

BROMSGROVE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY BOARD

1st March 2011

COUNCILLOR CALL FOR ACTION PROCEDURE

Relevant Portfolio Holder	Councillor G. N. Denaro
Relevant Head of Service	Claire Felton – Legal, Equalities and Democratic Services
Non-Key Decision	

1. SUMMARY OF PROPOSALS

- 1.1 This report is to brief Members of the Overview and Scrutiny Board on the statutory provision for Councillor Call for Action and to agree guidelines.

2. RECOMMENDATIONS

- 2.1 a) that Members note the requirements and role of Councillor Call for Action; and
b) that the Councillor Call for Action Guidelines, attached at Appendix 1 of this report, be agreed.

3. BACKGROUND

- 3.1 The “Councillor Call for Action” (CCfA) was introduced under Section 119 of the Local Government and Public Involvement in Health Act 2007 (the Act), and came into force on 1st April 2009. The statutory requirement to implement CCfA by 1st April 2009 applied to all councils in England (with the exception of parish councils) regardless of their Executive arrangements.
- 3.2 Legislation and guidance has left it to Councils to develop local CCfA procedure that best suit individual Councils, although it is expected that a local authority would agree a single process for operating CCfA. Best Practice guidance on the scrutiny of local government matters has been published by the Centre for Public Scrutiny/Improvement and Development Agency, which covers CCfA and this guidance has been used in the preparation of these guidelines.
- 3.3 The Act enables any Member of the Council to refer to the Overview and Scrutiny Board any local government matter or any crime and disorder matter which affects their ward or division.
- 3.4 The power to refer a matter is available only where the matter is of direct concern to the ward or division which the councillor represents. A councillor can refer a matter even if no resident has asked him/her to consider it, and

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there is no requirement for councillors in multi-member wards to agree – any of them can refer a matter.

- 3.5 CCfA is therefore a process which puts local councillors at the forefront of dealing with issues of concern in local communities. It gives councillors a central role in calling to account the work of Council services and other agencies at a local level. When concerns are identified (either as a result of information from individuals, community groups or a councillors' own observations), councillors should be able to trigger a response from service providers and help ensure that the concerns are dealt with. As a last resort, when a problem cannot be solved, the CCfA can enable the councillor to trigger a local scrutiny review.

4. KEY ISSUES

- 4.1 The CCfA is intended to provide greater emphasis to the vital work undertaken by councillors in the community and to further increase the accountability of public service providers to local communities.
- 4.2 The Community Involvement in Local Democracy Task Group which reported its findings to the Overview Board in June 2010 also made reference to CCfA and recommendation 2 of that report asked that:

“the Council adopt a procedure for dealing with Councillor Calls for Action to work in concert with the procedures for Councillor Casework Enquiries and providing recourse to Overview and Scrutiny.”

The production of these procedure guidelines has enabled that recommendation to be completed.

5. FINANCIAL IMPLICATIONS

- 5.1 None for the purpose of this report.

6. LEGAL IMPLICATIONS

- 6.1 As referred to in the body of the report.

7. POLICY IMPLICATIONS

- 7.1 None for the purpose of this report.

8. COUNCIL OBJECTIVES

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8.1 This report does not link directly to Council objectives.

9. RISK MANAGEMENT INCLUDING HEALTH & SAFETY CONSIDERATIONS

9.1 None for the purpose of this report.

10. CUSTOMER IMPLICATIONS

10.1 Councillor Call for Action is a process which can only be activated by elected Members. There are therefore no direct customer implications.

11. EQUALITIES AND DIVERSITY IMPLICATIONS

11.1 There are no equality and diversity implications directly relating to this report.

12. VALUE FOR MONEY IMPLICATIONS, PROCUREMENT AND ASSET MANAGEMENT

12.1 There are no value for money implications directly relating to this report.

13. CLIMATE CHANGE, CARBON IMPLICATIONS AND BIODIVERSITY

13.1 None for the purpose of this report.

14. HUMAN RESOURCES IMPLICATIONS

14.1 None for the purpose of this report.

15. GOVERNANCE/PERFORMANCE MANAGEMENT IMPLICATIONS

15.1 None for the purpose of this report.

16. COMMUNITY SAFETY IMPLICATIONS INCLUDING SECTION 17 OF CRIME AND DISORDER ACT 1998

16.1 None for the purpose of this report.

17. HEALTH INEQUALITIES IMPLICATIONS

17.1 None for the purpose of this report.

18. LESSONS LEARNT

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18.1 None for the purpose of this report.

19. COMMUNITY AND STAKEHOLDER ENGAGEMENT

19.1 None for the purpose of this report.

20. OTHERS CONSULTED ON THE REPORT

Portfolio Holder	Yes
Chief Executive	No
Executive Director (S151 Officer)	No
Executive Director – Leisure, Cultural, Environmental and Community Services	No
Executive Director – Planning & Regeneration, Regulatory and Housing Services	No
Director of Policy, Performance and Partnerships	No
Head of Service	Yes
Head of Resources	No
Head of Legal, Equalities & Democratic Services	Yes
Corporate Procurement Team	No

21. WARDS AFFECTED

All

22. APPENDICES

Appendix 1 – Councillor Call for Action Guidelines

23. BACKGROUND PAPERS

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Centre for Public Scrutiny – CCfA Best Practice Guidance

24. KEY

None

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