

BCP Council – Children’s Services

Legal Gateway Meetings and Care Proceedings Monthly Tracking Meetings

|  |  |
| --- | --- |
| Document control | |
| Status |  |
| Effective from | December 2020 v1.1 |
| Who Must Comply with this Guidance? | All staff - BCP Children’s Services |
| Who must be aware of this guidance? | All staff - BCP Children’s Services |
| Review Frequency | Annual |
| Policy Lead and Approval Body |  |
| Produced By | Ian Vinall (Case Progression Manager) |

Table of Contents

[**1.**  **Introduction** 3](#_Toc63243830)

[**2.**  **Legal Gateway Meeting** 3](#_Toc63243831)

[2.1 Purpose and Intended Outcomes 3](#_Toc63243832)

[2.2 Urgent Cases 4](#_Toc63243833)

[2.3 Protocol and Function of Legal Gateway Meeting 4](#_Toc63243834)

[2.4 Frequency of Legal Gateway Meeting 4](#_Toc63243835)

[2.5 Membership 5](#_Toc63243836)

[**3.**  **Monthly Care Proceedings Tracking Meetings** 5](#_Toc63243837)

[3.1 Purpose and Intended Outcomes 5](#_Toc63243838)

[3.2 Main Activity 5](#_Toc63243839)

[3.3 Protocol and Function of the Monthly Care Proceedings Tracking Meetings 6](#_Toc63243840)

[3.4 Frequency of Care Proceedings Tracking Meetings 6](#_Toc63243841)

[3.5 Membership 6](#_Toc63243842)

[**4.**  **Review Arrangements** 6](#_Toc63243843)

# **1. Introduction**

The Legal Gateway Meeting alongside monthly Care Proceedings Tracking Meetings will operate in the context of national guidance emphasising the importance of effective and timely assessment and risk management.

The provisions within the Public Law Outline (PLO), requiring early assessment and planning for children (where possible outside of the legal process) place an emphasis on Bournemouth, Poole and Christchurch Council to fully understand and articulate at the time of application to the court, the impact for the child of the care he / she receives, the capacity of parents / extended family members and friends and have clear and outcome focused plans for children.

# **2. Legal Gateway Meeting**

# 2.1 Purpose and Intended Outcomes

The Legal Gateway Meeting is an internal decision making and scrutiny body established to achieve improved outcomes for children by:

* Considering whether care or pre proceedings under Public Law Outline (PLO) should be initiated.
* Supporting the care of children within their families and communities where this is still a viable and safe option and preventing them from entering the care system.
* Ensure the application of consistent practice across all teams in decisions regarding children.
* Analysing patterns and trends in order to ensure best practice; inform commissioning intentions and trigger responses from relevant service areas and partner agencies regarding identified practice concerns.
* Promoting efficiencies by ensuring the best use of resources and that accommodation, where used, is used appropriately and only to safeguard children at risk of harm.
* Reducing delays in planning for children at risk of significant harm and helping to promote early permanence decisions for children.
* Ensuring senior management oversight of cases and scrutiny of the evidence where threshold is met and pre - proceedings / or care proceedings are agreed.
* Agreeing completion of assessment by experts.

The meeting will consider legal advice from social care lawyers attending to advise on evidence and threshold.

# 2.2 Urgent Cases

In urgent circumstances where the safety of a child will be seriously compromised and emergency action is required, a Legal Planning Meeting will be convened (either in person or over the telephone). The meeting shall consist of the Team Manager, the social worker, the Service Manager and legal adviser.

The meeting will seek advice from legal services and consider whether it is appropriate to make an urgent application to court. The decision of the legal planning meeting must be recorded on the child’s electronic file immediately.

# 2.3 Protocol and Function of Legal Gateway Meeting

* Referrals of new cases to the meeting must first be reviewed, agreed and signed off by the relevant Service Manager.
* The Legal Gateway Meeting Information Form (v1.3) must have been quality assured by the Team and Service Manager and be submitted to Amanda King (PA Support to Service Manager) by 4pm **on the Friday before** the next scheduled meeting. There will be no exceptions to this deadline except by agreement of the Service Directors.
* The papers will be circulated to meeting members **on the Monday before** the Legal Gateway Meeting as well as the agenda to notify Team Managers and social workers when their cases will be discussed/reviewed, and they are required to attend.
* The Team Manager and social worker will attend at their allocated time on the meeting agenda with a clear evidenced plan of what is required and what decision is being sought from the Legal Gateway Meeting;
* If care proceedings are to be issued, the meeting will clarify the timescales for sending the Letter of Intent to issue proceedings, evidence preparation and enquiries regarding experts.
* Where pre proceedings are agreed, the meeting will clarify timescales for sending the Letter of Before Proceedings and agree funding for completion of reports by experts.
* The PA Support to Service Manager, Amanda King will complete the minutes on the Legal Gateway Form and these will be circulated to the allocated Social Worker, Team Manager, Service Manager and meeting members. This is to be done within 24 hours for urgent cases and within 5 days for other cases. These must be placed onto the child’s electronic file with a management oversight case note identifying the decision and where the document is located on the electronic file.

# 2.4 Frequency of Legal Gateway Meeting

The Legal Gateway Meeting will occur weekly on a Tuesday morning.

# 2.5 Membership

Panel membership will comprise:

* Chair – Service Director
* Legal Advisor
* Case Progression Manager
* A nominated Service Manager on a rota basis
* Business Support

The social worker and the relevant Team Manager will attend for each case submitted to the meeting.

# **3. Monthly Care Proceedings Tracking Meetings**

# 3.1 Purpose and Intended Outcomes

* Monitoring cases going through Public Law Outline (PLO) proceedings and pre-proceedings and keeping an accurate record of these through the Care Proceedings Tracker.
* Analysing patterns and trends in order to ensure best practice; inform commissioning intentions and trigger responses from relevant service areas and partner agencies regarding identified practice concerns.
* Reducing delays in planning for children at risk of significant harm and helping to promote early permanence decisions for children.

# 3.2 Main Activity

The Monthly Care Proceedings Tracking Meetings will address the following key issues:

* Regularly review cases within the Public Law Outline (PLO) framework with the Service Manager, Team Manager and Case Progression Manager 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 that assessments and interventions are robust and offered to families to prevent issues escalating and reduce the likelihood of care proceedings being issued.
* Clarify situations where expert evidence cannot be provided by the social worker but will be required for the determination care/pre-proceedings.
* Ensure that appropriate and increased safeguarding measures are put in place and maintained when PLO and or care proceedings are issued.
* Regularly review cases in proceeding to ensure that plans progress in a timely manner.

# 3.3 Protocol and Function of the Monthly Care Proceedings Tracking Meetings

* The Public Law Outline Tracking Tool or the Care Proceedings Tracking Tool will be completed by the Case Progression Manager in the monthly meeting for each case.
* These Tracking Tools will form the basis of the review of children in care/pre-proceedings and will update the Legal Gateway Meeting of progress and plans and where needed present risk mitigating strategies to address any barriers to progress
* These documents will be placed onto the child’s MOSAIC or Care Director record by the Team Manager.

# 3.4 Frequency of Care Proceedings Tracking Meetings

Case Proceedings Tracking Meetings will occur every month. Robust tracking of issues will assist with mitigating any risk of drift and delay to securing permanency for children.

# 3.5 Membership

Care Proceedings Tracking Meetings will be attended by:

* Service Manager
* Legal Advisor (if appropriate)
* Team Manager
* Case Progression Manager

# **4. Review Arrangements**

The Legal Gateway Meeting and Care Proceedings Tracking Meetings will be reviewed on an annual basis.