

# **COUNCILLOR CALL FOR ACTION PROCEDURES**

## 1. Background

- 1.1 The 'Strong & Prosperous Communities' White Paper, 2006, proposed the idea of a Community Call for Action by stating:

"We want to strengthen the ability of local councillors to speak up for their communities and demand an answer when things go wrong. We propose that this role should be exercised by individual councillors through a 'Community Call for Action' or collectively by councillors through the Overview and Scrutiny Committee."

- 1.2 Section 119 of the Local Government and Public Involvement in Health Act 2007 (which inserted a new section 21A into the Local Government Act 2000) provides councillors with the opportunity to ask for such debate and discussion at an overview and scrutiny committee on issues where local problems have arisen and other methods of resolution have been exhausted. This legislation was implemented on 1 April 2009.

## 2. Key Issues and Proposals

- 2.1 The main principles of the Councillor Call for Action (CCfA) are as follows:

- a) The focus of the CCfA is on neighbourhood or locality issues and specifically the quality of public service provision at local level.
- b) The CCfA represents a genuine matter of local concern, based upon the councillor's judgement.
- c) The CCfA powers are limited to issues affecting a single ward.
- d) The subject of a CCfA should be a persistent problem which the ward councillor had been unable to resolve through local action and discussion with the cabinet or relevant services and agencies.
- e) Overview and Scrutiny consideration of a CCfA will be short and outcome-focused.
- f) A CCfA is not appropriate for dealing with individual complaints.
- g) A CCfA is not appropriate for dealing with matters that relate to quasi-judicial decisions (e.g. licensing and planning) or to council tax and non-domestic rates as these are subject to their own statutory appeals processes.
- h) A CCfA is concerned with the resolution of the issue raised.

- 2.2 The proposed arrangements for Wyre are as follows:

- ◇ Initially, a ward councillor should log a prospective CCfA with the scrutiny team. In consultation with the scrutiny team, the ward councillor might carry out some further actions in an effort to achieve an early resolution of the identified problem.

- ◇ If the issue remains unresolved it will be referred to the Overview and Scrutiny Committee as a Councillor Call for Action.
- ◇ The Overview & Scrutiny Committee will consider the matter fully, hearing any relevant evidence from appropriate individuals or organisations, with a view to achieving resolution at that meeting.
- ◇ The committee will make recommendations to the cabinet, or identify further work, as appropriate.

**2.3** To make these procedures as easy to follow as possible, separate Guides have been prepared for Councillors, for Officers and for residents each of which is attached.



## Councillor Call for Action – **Procedure Guide**

Wyre's Procedure Guide for the Councillor Call for Action is in three parts:

- 1 Councillor Guide
- 2 Officer Guide
- 3 Residents' Guide

# ‘Councillor Call for Action’ in Wyre - Councillor Guide -

## **Context**

Councillor Call for Action (CCfA) guidance is contained in the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006.

## **What is a Councillor Call for Action (CCfA)?**

CCfA is a tool to help you in your work as a ward councillor. It can be used to tackle problems, on a neighbourhood or ward specific basis, which you have been unable to resolve through the normal channels.

Although unresolved issues may be referred to scrutiny for further consideration at the end of the CCfA process, CCfA should not be regarded as merely a ‘scrutiny process’. It is a whole council approach, which is designed to help councillors to resolve issues and problems on behalf of their residents.

CCfA is not guaranteed to solve a problem. However, CCfA can provide:

- ❑ Recognition that an issue is significant enough for time, attention and resources to be spent in trying to resolve it.
- ❑ A public forum for discussion of the issues.
- ❑ An opportunity to discuss the issues in a neutral environment.
- ❑ An opportunity to discuss a problem with the explicit and sole aim of solving it.
- ❑ A high profile process owned by the ward councillor.

The Scrutiny Team will support you throughout the process, which is illustrated on page 4.

## **What CCfA is not**

CCfA is not:

- ❑ about a councillor’s everyday case work
- ❑ appropriate for dealing with individual complaints
- ❑ to be used for dealing with issues that relate to quasi judicial decisions (e.g. planning or licensing) or other issues that have their own statutory appeals processes.

