

Councillor Call for Action

What is it?

The protocol is intended to enhance the Council's Overview and Scrutiny arrangements and provides a formal mechanism for enabling elected members to decide whether they have a valid Call for Action and details of how to lodge a Call for Action to seek positive outcomes for the citizens they represent.

Councillor Call for Action was introduced in April 2009 under Section 119 of the Local Government and Public Involvement in Health Act 2007. Whilst the existing statutory guidance remains, the Localism Act 2011 amended the provisions relating to Councillor Call for Action.

Reference to 'local government matters' has been removed, providing the opportunity for councillors to lodge Calls for Action on issues that relate to partnership business (so long as that business is within the scope of a committee's terms of reference).

The power to refer a matter is available only where the matter is of direct concern to the ward the councillor represents. A councillor can refer a matter even if a resident has not asked him/her to consider it.

Local health bodies and crime and disorder issues are subject to Councillor Call for Action through specific legislation. In Sandwell the Councillor Call for Action process covers all calls for action regardless of their legislative basis. The only difference in process will be that where a Call for Action relates to a 'crime and disorder' matter, the Police and Justice Act 2006 determines that such issues have to be dealt with by the designated 'Crime and Disorder Committee', which for Sandwell Council is the Community Safety, Highways and Environment Scrutiny Board.

Councillor Call for Action will be the last resort when other avenues to deal with an issue have been exhausted. As such, the process should make it easier for issues that would benefit from scrutiny to rise to the surface and for those issues which are best dealt with through other means to be signposted accordingly.

Ward councillors may be approached by residents in their ward to champion a Councillor Call for Action on their behalf. Members need to be well placed to explain that championing a Councillor Call for Action is the last resort and that a Councillor Call for Action is not guaranteed to resolve a problem. It is important for all people involved in a Councillor Call for Action to be aware that Scrutiny has no power to resolve issues and can only make recommendations to the Council's Executive or partner organisations.

The Councillor Call for Action is separate to the power given to certain councillors to place any item onto a Scrutiny agenda. Ward issues will now be treated under the Councillor Call for Action process and any other requests for an issue to be placed on a Scrutiny agenda will be dealt with according to the relevant section of the constitution.

Consideration of individual complaints is excluded from the Councillor Call for Action process. However, where there is evidence of a substantial number of similar complaints in a locality that suggest failure in service delivery, a Councillor Call for Action request would be appropriate, even if individual complaints are satisfactory resolved.

Source Documents

The Local Government and Public Involvement in Health Act 2007
The Localism Act 2011
The Police and Justice Act 2006
Councillor Call for Action, best practice guidance; Centre for Public Scrutiny and IDeA