

PROTOCOL FOR THE OPERATION OF COUNCILLOR CALL FOR ACTION

1. Introduction

1.1 Under the Council's Constitution, the Scrutiny Leadership Board may be requested to review ward issues by a Ward Member as a Councillor Call for Action. This protocol seeks to set out the process for Councillor Calls for Action, guidance for Ward Members and the proforma to fill out to request a Councillor Call for Action.

1.2 Councillor Call for Action (CCfA) has been introduced to support elected members in achieving improvements for their local areas. It is envisaged that it would help those Ward Councillors who have been unable to resolve problems in their particular wards by talking to the local authority and its partners, by allowing the Ward Councillor to refer the matter to the Scrutiny Leadership Board for consideration.

1.3 Key Principles:

The successful operation of CCfA will rely on several principles:

- CCfA will be a means of "last resort"; with issues being raised with the Scrutiny Leadership Board after all other avenues have been exhausted.
- CCfA can only be used in matters affecting a particular Ward area.
- It is a technique for helping to resolve issues, but it is not a panacea. Simply bringing issues to scrutiny through the CCfA process will not automatically produce a solution.

2. Operation

2.1 The Ward Councillor will come across a problem in their area; this may be through their own experience or via the experience of residents in their area who may approach them for help. The ward councillor will examine the issue and signpost on for:

- Requests for service;
- An individual complaint for an issue specific to an individual's experience of a specific service;
- Advise of bringing a petition.

2.2 If the issue cannot be solved using the methods above, the Ward Councillor will then, dependent on the issue, try to resolve the issue through a number of different avenues:

- Checking that the relevant complaints procedures have been complied with. If the resident's issue appears to be that of a standard service has not been provided, or not to a sufficient

standard, then the Councillor should check that the relevant complaints procedure has been used, and that the service provider has responded to the complaint.

- Approaching the local service manager. The issue may at its core be that residents feel that the standard service is not the right one for local conditions and, therefore, the matter may be a question of making some slight adjustments. The Ward Councillor would discuss the matter with the local service manager in an attempt to secure the change.
- Approaching relevant partnership bodies or local groups. If a matter requires attention from a number of different agencies acting in partnership, the Ward Councillor should contact the partner agencies to allow them an opportunity to resolve the issue.
- Approaching the relevant Cabinet Member or Members. The Ward Councillor may come to the conclusion that a resolution can only be found following a policy change, which would require a discussion with the relevant Cabinet Member or, if the issue is complex, Cabinet Members to allow them a chance to consider if a policy decision should be made.

2.3 Following the Ward Councillor's pursuit of one or all of these avenues, they may still be no nearer a resolution to the issue. They will need to consider whether the issue warrants consideration as a CCfA by the Scrutiny Leadership Board. Before initiating a CCfA the Ward Councillor will be expected to "filter" issues by either deciding that it does require further action through CCfA or that it does not as there is no compulsion for Ward Councillors to initiate a CCfA.

2.4 A Ward Councillor should consider the following when deciding if an issue warrants referral as a CCfA:

- I. Are the concerns individual complaints? If yes, this should be signposted to the complaints process.
- II. Do the concerns relate to an individual "quasi judicial" decision: Planning, Licensing, Education appeals, Housing appeals or Standards. Scrutiny is not appropriate for dealing with these kinds of concerns as they are subject to their own statutory appeals processes. However, patterns of issues may be appropriate to consider as a concern under CCfA – e.g. community concerns about the proliferation of licensed premises in a local neighbourhood.
- III. Are the concerns to do with the quality of public service provision across a number of different organisations or agencies? CCfA is not only for Scrutiny to look at issues of concern relating to council

services but to issues relating to all public services e.g. community safety, health issues or issues relating to local schools.

