

LEGAL GATEWAY PANEL TERMS OF REFERENCE AND PROCEDURE

This note sets out the terms of reference and procedure for the Legal Gateway Panel.

Terms of Reference

1. The Legal Gateway Panel is responsible for hearing all new referrals for a legal planning meeting.
2. The overall aim of the Legal Gateway Panel is to ensure cases receive consistent legal input and management scrutiny. This will ensure cases are progressed either through the PLO pre-proceedings process or through care proceedings being issued in a timely manner. This will avoid and reduce drift in care planning and lead to effective and better outcomes for children who are in need of safeguarding.
3. The Legal Gateway Panel is responsible for hearing all new cases, save in genuine emergencies when a case will be allocated to a lawyer for a separate meeting to take place chaired by Head of Service with the agreement of Legal Services outside of the Legal Gateway Panel.
4. The Legal Gateway Panel will review all cases with Supervision Orders within 3 months of the Supervision Order expiry date, in order to make decisions about the necessity to renew such Orders.

Aims of the Legal Gateway Panel

5. The key aims of the Legal Gateway Panel are:
 - (a) To provide management oversight and scrutiny of all cases where a Legal Planning Meeting has been requested by Children's Social Care (CSC).
 - (b) To provide senior CSC management overview of cases involving children who are at risk of harm and need safeguarding.
 - (c) To provide consistent oversight and scrutiny in the management of the threshold criteria and the decision whether or not CSC should commence care proceedings or consideration of safe alternatives to issuing proceedings
 - (d) To ensure effective case planning, timely interventions and pre-proceedings assessments where it is decided that there is a safe alternative to avoid proceedings being issued.

- (e) To scrutinise initial care plans for care proceedings and in particular, the need for any additional assessments by CSC or other experts.
- (f) To ensure alternative carers and support networks within the family and wider network are identified and considered at an early stage, ideally before proceedings are issued via Family Group Conferences.
- (g) To review all cases with Supervision Orders within 3 months of the Supervision Order expiry date, in order to make decisions about the necessity to renew such Orders.

The Legal Gateway Panel

- 6. The Legal Gateway Panel will be chaired by a Head of Service to provide consistency in management oversight and decision making.
- 7. There will be a designated legal advisor to provide consistency in legal advice.
- 8. Representatives from other Services will also be invited to be part of the Panel. This will include a representative from Placements & Brokerage Commissioning & Procurement, a representative from Fostering/Adoption, Group Manager responsible for CP chairs from QI Service, a representative from Early Help.

Administration

- 9. A Business Support Officer from CSC will administer the Panel to ensure referrals are processed and sent to Legal; papers are collated and sent the Panel members 2 working days before the Panel; cases are allocated a slot on the Panel and social workers and their Team Managers are invited to attend.
- 10. Referrals for the Legal Gateway Panel should be sent to the CSC administrator by 12.00 on a Thursday in order that the papers and agenda can be distributed to members of the Legal Gateway Panel by close of business on Thursday.
- 11. The Legal Gateway Panel will be minuted by an administrator provided by Legal Services.

Frequency of the Legal Gateway Panel

- 12. The Legal Gateway Panel will take place once a week on a Tuesday morning from 9.30-12.30pm. There will be 5 slots of 30 minutes duration at each Legal Gateway Panel.

Authorisation for referrals for the Legal Gateway Panel

13. All referrals must be authorised by a Head of Service before being sent to Legal Services. The relevant Head of Service should be assured that there has been a recent supervision/reflective discussion where the social worker and Team Manager have considered why there is a need to have a legal planning meeting and their plan for intervention.
14. The relevant Head of Service should confirm in writing in the Legal Gateway referral form that they are approving the referral being made to the Legal Gateway Panel.
15. In the absence of such confirmation the referral will not be accepted by Legal Services and no steps will be taken to progress the referral until such time that confirmation is received.

Supporting documents

16. All referrals for Legal Gateway Panel must be accompanied by a fully updated social work chronology (*the document must include all relevant information and not simply start from the date that the case was allocated to the presenting social worker*), genogram and supporting documents.

