

BRIEFING PAPER NO. 3 – COUNCILLOR CALL FOR ACTION

Executive Summary

This Briefing Paper sets out the Council's provisions for 'call for action' items raised by Councillors. The paper forms part of the Council's programme for elected member learning and development.

It is intended to bring to future meetings of the Committee 'bite-size' briefing papers on the different roles and functions of the Councillors appointed to the Committee, including elements of the Council's Tool Kit and the submission of topics for scrutiny review. As well as considering this briefing paper, Councillors are invited to identify any further topics/functions that would benefit from being the subject of a briefing paper at a future meeting.

The Councillor Call for Action provides Members with the opportunity to ask for discussions at Overview and Scrutiny Committees on issues where local problems have arisen and where other methods of resolution have been exhausted.

Recommendations

The Committee is requested to:

RESOLVE That the Briefing Paper be noted.

The Committee has the authority to determine the recommendation set out above.
--

Background Papers: None.

Reporting Person: Frank Jeffrey, Democratic Services Manager
Email: frank.jeffrey@woking.gov.uk, Extn: 3012

Contact Person: Frank Jeffrey, Democratic Services Manager
Email: frank.jeffrey@woking.gov.uk, Extn: 3012

Date Published: 6 July 2018

1.0 Introduction

- 1.1 This Briefing Paper has been drawn up to inform the Members of the Overview and Scrutiny Committee, and the Members of the Council as a whole, of the Council's procedures for Councillor Call for Action.

2.0 What is Councillor Call for Action?

- 2.1 The Councillor Call for Action provides Members with the opportunity to ask for discussions at the Overview and Scrutiny Committee on issues where local problems have arisen and where other methods of resolution have been exhausted. The powers are to help Ward Councillors to tackle local problems on behalf of their constituents (as a last resort) when all other avenues have failed to resolve the issue.
- 2.2 The power is limited to issues affecting a single ward and any Councillor can make a Councillor Call for Action irrespective of their existing role on the Council. It can be about any issue of the Councillor's choice, regardless of which organisation is responsible, subject to statutory exceptions (for example if the matter is the subject of an existing complaint or is vexatious in its nature). The process is not designed to provide an immediate solution but will allow a high profile public discussion of the issue.

3.0 The Council's Arrangements for Councillor Call for Action

- 3.1 Under the Council's arrangements, the Overview and Scrutiny Committee will consider a Councillor Call for Action that:

- has been submitted in relation to a matter that affects a single Ward;
- has been submitted by a Councillor from the Ward affected;
- is in relation to a Local Government matter;
- demonstrates that all existing avenues have been exhausted and that this is a matter of a 'last resort';
- has been submitted on the Councillor Call for Action Request Form;
- adheres to the process set out in the flow diagram; and
- states the nature of the issue, what action has been taken to resolve the issue, an outline of the resolution to the problem being sought, and an indication of any other organisations involved in the Councillor Call for Action.

- 3.2 The flow diagram set out at Appendix 1 seeks to ensure that the Councillor has exhausted all other avenues in seeking to resolve an issue and that the Call for Action is a 'last resort'. Such avenues are to include discussing the matter with the relevant CMG member, Senior Manager or Portfolio Holder, and with any organisations which could assist. In addition, the issue must fall outside the statutory exclusions for a Call for Action.

- 3.3 The Overview and Scrutiny Committee will not consider a Councillor Call for Action that:

- Is a vexatious, persistent, unreasonable or discriminatory request; and
- Is in relation to a Planning, Licensing or Regulatory application.

- 3.4 The following process has been adopted for a Councillor Call for Action:

Step 1 – Ensure the issue qualifies as a Call for Action.

Briefing Paper No. 3 – Councillor Call For Action

The Ward Councillor should initially apply the criteria for a Call for Action, as set out in the Flow Chart at Appendix 1, ensuring that the issue qualifies.

Step 2 – Call for Action Form

A Councillor Call for Action form must be completed by the Ward Councillor and submitted to the Democratic Services Team. A form has been drawn up to cover all the main points of a Call for Action, including:

- The nature of the issue;
- What action has been taken to resolve the issue;
- An outline of the resolution to the problem being sought; and an indication of any other organisations involved in the Councillor Call for Action.

A copy of the form is set out at Appendix 2.

Step 3 – Chairman's Consideration

The Chairman of the Overview and Scrutiny Committee determines whether or not a Call for Action is considered. This will be based on ensuring that all other avenues have been exhausted, and that the statutory exclusions have been considered. In considering a Call for Action, the Chairman must take into account the potential resource implications.

In the event a Call for Action is submitted by the Chairman in his or her role as a Ward Councillor, the Vice-Chairman of the Overview and Scrutiny Committee will determine whether or not the Call for Action is considered.

Step 4 – Initial Report to the Committee

The Overview and Scrutiny Committee will receive an initial report which will enable the Members to determine the appropriate priority in its work programme, taking into account the outcome sought, potential resource implications and whether and when to include the request in the Committee's Work Programme.