- IV. Has this concern already been taken through the CCfA process and someone is trying through another Ward Councillor? In which case you should automatically reject it as a CCfA, unless the issue has substantially changed in its nature to warrant reconsideration.
- V. Is the focus of concern on a neighbourhood or locality issue? CCfA focuses on neighbourhood or locality issues where you as the Ward Councillor can help resolve issues of concern in your ward. If the concern is of a more general nature e.g. about policy across Telford & Wrekin, it would not be appropriate for CCfA but you could still make a request to Scrutiny in the usual way for it to be considered as part of the Scrutiny work programme.
- VI. Is the issue a genuine local concern? You will want to make sure that the concerns in your Ward are genuine and not just individual “hobby horses”. Finding out the views of other residents in the Ward will help to clarify this.
- VII. Have all other mechanisms for resolution of the concern been used to the full extent:
 - discussing the issue with officers of the Council or other agency;
 - discussing the issue with the relevant Cabinet Member/s;
 - facilitating an informal discussion at an appropriate local forum;
 - raising the issue with locality based arrangements – like PACT meetings;
 - formally raising the concern with partnerships or partner agencies.
- VIII. Is the issue persistent and unresolved by Ward Members? Do you feel you have done everything within your power to remedy a community concern and have exhausted all mechanisms? Have you tried to resolve problem(s) with the aid of other agencies and partnerships but have been unsuccessful in finding an adequate solution? Then you are able to refer the issue(s) to Scrutiny as a CCfA but this should be the last resort.

3. Referral

- 3.1 In order to ensure that CCfA referrals are accurately recorded, the Ward Councillor will need to fill out a CCfA proforma. They should give a summary of the issue, why they think it constitutes a CCfA and what resolution they would like to see. It is very important that as much information is included as possible in order that the Chairman of the

Scrutiny Leadership Board can make an informed decision on whether this is a CCfA or not. Advice on filling in the proforma can be sought from the Head of Finance & Audit and the Scrutiny Manager.

- 3.2 Once the proforma has been filled in by the Ward Councillor this should be forwarded to the Customer Quality Team who will record receipt of the CCfA on the feedback system. And acknowledge receipt to the Ward Councillor. The Customer Quality Team will then forward the CCfA proforma to the Scrutiny Manager, the relevant Director and CEO of any relevant partner organisation.

4. Validity

- 4.1 The Chairman of the Scrutiny Leadership Board (or in their absence the Vice-Chairman) with advice from the Scrutiny Manager, will decide on validity of CCfA and inform the Ward Councillor calling the CCfA, Scrutiny Leadership Board and Director/other organisations to which matter relates.
- 4.2 In judging whether a CCfA is valid or not the Chairman will consider the following questions:
- I. Does the issue relate to an individual Ward?
 - II. Am I satisfied that reasonable attempts at resolution have been made by the Ward Councillor?
 - III. Has scrutiny or Cabinet Members considered a similar issue recently? If they have, has the issue substantially changed to warrant re-examination?
 - IV. Are there projects, reviews, audits or inspections already underway that are already considering the concern?
 - V. In the case of a crime & disorder issue, that the matter has been referred to the Safer and Stronger Communities Partnership for resolution?
 - VI. Have the relevant area committee structures been exhausted?
 - VII. Have relevant partners or Council service areas been informed and not responded?
 - VIII. Is there a more complex/strategic issue at the heart of it that could not be resolved at a lower level?
 - IX. Is the CCfA vexatious (refer to the guidance on vexatious under the Freedom of Information Act), discriminatory or unreasonable?
 - X. Could the issue raised in the CCfA be dealt with through an existing right of review or appeal e.g. planning appeals and licensing appeals? (If so then this would render the CCfA invalid except where the CCfA relates to a systematic failure of a Council function within these areas.)
- 4.3 Once the Chairman of the Scrutiny Leadership Board comes to a decision a letter will be sent from the Scrutiny Manager to the Ward Councillor confirming whether the CCfA is valid or not. If valid, the

letter will also confirm the date of the Scrutiny Leadership Board meeting to consider the issue.