## **Who can raise a CCfA?**

The power to initiate a CCfA lies with you as a councillor; it is up to you to take the issue forward if you think it is a potential CCfA. **(STAGE 1)**

## **What kind of issues can be tackled by CCfA?**

Issues should be genuine local community concerns which focus on the quality of public service provision at a local level. This includes any function of the authority that affects the councillor’s ward and constituents.

Issues that can be tackled by CCfA are usually persistent and have remained unresolved for a significant period of time. They may be issues that you are aware of from your work as a ward councillor or you can decide to champion a request on behalf of the public.

### **What does championing a request mean?**

Championing a request will mean that you take the issue up on behalf of the resident(s)/community concerned and try to resolve the problem by liaising with council officers, the Cabinet and/or outside agencies. You need to do all that you possibly can to resolve the matter before it becomes a CCfA.

### **What if I don't want to champion a request from a member of the public?**

If you decide not to champion a request, no further action will be taken under a CCfA. There is no right of appeal by members of the public.

### **I want to initiate a CCfA - what do I do next?**

The first thing you should do is log a potential CCfA with the Scrutiny Team (*see contact details*) who will help you to decide if an issue is suitable for the CCfA process. **(STAGE 2)**

### **If my issue is suitable for CCfA, what do I do next?**

You will need to continue trying to resolve the issue yourself **(STAGE 3)**. You should keep the Scrutiny Team informed about the progress you have made, keeping them up to date with developments. The Scrutiny Team will try to assist you in resolving the concern by, for example:

- helping you to discuss issues with services/partner agencies;
- facilitating informal discussions;
- helping you to formally raise an issue with other agencies such as the Wyre Strategic Partnership, PCT, police or other relevant organisation

### **I have done everything I can to resolve the issue but it still remains unresolved; what do I do now?**

At this stage, with no stone having been left unturned, the matter will be referred, with the agreement of the Chairman, for inclusion on the agenda of the next meeting of the O&S Committee **(STAGE 4)**.

### **The matter is referred to the O&S Committee - what happens now?**

The CCfA will be added to the O&S Work Programme.

The Scrutiny Team will arrange for any relevant person or representative of an organisation to attend the O&S Committee meeting so that the matter can be fully explored and resolved. One further option, if the matter cannot be resolved at one meeting, would be for the O&S Committee to set up a CCfA Task Group (a small group of members) to look in greater detail at the issue and how it should be resolved **(STAGE 5)**.

### **What will happen after the O&S Committee or CCfA Task Group has concluded its work?**

A report will be produced, together with a set of recommendations. The report will be referred to Cabinet, via the O&S Committee if appropriate. The O&S Committee will review the progress of the implementation of recommendations agreed at Cabinet in the same way that the implementation of any other task group recommendations is reviewed.

