**Appendix 2**

**Dispute Escalation Process**

This escalation process is to be used in circumstances where a decision around duties and responsibilities and availability of suitable accommodation, this will only be used young people under the age of 18 are in dispute between Children’s Social Care and the Housing Options Team which is part of the Safer Communities Service. The process will only be invoked as a last resort when all other options and avenues have been explored.

It is anticipated that disputes will typically arise where there is a difference of opinion between services about the appropriate response to specific individual cases. This process should be considered in conjunction with the agreed statement of practice relating to the presentation, referral and assessment of individual cases.

**Stage 1 -Initial dispute notification –**

At the point where an initial disagreement is anticipated the appropriate referring Social Worker or equivalent from Children’s Social Care and the appropriate Housing Advisor or Team Leader will note the substance of the disagreement. This would typically apply to one or all of the following;

* *Disagreement that the agreed assessment process had been followed*
* *Disagreement that the correct decision had been reached in terms of specific duties owed to the young person This needs to still be challenged if based on facts and evidence contained within the CIN assessment, which clearly highlights there is more than a housing issue*
* *Disagreement over the appropriateness of any placement requested or proposed ie B&B*

Social Care staff will notify the relevant Service Manager (or equivalent) and the Housing Options officer to notify the Service Manager (or equivalent) at the time that the dispute arises.

**Stage 2 – Review Panel**

Manager(s) receiving the notification of a dispute will convene and co-chair a case review panel. This should be called even where an initial decision to find accommodation for a young person has been discharged. The Panel will consist of the following and be convened within 5 working days of the initial dispute notification – Service Managers from both Housing Options and Childrens Social care the case officers involved in making the initial assessment and decision. The Panel will consider the following;.

* *The validity of the original decision and apportionment of duties*
* *The compliance with the agreed statement of practise*
* *The appropriateness of any placement made for the young person*
* *The forward plan for the young person*

Written notes and action points should be taken at this review panel and countersigned by the co-chairs.

**Stage 3 – Heads of Service Review**

Where agreement cannot be reached at the review panel and a dispute remains this should be referred within 1 working day of the panel to the relevant Heads of Service in Children’s Social Care and Safer Communities. The Heads of Service will convene a further review considering the written notes and action points and identified areas of disagreement. This review meeting will be held within 5 working days of referral, co-chaired by the Heads of Service with full submissions required from the co-chairs of the Review Panel. – if we don’t have stage 2 we can provide a report of the issues/ actions and findings. Would it be appropriate to have a legal rep at this meeting?

Formal notes will be taken of the review and approved by the co-chairs and detail the decision taken to include;

* Whether agreement has been reached / next steps for HOT/ CSC staff
* The nature of any unresolved dispute
* The risks to the council associated with the specific case in question

**Stage 4 - Senior Officer Review**

Where the Heads of Service review fails to reach consensus a formal Senior Officer Review panel should be convened. This Panel will meet within 20 working days of notification of a specific case and should include the following sitting representatives

* Independent Service Director – (Chair) - would the legal repo not cover this off
* Service Director Children’s Services
* Service Director Stronger Safer Healthier Communities
* Service Director Legal Services

Submissions will be invited from the appropriate Heads of Service (referring officers) and Service Managers involved in the specific case.

It is also anticipated that this Panel will also be convened quarterly to review general any trends, performance, changes and challenges specific to this agenda and agree strategic priorities for service improvement.

Should consensus not be reached at a specific case Senior Officer Review Panel the chair will determine the appropriate next steps.