what would be required to prevent the matter progressing to the next level of escalation.

If HND Children's Care Ltd believes there is still a danger that the child's human rights may be being breached due to action or inaction of the local authority, we may, seek 'Independent Legal Advice'. Legal proceedings should only be considered as a last resort

- i.e., in extreme cases where all other attempts to resolve the problem have failed. The additional delay associated with legal proceedings is not in the interest of the child, and every effort should be made to resolve the problem before such action is taken.

Where HND Children's Care Ltd has been advised that the obstacles in the way of resolving the issue are outside or beyond the control of the local authority, HND Children's Care Ltd should continue to escalate if the issues are impacting upon the ability of the department to meet the needs of the child.

5. Recording and Communicating that a Child's Care Plan or CP Plan has been Subject to Escalation:

In the first instance the manager should place a record of any initial informal escalation on the child's records within their files. The record needs to be appropriately worded to reflect the concerns in relation to the child's plan (the impact). That the record provides a brief summary of the issue and whether it is an informal escalation or a formal escalation through Levels 1 to 4. It is important that the manager also adds on to their records once the issue has been resolved and to set out the facts / how resolution was found.

6. The Management Arrangement for the Registered Manager:

The responsible individual is responsible for the line management and supervision of the managers.

The role of the responsible individual during the case management escalation process shall be:

- To provide clear supervision to the manager, taking into consideration the issue being raised and providing feedback on the strengths and weaknesses of the concerns or disagreements being brought forward.
- To ensure that throughout the process, lines of communication remain open and clear and that the issue does not become clouded, personalised, or lost in other processes.
- To ensure that meetings take place on time and that they are present at all relevant meetings.
- To ensure that, if appropriate, independent legal advice has been sought by



HND Children's Care Ltd at the appropriate time; and for Platinum Services for Children to Discuss and consider its possible implications for the issue being raised.

- Overall, to encourage and enable resolution prior to the issue reaching the Director.

These line management guidelines are not designed to hinder or minimise concerns raised by the manager. However, given the possible impact on HND Children's Care Ltd should the management escalation process reach the referral to the Director stage, it is crucial that there is clear and transparent evidence available during the process of escalation.

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