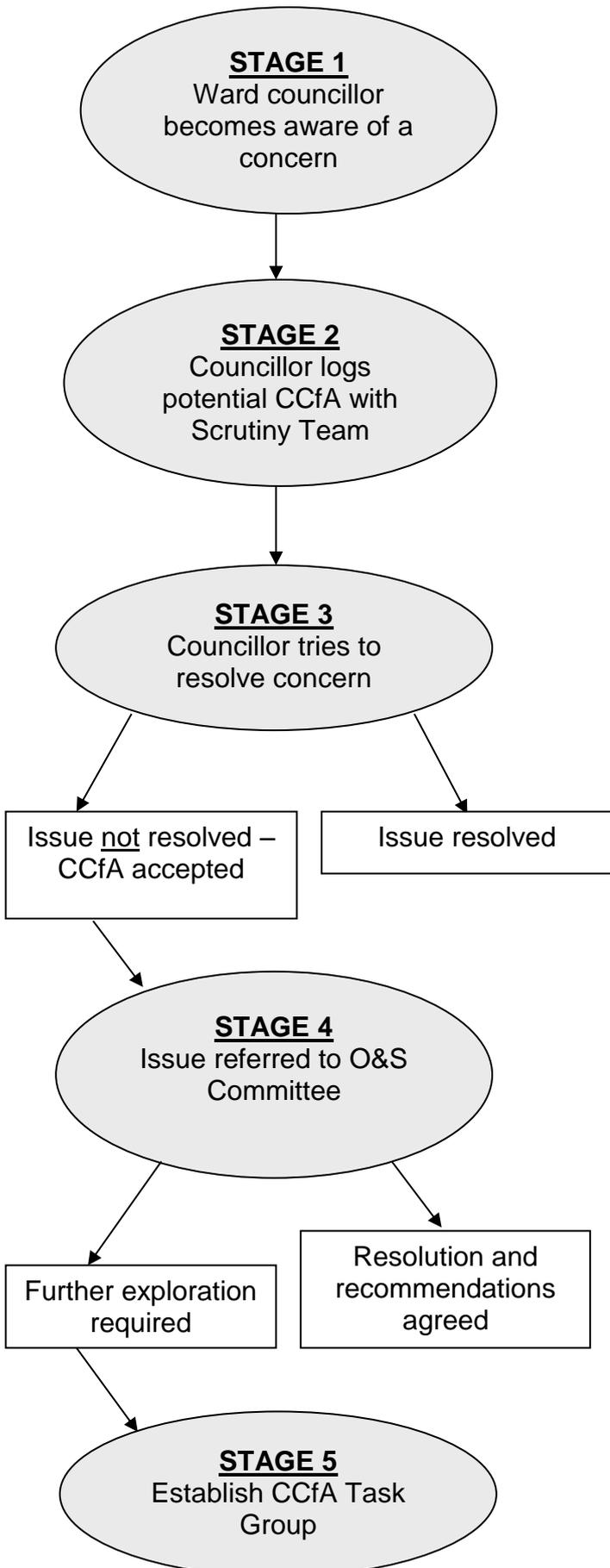
### **Contact details**

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E-mail: [peter.foulsham@wyre.gov.uk](mailto:peter.foulsham@wyre.gov.uk) or [democraticservices@wyre.gov.uk](mailto:democraticservices@wyre.gov.uk)

**Councillor Call for Action - Process**



**STAGE 1**

Ask yourself - is it a potential CCfA?

1. Is it neighbourhood and ward specific?
2. Is it an individual complaint?
3. Is it about quality of public service provision at a local level?
4. Have you checked that it isn't a quasi-judicial decision?

**STAGE 2**

You need to log the potential CCfA with the Scrutiny Team. Have you got the following information?

1. Names of other councillors involved
2. The wards and localities affected
3. Detailed account of the concern including timescales
4. Information and action taken so far
5. Information on officers/services/ partners involved

The Scrutiny Officer will forward details to the relevant Director and Cabinet Member.

**STAGE 3**

You should continue to try to resolve the issue, keeping the Scrutiny Officer (SO) up to date with any progress made. The SO will assist you in determining if everything possible has been done to resolve the concern. Your aim should be to get to a stage where you can demonstrate that no stone has been left unturned.

Once that is so, the matter will be referred for inclusion, with the agreement of the Chairman, to a meeting of the O&S Committee for full consideration.

**STAGE 4**

1. O&S Committee will hear evidence from all relevant contributors.
2. Recommendations made to Cabinet
3. If matter is not resolved at one meeting, O&S Committee can agree to set up a CCfA Task Group which will report its findings and recommendations, via the Committee, to Cabinet

**STAGE 5**

CCfA Task Group established



# **‘Councillor Call for Action’ in Wyre - Officer Guide -**

## Context

In order to strengthen the ward councillor’s role as a champion for local concerns, the Government has enacted, in the Local Government and Public Involvement in Health Act 2007, provisions for a ‘Councillor Call for Action’ (CCfA). This provides councillors with the opportunity to ask for discussions at scrutiny committees on issues where local problems have arisen and where all other methods of resolution have proved ineffective.

Despite its links with scrutiny, CCfA should be regarded as a ‘whole council approach’, which is intended to help councillors resolve issues on behalf of their residents.

## Purpose and Objectives of CCfA

The successful operation of CCfA relies on several broad principles being recognised, and supported, in local authorities. These principles are:

- Transparency in decision-making and the involvement of scrutiny in the decision-making process at some level.
- A willingness to identify mistakes and shortcomings and the acceptance that problems can often be resolved through discussion.
- A common understanding shared by senior officers, executive members and non-executive members, that scrutiny plays a key role in helping the council to improve its services.
- An understanding and a wish to bolster and support the role that ward councillors play as champions and leaders of their communities.