- 4.4 The Scrutiny Manager will contact the relevant Director of the Service or Chief Executive of the partner agency to collect any further information available on the issue to be sent with the agenda for the Scrutiny Leadership Board meeting.

5. Scrutiny Leadership Board meeting

- 5.1 The Scrutiny Leadership Board will invite the Ward Councillor and relevant officers from the Council or its partner agencies to discuss the matter in more detail at a public meeting. The Scrutiny Leadership Board will either:

- I. Reject the CCfA in its entirety;
- II. Make recommendations to the Cabinet or Council for actions to be taken;
- III. Make recommendations to the Chief Executive Officer of a partner agency for actions to be taken;
- IV. Agree to undertake a Scrutiny Special Interest Meeting/spotlight review or in-depth review on the issue;
- V. Agree to hold a further meeting to discuss, where further evidence is required;
- VI. Or, where appropriate, a combination of the actions stated above.

6. Scrutiny Leadership Board decision/recommendation

- 6.1 The outcome of the meeting will be communicated to the Ward Councillor, Director and Chief Executive Officer of the partner agency, the Cabinet Member/s and the Customer Quality Team who will record the decision/recommendations and track their implementation/rejection. Updates will be provided to the Scrutiny Leadership Board as agreed.
- 6.2 Once all recommendations have either been implemented or rejected by the Cabinet/Council or partner agency the CCfA record will be closed.

COUNCILLOR CALL FOR ACTION (CCfA) PROCESS MAP

Ward Councillor becomes aware of a local problem or is approached by an individual resident or group of residents to help solve a local problem in their ward.

Ward Councillor assesses problem and sign posts local resident/s to the correct service area or partner organisation as either:

- a “request for service”;
- as an individual complaint through the complaints process;
- or through the petition process.

Where the above processes do not apply, the Ward Councillor will decide to seek improvement for the problem by approaching:

- Local service managers (both Borough Council or its partners)
- Community Organisations
- Senior Management (in the Borough Council or its partners)
- Cabinet Member

