**VERSION 9**

**TERMS OF REFERENCE LEGAL GATEWAY**

Legal Gateway is one of the Local Authority’s internal decision-making forums. Consistent, timely and balanced decisions should be made on all cases. The Chair’s role is to consider all the information and advice available and decide the most effective course of action to promote the safety and wellbeing of the child(ren). The decision, reasoning and legal advice will be minuted.

**Cases should be presented to Legal Gateway for the following decisions :-**

1. **Decision to end pre-proceedings whether this is through issuing care proceedings or a step-down plan**
2. **An application for a public law order in relation to a child / children**
3. **An application for a free standing DOL authorisation**
4. **Decision to make an application to extend a Supervision Order**
5. **All Section 20 placements at 6 weeks, 12 weeks and 6 monthly thereafter**

**Legal Gateway can also make a decision that a case is to enter pre proceedings, if threshold is met but normally where pre-proceedings is sought, a matter should be presented for an PLM**

Exceptions to the above may include the request for urgent approval at Legal Gateway in cases where a child has been subject to police protection or in circumstances which may result in an application for an Emergency Protection Order or Short notice Interim Care Order.

**Legal Gateway Panel Members:-**

* Head of Service (Chair)\*
* Panel administrator ( who will take Minutes)
* Presenting Social Worker\*
* Presenting Team Manager
* Service Manager (Assessment)
* Service Manager (CP)
* Fostering Team Manager
* Adoption Permanence Worker
* Case Progression Officer
* Legal Advisor\*

\*Quorate member

**Working Methods**

* The meeting will be held every week, normally on a Wednesday morning between 10.00 and 1pm
* Minutes will be recorded by the panel administrator who will add the actions and decisions to child / young person’s case file
* Minutes will be distributed within 2 days of panel for members to approve
* The panel administrator will circulate the minutes to the Team Manager and Social Worker to complete their actions and ensure the case file is kept updated
* Team Manager and Social Worker must prioritise attendance at the meeting to give a verbal update or arrange for a colleague to attend on their behalf (who must be well cited and able to fully present the case to the Panel)

**Aims and responsibilities**

* To ensure every attempt has been made to support, advise and protect children as part of social work practice before consideration is given to the move towards legal intervention in a child and families lives
* To offer challenge and scrutiny in relation to requests to invoke proceedings for children
* Where the panel makes a decision NOT to move towards legal intervention, the panel will be clear about the rational and expectations of the social work intervention including any subsequent actions
* To ensure oversight of the practice leading to the issuing of public law proceedings and that this is in line with the requirements of the Public Law Outline
* To ensure the application of consistent practice and threshold in decisions to initiate care proceeding stages of PLO
* To ensure that improving outcomes for children remains at the centre of any decisions in relation to proceedings and all alternatives have been considered
* To review and approve the decision that children currently subject to the pre proceedings PLO process should be brought to an end and if so, what the next steps should be
* The Chair is able to make financial decisions for specialist assessments, hair-strand testing etc. to be commissioned
* Gather appropriate information to inform sufficiency planning
* Outcomes are as positive as they can be for children

**Working Practice.**

Service Manager Quality referral forms & accompanying documents will be sent to LGW administrators by 12 noon on Friday before LGW. Documentation to accompany referral:-

* Draft SWET
* Draft Care Plan
* Birth certificate (to be sent to legal within 3 weeks of any decision to enter the Public Law Outline if not immediately available)
* Genogram (three generational)
* Impact Chronology
* Any previous recent legal advice

Referral forms & accompanying documents will be sent by LGW administrators by 3pm Friday before LGW to Panel members

Themes, patterns and learning will be fed back to the Quality Assurance Service on a quarterly basis by the Case Progression Officer.

**Review**

A review of the relevance and value of the terms of reference is to be undertaken annually. An initial 3 month review to take place on 14th August 2023.

20 June 2023