CCfAs should represent genuine local community concerns and should focus on neighbourhood and ward issues, specifically the quality of public service provision. CCfA is a means of last resort when all other avenues have been exhausted and the councillor has been unable to resolve the issue.

## What CCfA is not

CCfA is not:

- about a councillor’s everyday case work
- appropriate for dealing with individual complaints
- to be used for dealing with issues that relate to quasi judicial decisions (e.g. planning or licensing) or other issues that have their own statutory appeals processes.

## What do officers need to know?

There are a number of scenarios in which you may come into contact with the CCfA process:

1. A member of the public contacts you to say that they want to raise a CCfA
  - Only ward councillors can initiate a CCfA

- You should therefore direct them to their local ward councillor **(STAGE 1)**
2. A ward councillor contacts you to say that they want to log a CCfA **(STAGE 2)**
    - CCfA must be logged with the Scrutiny Team, to whom the councillor should be directed (details below)
  3. A ward councillor may ask you to assist them in trying to resolve an issue that has been logged as a potential CCfA.
    - Once a councillor has logged a potential CCfA they are still required to try and resolve the issue. A CCfA will only be established when all other avenues have been exhausted, although councillors are encouraged to log the issue with the Scrutiny Team at an early stage. **(STAGE 3)**
    - You may be invited to attend meetings specifically set up by the Scrutiny Team to try to help a councillor resolve the issue.
  4. A Scrutiny Officer may contact you to seek clarification or further information on an issue that has been logged as a potential CCfA.
  5. Once it is accepted that the issue still remains unresolved, despite no stone having been left unturned, the matter will be referred, with the agreement of the Chairman, for inclusion on the agenda of the next O&S Committee meeting.
  6. Relevant officers might be asked to attend as a witness or submit written information to the O&S Committee **(STAGE 4)** or a subsequently convened CCfA Task Group **(STAGE 5)**.

You will be contacted by the Scrutiny Team if you are required to attend the O&S Committee or a CCfA Task Group or to provide written information.

7. Once the O&S Committee or CCfA Task Group has completed its work, recommendations will be sent to Cabinet. Arrangements will be made to monitor the progress of the recommendations agreed. You, or a member of your team, may be asked for a progress update by the O&S Committee, in the same way that the implementation of any other task group recommendations is regularly reviewed.

