

Terms of Reference for Legal Gateway meeting (LGW).

Legal gateway meeting (LGW) Legal gateway is a decision-making forum that should include:

- Chair: A suitably senior manager, in accordance with the local authority Children's Services constitution scheme of delegation
- Local authority Principal Lawyer
- Team manager
- Social worker
- Representatives from other services, such as the Connected Persons Team, Family placement team, Family Group Conference Team, SGO, adoption, parenting assessment team, etc
- A minute taker.

LGW will consider the following matters:

- Proposals to initiate care proceedings ~
- Proposal to begin pre-proceedings
- Proposals to accommodate a child under Section 20 *
- Reviews of pre-proceedings
- Proposals for Deprivation of Liberty (DOLS) applications.
- Section 37 reports
- Proposals to place a child in welfare secure accommodation under section 25 of the Children Act 1989.

* There is overlap here with Resources Panel. In most cases it will be appropriate for proposals to accommodate a child to be heard at resource panel **before, or instead of**, LGW.

* LGW will agree only a short period of S.20 and the starting point will always be that the accommodated child will be rehabilitated to a parents' (or other holder of PR) care within 12 weeks. The matter will be booked back on to LGW or Permanence Panel for review within that time frame.

~ Where there is a plan to initiate care proceeding and bring into care a child who has reached the age of 9 years it may be appropriate, if it is safe to do so, to defer LGW to allow the matter to first be considered at Resources Panel.

To allow a full discussion to take place the following information (contained in the documents listed below) should be on hand to assist the members of LGW with their deliberations:

- The names of the child(ren), their parents and any other significant family members or friends who may be able to offer support, in either the short or longer term, plus the birth certificate to check father's parental responsibility
- Parent(s)/carer(s) contingency arrangements
- The key needs of the child(ren) and details of any direct work with them to date
- Wishes and feelings of parents, child/ren and significant others
- Views of multi-agency partners (including details of any escalations between partner agencies)
- Views of the Child Protection Chair or IRO

- An outline of the proposed plan for working with the family
- An overview of the bundles from any previous proceedings (including any previous Court Orders (public or private law).
- The multi-agency proposed plan for the child and family (to comply with Care Planning Regulations)

As outlined above, the meeting will be chaired by a senior manager. Its purpose is to consider all the information available and decide if the multi-agency partners have worked together in managing the risks with the child(ren) at home, what's not worked and why it is necessary for the local authority to commence pre-proceedings or to issue s31 care proceedings and share parental responsibility. Legal advice will be given on threshold. 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 and reasoning will be minuted. It is essential that these minutes are accurate, concise and clear with the Chair's rationale for reaching their decision.

In considering each child LGW panel members and the Chair will hold in their minds the following provocations:

- Would this be good enough for my own child?
- What kind of adult do we want the young person to be at 20, 35 and 50?
- Are we managing the risk for the child or the organisation?
- Is there a shared approach to parenting?
- Are we ensuring every child has someone who will stand up for them?

In coming to a decision, all members of the LGW will identify:

- a. The specific issues, risks and mitigating factors of relevance at this time, which will include known historical concerns.
- b. Continuing support or any additional direct work to be undertaken with the child(ren) during this period.
- c. Specify further support the local authority and partner agencies could offer the family to mitigate identified risks.
- d. How the local authority and partner agencies will continue to assess the risks and/or track positive changes in this period.
- e. Any expert assessments that are required – including who is being assessed, for what purpose, who will undertake this assessment plus the likely duration.
- f. Family members who are to be consulted to offer either support or be assessed as alternative carers. The early sharing of necessary information with extended family and the use of a FGC (or similar model developed and used locally) is essential, unless there is good reason why this is impracticable.
- g. Make a record that the duration of pre-proceedings process will be not later than 12 - 16 weeks (which is in accordance with the needs of the child) from the date of the date of the LGW decision to enter the pre proceedings process. The pre-proceedings letter will be sent in order to communicate

with the family when the pre-proceedings meeting will take place not less than 7 clear days in advance of the date of the meeting. Who is the important “person” to the parent(s) and /carer(s) to insert their name into the standard pre-proceedings paragraph for invitation by the parent(s)/carer(s) to the meeting.

i. timetable with the family a return date for LGW at the conclusion of the intervention to consider the assessments and interventions completed in pre-proceedings and make subsequent decisions (within Statutory Guidance April 2014 Court Orders & Pre-Proceedings Volume 1).

The following papers to be provided to CS business support by XXX, CS business support will send to legal by 12 noon Thursday in advance of LGW. Papers received after this date will not be considered.

Required papers:-

- PLO 9 (LGW referral form)
- Recent C&F or pre-birth Assessment (if available, if one is not available the reason why will be explored and the matter might, if it is safe to do so, be deferred)
- Draft s37 (if applicable)
- Genogram and/or ecomap (3 generational)
- Chronology focussing on significant events in the last 2 years
- CP/CiN/Care plan – the Care Plan should evidence multi agency consultation (s22(4) CA1989)
- CP Minutes ICPC/RCP
- Expert report (if applicable)
- If proceedings are being sought, Family Time Assessment for each child
- Draft SWET (if seeking proceedings)

LGW slots are:

1-1.30 **RESERVED FOR EMERGENCY SLOT**

1.30 – 2

2- 2.30

2.30 – 3

3-3.30

3.30-4

NB This has to be family specific. E.g. if there are 5 children there needs to be sufficient time for each child’s individual details/needs to be discussed in detail (re: H1 and re: S (2017-2019) SCR’s)

Written legal advice will be provided within. 48 hours

Where the chair agrees for a matter to be considered at LGW as a ‘mid-point review’ this is for the purposes of supervision and management oversight and is considered outside the LGW framework as such legal advice is not requested or provided. Mid-point reviews will usually receive HoS oversight outside of LGW.

Chris James

12/10/21