

**Legal Gateway Meeting**

**Terms of Reference**

1. **Membership**
   * + - * Chair - Service Director – Corporate Parenting
         * Service Manager CSC representative
         * BCP Legal Services representative
         * Case Progression Manager
         * Amanda King – PA Support

In the absence of the Chair a nominated CSC senior manager or the Case Progression Manager will chair the Meeting.

1. **Introduction**

The Legal Gateway Meeting is an internal decision making and scrutiny forum established to achieve improved outcomes for children. It replaces the decision making and review process of the CARP for children subject to the PLO (Public Law Outline) process. The Legal Gateway Meeting is intended to:

* Ratify the decision as to whether care or pre-proceedings should be initiated.
* Ensure senior management oversight of children and scrutiny of the evidence where threshold is met and pre-proceedings/or care proceedings are agreed.
* Reduce delays in planning for children at risk of significant harm.
* Review cases currently within the Public Law Outline (PLO) framework to ensure that plans progress in a timely manner and those cases formally exit from the pre- proceedings process or escalate into care proceedings as appropriate.
* Ensure permanence planning arrangements are considered at the earliest opportunity and put in place for children who become the subject of public law proceedings; this includes early identification of primary carers and identification and assessment of non-resident parents and connected persons.
* Clarify situations where expert evidence cannot be provided by the social worker but will be required for the determination of care/pre–proceedings and agree funding/placements as appropriate.
* Ensure that appropriate and increased safeguarding measures are put in place and maintained when PLO and/or care proceedings are issued.

1. **Purpose and Process**

* The Legal Gateway Meeting does not replace case-holding and case management arrangements and it is not a forum for detailed planning and oversight of a child’s case.
* Referrals of new children’s cases must first be agreed by the relevant Team and Service Manager.
* The Team Manager and Social Worker will attend at an allocated time on the meeting agenda with a clearly evidenced plan of why and what is required and what decision is being sought.
* Where pre-proceedings are agreed, a review date will be set for the Team Manager and Social Worker to return to and provide an update and confirmation that the plan is progressing within given timescales.
* If care proceedings are to be issued timescales for sending the Letter of Intent to issue proceedings, evidence preparation and enquiries regarding experts will be clarified.
* If confirmation is provided that proceedings have been issued and the case has been listed for hearing, the case will be removed from the agenda.
* Where the pre-proceedings process has concluded, the case will be removed from the agenda.
* If care proceedings have been issued in an emergency without having been presented to the meeting, the allocated Social Worker and Team Manager must provide an update at the next scheduled meeting to allow for scrutiny of the proposed care plan and assessments prior to the Case Management Hearing.
* The solicitor with conduct of the case will complete the Legal Planning Advice Memo and circulate it to the allocated Social Worker, Team Manager and meeting members within 24 hours for urgent cases and within 3 days for other cases.
* The Legal Gateway Meeting will occur weekly on a Tuesday morning.
* Children’s cases identified as needing to be discussed will be submitted by the Social Worker to the administrator no later than 4pm on the Friday for the following weeks meeting. If documents are received later than this time, the case will be placed onto the agenda for the following week’s meeting.
* Social Workers will provide a fully completed ‘Information for Legal Gateway Meeting Form’ (v1.3). The Social Worker will be expected to indicate clearly what they are hoping to obtain from presenting the case to the Legal Gateway Meeting.
* Retrospective approval where children have been accommodated under Police Protection or Emergency Protection Orders pending assessment, will be brought to the next scheduled meeting.
* If the Legal Gateway Meeting is cancelled for any reason and / or a decision cannot wait due to the urgency of the matter, the Service Director and where required legal representative will be approached to provide an interim decision.

February 2021 v1.1