### **Any queries?**

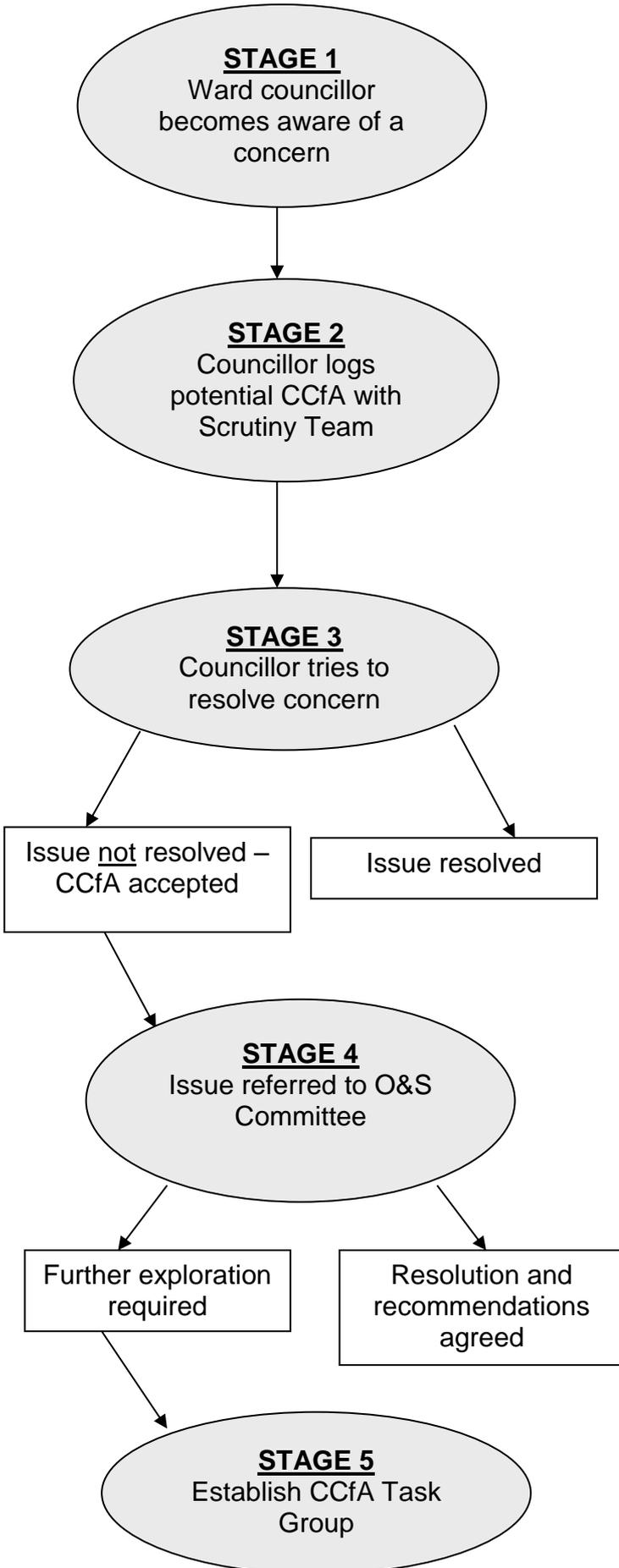
If you require any further information, please contact:

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**Councillor Call for Action - Process**



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**STAGE 3**

You should continue to try to resolve the issue, keeping the Scrutiny Officer (SO) up to date with any progress made. The SO will assist you in determining if everything possible has been done to resolve the concern. Your aim should be to get to a stage where you can demonstrate that no stone has been left unturned.

Once that is so, the matter will be referred for inclusion, with the agreement of the Chairman, to a meeting of the O&S Committee for full consideration.

**STAGE 4**

3. O&S Committee will hear evidence from all relevant contributors.
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**STAGE 5**

CCfA Task Group established

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## **What is a Councillor Call for Action (CCfA)?**

CCfA is a tool to help councillors carry out their work in their wards, to resolve issues and problems on behalf of their residents. It can be used to tackle problems, on a neighbourhood or ward specific basis, which it has not been possible to resolve through the normal channels.

CCfA is not guaranteed to solve a problem. However, CCfA can provide:

- ❑ Recognition that an issue is significant enough for time, attention and resources to be spent in trying to resolve it.
- ❑ A public forum for discussion of the issues.
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Issues that can be tackled by CCfA are usually persistent and have remained unresolved for a significant period of time. They may be issues that councillors are aware of from their work in the ward councillor or that they decide to champion on behalf of the public.

### **What does championing a request mean?**

Championing a request will mean that your local councillor will take the issue up on behalf of the community and try to resolve the problem by liaising with council officers, the Cabinet and/or outside agencies. S/he will need to do all that s/he possibly can to resolve the matter before it becomes a CCfA.

### **What if the councillor does not want to champion a request from a member of the public?**

If the ward councillor decides not to champion a request, no further action will be taken under a CCfA. There is no right of appeal by members of the public.

### **What is the process?**

Your local councillor will do all that they possibly can to resolve the matter. They are encouraged to 'leave no stone unturned'. If it is not possible to resolve the matter, despite the councillor's best efforts, the councillor will have to make representations to the council's Overview and Scrutiny Committee.

The committee will consider all the evidence and information available and will try to resolve the matter at one meeting. If that proves impossible and further work is required, the Committee will convene a CCfA Task Group (a small group of councillors) who will carry out further work on the issue and make recommendations about how it should be resolved. The recommendations will be passed, via the O&S Committee, to Cabinet, the council's executive decision-making body.

### **Who do I contact?**

If you wish to suggest something for consideration as a CCfA, you should contact your local ward councillor in the first instance – it is for councillors to take this forward.