Documents required for Legal Gateway Panel

(Must send to Legal before Legal Gateway Panel date)

- Chronology – this should be a current updated document
- Genogram
- Initial Assessments
- Core/single Assessments
- Child Protection Conference/Children Looked After Reports
- Previous proceedings details including S7/37 Reports
- Any other relevant case information
- Parenting Assessments
- Expert Reports (i.e. Psychiatric/psychological)
- Drugs/alcohol tests

- Connected Persons/Special Guardian Assessment

Attendance at the Legal Gateway Panel

17. The social worker and their Team Manager must attend the Legal Gateway Panel to present the case. The Team Manager is required to attend the meeting as there will be significant discussions about care planning including assessments, allocation of resources and timescales for completion of tasks by the social work team.
18. If a Team Manager is unable to attend the Legal Gateway Panel then they must consult the Chair at the earliest opportunity so a decision can be made whether there are exceptional reasons for the case to be heard in the absence of a Team Manager.

Expectations of the Social Worker and Team Manager presenting the case

19. The advice given at Legal Gateway Panel will be dependent upon the written and oral presentation of the social work team and the evidence that they present to show that the child is suffering or at risk of suffering significant harm. Therefore the social work team must be able to specify what incidents/information of significant harm they are relying upon and avoid references to “concerns”.

Presentation of the case/Agenda

20. The Chair will open the Panel with parties introducing themselves and with the Chair providing a brief summary of the facts of the case.

The social work team must be prepared to address the following issues:

- (a) What are you worried about?
- (b) What work have you and other professionals completed with the family and in what way has this work been effective?
- (c) What assessments have been undertaken of the family and what is the outcome?
- (d) Are any further assessments needed, and if so, what?
- (e) What is your proposed care plan?
- (f) If the threshold is met, is it safe to work with the family under the PLO

Pre-proceedings process or are proceedings necessary to seek the immediate removal of the child/ren?

- (g) How do you think a legal framework will help you to achieve the proposed care plan/outcomes for the child/ren?

Decisions and outcome of Legal Gateway Panel

- 21. Legal advice on threshold and any other legal issues/options arising will be given during the meeting.
- 22. The Chair in consultation with other Panel members will make a decision that:
 - (a) the threshold is not met and social work team need to continue working with the family under the Child Protection or Child in Plan and that no further legal action is required at this time
 - (b) further work is required and evidence gathered before a decision can be made with regard to threshold;
 - (c) the threshold to issue proceedings is met and
 - (i) whether there is safe alternative option to proceedings under the PLO pre proceedings process; or
 - (ii) whether proceedings need to be issued immediately.
- 23. The Chair in consultation with other Panel members will agree assessments, actions and timescales with the social work team and legal advisor.

Legal Gateway Panel minutes

- 24. The Legal Gateway Panel minute taker is responsible for drafting the minutes.
- 25. The Legal advisor/Chair of the Legal Gateway Panel will review and amend the minutes and the approved minutes will be sent to a Business Support Officer from CSC within 5 working days of the Legal Gateway Panel.
- 26. A Business Support Officer from CSC will ensure that the minutes are distributed and uploaded to Care First within 2 working days of receipt.

Monitoring Legal Gateway Panel progress

- 27. Following the Legal Gateway Panel meeting the relevant Head of Service will be responsible for liaising with social work teams directly to track the deadlines agreed and progress of the cases heard by the Legal Gateway Panel.

Monitoring Pre-Proceedings (PLO) cases

28. The Pre-Proceedings Tracking meeting is chaired by Head of Service Safeguarding East who will be responsible for monitoring and tracking the deadlines agreed and the progress of cases that enter the Pre-proceedings process under the PLO on a regular basis.

29. The Pre-Proceedings Tracking meeting takes place fortnightly on Tuesday afternoons from 2-4pm. Social workers and their Team Managers are expected to attend this meeting. The tracking meeting is attended by a Legal advisor and is minuted by a Business Support Officer from CSC.