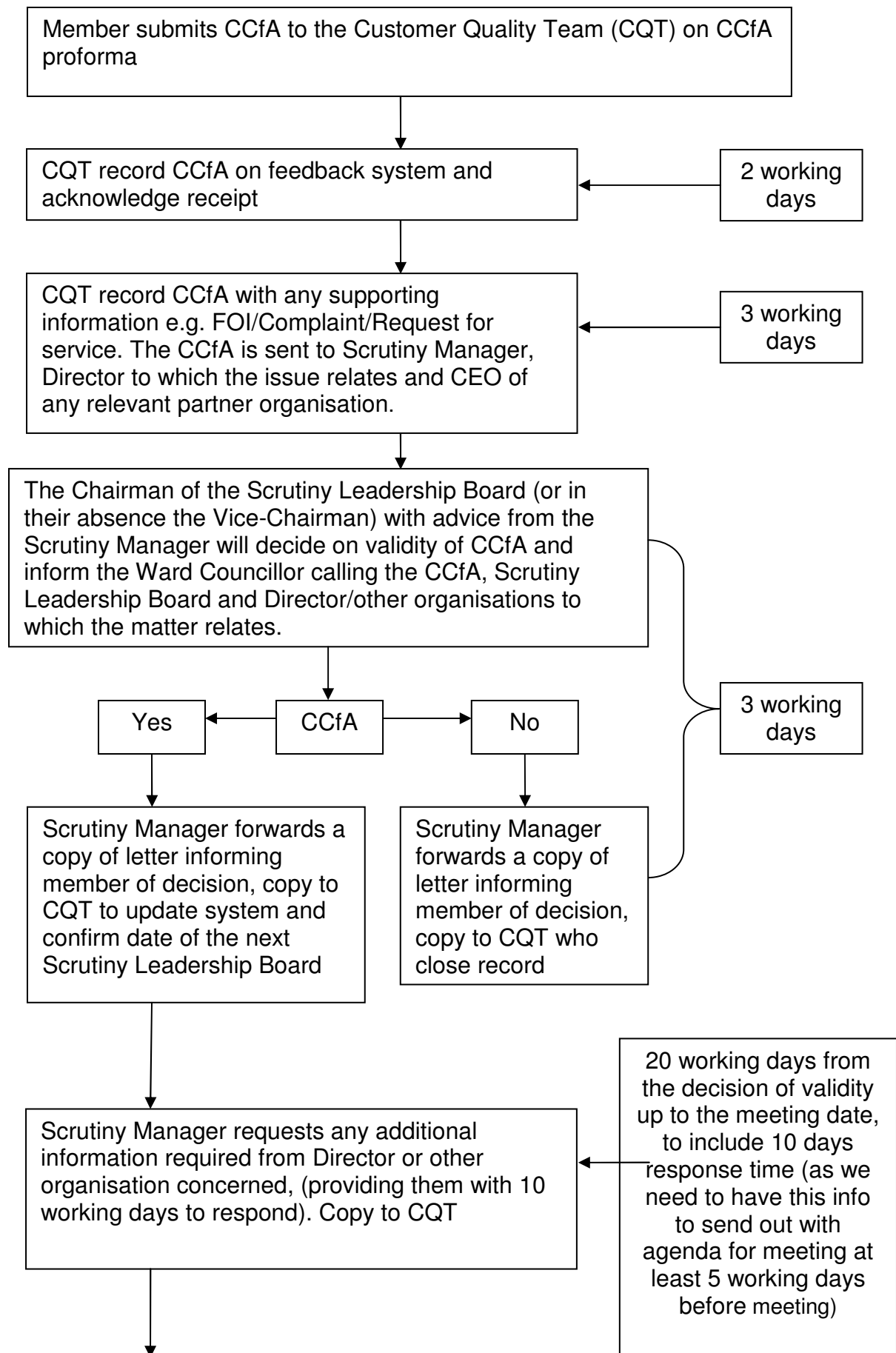
Ward Councillor is unable to resolve the matter locally