This report will be drawn up by a Democratic Services Officer in consultation with the Chairman of the Overview and Scrutiny Committee (or, in the event a Call for Action is received from the Chairman of the Committee, in consultation with the Vice-Chairman). Further Officers may be consulted at this stage if necessary.

Step 5 – Recommendations of the Committee

Once in the Work Programme, a report will be prepared for the Committee on the Call for Action which will set out a recommended resolution to the request. Consideration will be given to comments from partner organisations, evidence from appropriate experts and any other relevant information.

The report for the Committee will be drawn up through the appropriate Senior Manager in consultation with the Chairman of the Committee. Support may be provided by Democratic Services. Depending on the nature of the Call for Action, it may be necessary to consult partner organisations or appropriate experts.

Step 6 – Seeking a Resolution

The recommendations of the Committee will be submitted to the Executive (or to other partner organisations, if relevant).

Step 7 – Monitoring of Recommendations.

Briefing Paper No. 3 – Councillor Call For Action

The Overview and Scrutiny Committee will be responsible for the monitoring of the implementation of the decisions taken.

- 3.5 The full process to be followed is set out in the flowchart at Appendix 1 and is set out in the Overview and Scrutiny Committee Procedure Rules within the Constitution.

4.0 Implications

Financial

- 4.1 Any requests received for a Councillor Call for Action will be considered individually and may have financial implications.

Human Resource/Training and Development

- 4.2 There are no human resource implications arising from this report, which forms part of the Council's overarching approach to Member learning and development.

Community Safety

- 4.3 There are no community safety implications arising from this report.

Risk Management

- 4.4 There are no risk management implications arising from this report.

Sustainability

- 4.5 There are no sustainability implications arising from this report.

Equalities

- 4.6 There are no equality implications arising from this report.

Safeguarding

- 4.7 There are no safeguarding implications arising from this report.

