

# Legal Gateway Panel Terms of Reference & Guidance

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## 1. Introduction

This guidance clarifies the role of the Legal Gateway Panel in the context of permanence planning for children. It identifies how the panel fits with statutory processes for children within the community, the Public Law Outline process and Permanence Panel.

## 2. What does 'Legal Gateway' mean?

The Legal Gateway is the point at which the area team has reached a recommendation (based on consideration of the facts) that legal action is now required to safeguard a child and plan for their permanence. The Panel may also be used to request that a child becomes looked after under Section 20.

## 3. The purpose of Legal Gateway Panel

- To ratify recommendations for PLO and appropriateness of any assessments required, including cost. This recommendation is passed to the Legal Gateway panel for a threshold decision;
- To review all cases of PLO at two months for planning and timescale to step down out of PLO or escalation to proceedings;
- To ratify recommendations for initiating proceedings;
- To review all cases in proceedings every 8 weeks thereafter until conclusion;
- To review recommendations of Secure Panel Reviews at the next week's Legal Gateway Panel.

## 4. Outcomes of the Legal Gateway Panel

Having considered all of the information made available to it, the Legal Gateway Panel will decide the appropriateness of any of the following:

- Issue a "pre-proceedings letter" and convene a PLO meeting;
- Support a private law resolution to safeguard and promote the welfare of the child;
- Consider whether the child should be accommodated under Section 20;
- Issue S31 Public Law Care proceedings where the threshold criteria are met and the interests of the child require it;

- Defer decision for further information;
- Set a future review date to ensure PLO, or proceedings plans and timescales are adhered to.

## 5. Emergency Decisions made outside of the Panel

Any decision made outside the Panel, on an emergency basis can only be made by the Deputy Director Children's Services or, in their absence, a Children's Social Care Head of Service. (However, any decisions in relation to residential care or secure placements must be escalated to the Director of Children's Services in their absence.) These decisions must be brought to the next panel retrospectively with all the required information.

## 6. Review of Decisions

To ensure that decisions made at the Legal Gateway Panel are progressed within the agreed timescales, updates will be timetabled at the panel and obtained from relevant managers and Social Workers as appropriate. This will ensure management oversight and challenge, to avoid drift and delay for the children and young people concerned.

## 7. Panel Administration

Where cases are being presented to Panel for consideration or review, the relevant reports must be completed and authorised in LCs by 4pm the Thursday prior to the Panel. The following documentation is needed:

- Paperwork required for ALL new cases:
  - Panel request form (LCS)
  - Up to date C&F Assessment;
  - Draft Court Care Plan (if relevant);
  - Draft PLO letter (if relevant);
  - Chronology.
- Paperwork required for reviews:
  - Panel request form (LCS)
  - Any other relevant new or updated documents

## 8. Core Membership

- Chairperson – Deputy Director Children's Services (or a Head of Service)
- An Area Operations Manager
- Legal Department Solicitor (Legal advice in writing advance; attendance if required)
- Social Worker and Team Manager by case
- Adopt South West representative
- Family Finder representative

Where a core member cannot attend, they must identify a suitable substitute of the same grade.

## 9. Meeting frequency

Legal Gateway Panel is scheduled on a weekly basis, on a Tuesday afternoon rotating between area offices as follows:

- Week 1 - South Somerset
- Week 2 - Sedgemoor
- Week 3 - Taunton
- Week 4 - Mendip

## 10. Panel records

A written summary of the meeting will be taken by the Panel Administrator.

- The written summary will set out the panel decision with a clear rationale for their decision making;
- The notes will be produced with 1 working day of panel and ratified by Panel Chair within 2 working days of receipt.
- Once ratified:
  - The decision will be added to an LCS management action and decisions case note in LCS.
  - The detailed notes, including Legal advice will be added to the LCS Legal record. These notes are legally privileged and cannot be shared with other parties and organisations.
  - Completion of the LCS recording will send an alert to the Social Worker and Team Manager in LCS.
- A master copy of the meeting notes is held on the Legal Gateway Panel OneNote and can be accessed by all Panel members.