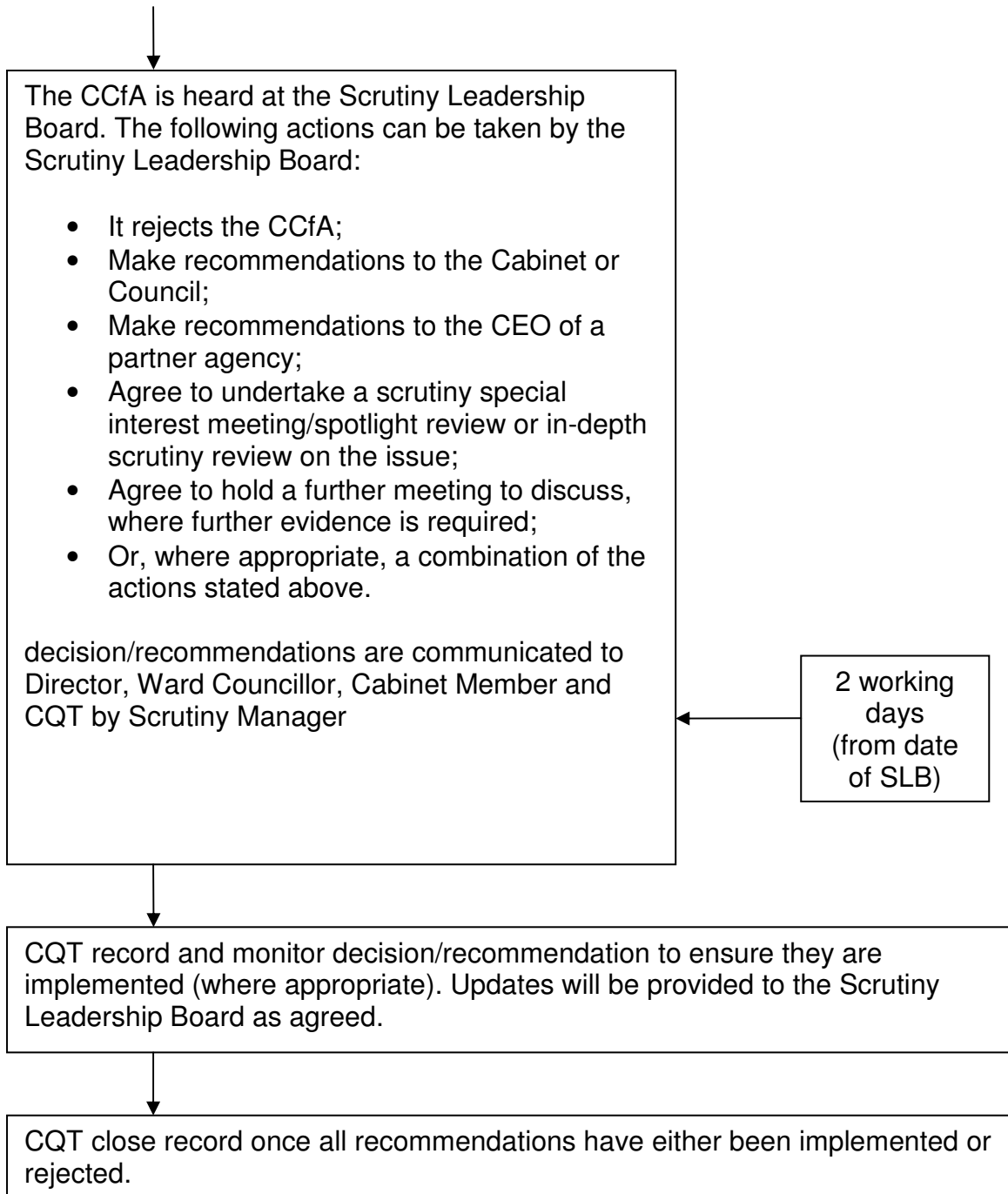
Ward Councillor is able to resolve the matter locally

Ward Councillor, after referring to the guidance, decides to refer the matter to Scrutiny Leadership Board (expected to be used as last resort)

Ward Councillor decides that this is the end of the matter and there is no value in referring to the Scrutiny Leadership Board as CCfA

Ward Councillor sets out in the CCfA proforma what the problem is, what action has already been taken by them, or others (this could be residents or other Ward Councillors), why they wish to refer the matter to the Scrutiny Leadership Board and what action they wish to see be taken.





**COUNCILLOR CALL FOR ACTION
PROFORMA**

Please forward this form to the Customer Quality Team, Telford & Wrekin Council, Civic offices, PO Box 215, Telford, TF3 4LF or via email on customer.quality@telford.gov.uk

Name of Member	Ward	Members Signature	Date

Summary of CCfA issue:

Summary of why this constitutes a CCfA:

Details of the resolution being sought

Please indicate if this issue has been responded to previously via any of the following processes.

Process	Yes/No	Outcome
Complaints Procedure		
Freedom of Information Enquiry		
PACT meeting		
Member Enquiry		
MP Enquiry		
Petition		
Parish enquiry		

Details of other actions taken:

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This part of the form to be completed by the Chairman of the Scrutiny Leadership Board, or in his or her absence the Vice-Chairman:

Date CCfA received	
Does this constitute a CCfA? (reasons to be given if not)	
If so, date of the Scrutiny Leadership Board meeting to which it will be presented.	
What, if any information is required from the Portfolio or other organisation concerned?	
Date of request to the Director of Portfolio or other organisation concerned for this information.	

Signature of Chairman/Vice-Chairman of the Scrutiny Leadership Board	
Date	

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