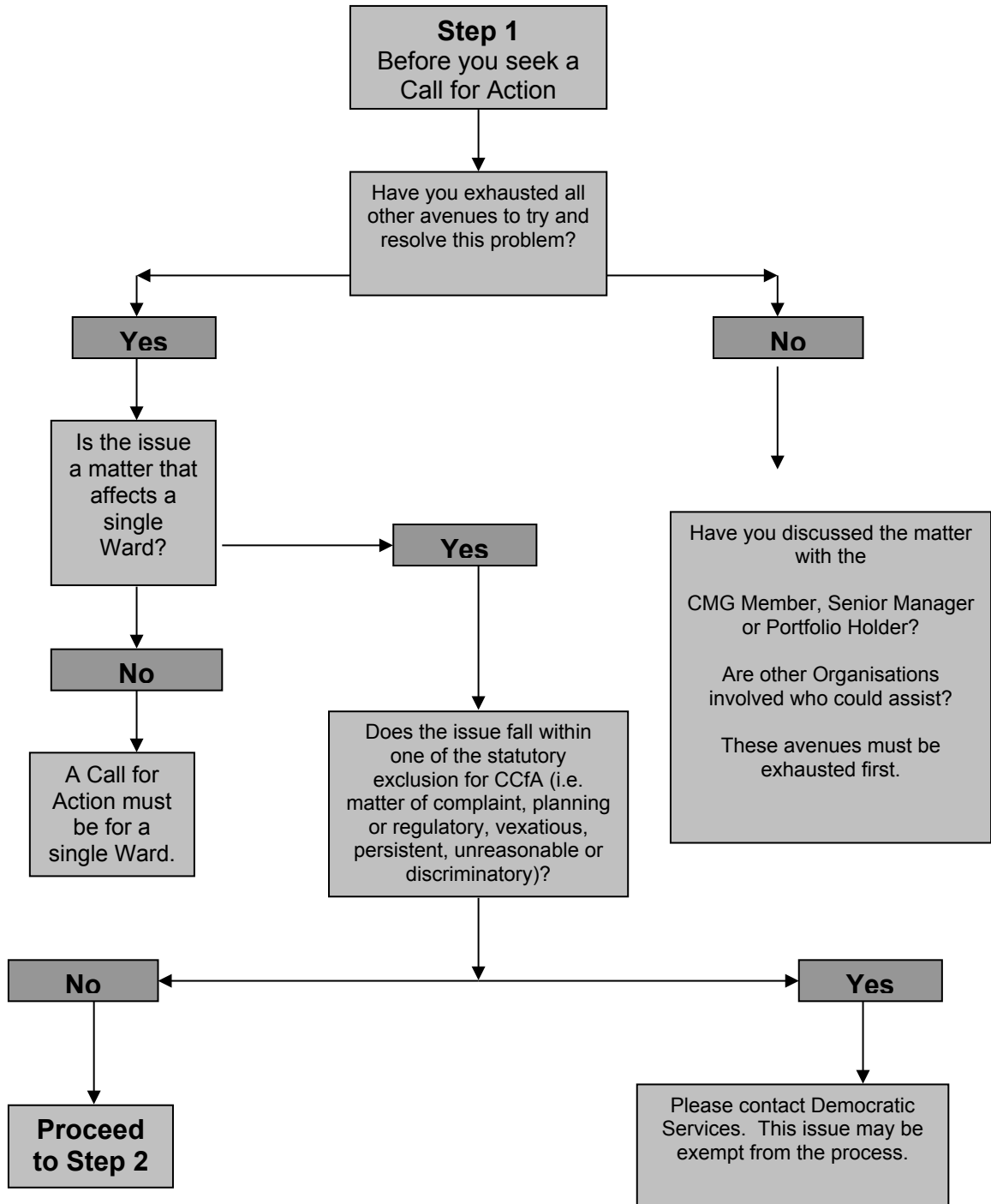
5.0 Conclusions

- 5.1 This Briefing Paper sets out the Council's provisions for 'call for action' items raised by Councillors. The paper forms part of the Council's programme for elected member learning and development.
- 5.2 It is intended to bring to future meetings of the Committee 'bite-size' briefing papers on the different roles and functions of the Councillors appointed to the Committee. Future briefing papers will look at the provisions within the Council's Tool Kit and arrangements for questions to be raised through the Committee. In addition, Councillors are invited to identify any further topics/functions that would benefit from being the subject of a briefing paper at a future meeting.

REPORT ENDS

The following is a step process for the operation of a Councillor Call for Action. A Councillor Call for Action is a 'last resort' option for Councillors to have a matter reviewed by the Overview and Scrutiny Committee. It is a process to assist in tackling Ward based community problems on behalf of constituents.

The following diagram should assist in preparing a Councillor Call for Action:



Step 2 Call for
Action Form

In completing the form you should:

- State what the issue is;
- State what action has been taken to resolve the issue;
- Include an outline of the resolution being sought;
- Indicate any other organisations that are involved in the CCfA
- **Send your completed form to Democratic Services.**

Step 3 Chairman's
consideration of
the CCfA Form

The Chairman of the Overview and Scrutiny Committee determines whether or not to accept the CCfA for consideration

In doing so he will ask if:

- All existing options to resolve the problem have been exhausted;
- There are potential resource implications in the Committee's work programme to accommodate the CCfA; and
- The statutory exclusions have been considered eg subject of a complaint, vexatious, persistent, unreasonable or discriminatory.

In the event a Call for Action is submitted by the Chairman, the Vice-Chairman will determine whether or not the Call for Action is considered.

Step 4 Overview
and Scrutiny
Committee

The Initial Report allows the Committee to determine the appropriate priority in its work programme for the CCfA.

It will include information on:

- What the Councillor is requesting as the proposed outcome (with an opportunity to speak on the item);
- Action taken prior to the Call for Action being made;
- Any other known information;
- Exclusions process information;
- Which organisation/ Business Managers would be affected;
- Potential resource implications; and
- Whether and when to include CCfA into the work programme.

Details of requests for a Call For Action which have been rejected by the Chairman will be reported to the Overview and Scrutiny Committee. The Committee will consider any representations by the Member responsible for the request and determine whether to uphold the Chairman's decision or agree that the Call for Action be taken forward.

Step 5 Overview
and Scrutiny
Committee

Once the CCfA is in the Committee's work programme it will receive:

- a report including the background to the CCfA;
- comments from partner organisations;
- other information submitted for consideration by the Committee; and
- evidence from appropriate experts.

The Committee will seek to recommend a resolution to the CCfA.

Step 6
Seeking a
resolution

The Overview and Scrutiny Committee makes recommendations to the Executive if it is a Council matter or to other partners. CCfAs may be about matters that cut across the remit of partner organisations. The Committee will send its recommendations direct to the organisation concerned.

The Committee might say that there is no action to be taken.

Step 7 Monitoring
of
Recommendation

The Overview and Scrutiny Committee will monitor the implementation of its 'recommendations'.

COUNCILLOR CALL FOR ACTION

REQUEST FORM



This form should be used by any Councillor at Woking Borough Council who would like the Overview and Scrutiny Committee to consider a Call for Action in their ward.

Subject of the Councillor Call for Action:

Would you like the opportunity to speak to the Overview and Scrutiny Committee?

Yes: ☐ No: ☐

Have you approached the Overview and Scrutiny Committee on the same issue in the past six months?

Yes: ☐ No: ☐

Why you think the issue should be looked at by the Overview and Scrutiny Committee:

Please give a brief synopsis of what the main areas of concern are:

What evidence do you have in support of your Call For Action:

Which areas or Community Groups are affected by the Call for Action:

Have you exhausted all avenues to resolve the issue?

Yes: ☐ No: ☐

Briefing Paper No. 3 – Councillor Call For Action

What action have you taken to resolve the issue:

Are there any deadlines associated with the Call for Action of which the Overview and Scrutiny Committee needs to be aware:

What outcomes would you hope for in making this Call for Action:

Is the Call for Action currently the subject of legal action by any party (to your knowledge) or is being examined by a formal Complaints' process?:

Yes:

☐

No:

☐

Councillor (print):

Signature:

Ward:

Date Submitted:

For Office Use Only:

Received by:

Received on: