

MANAGEMENT SCRUTINY COMMITTEE

REVIEW OF THE COUNCILLOR CALL FOR ACTION MECHANISM AND PROPOSAL FOR THE INTRODUCTION OF A SELECTION CRITERIA FOR DEALING WITH ISSUES OF LOCAL CONCERN

REPORT OF THE CHIEF EXECUTIVE

22 OCTOBER 2009

1. PURPOSE OF REPORT

- 1.1 To review the current Councillor Call for Action mechanism and suggest the introduction of a Selection Criteria for dealing with non-mandatory referrals for use by the Sunderland Partnership, Scrutiny Committees and Area Committees to address issues of local concern.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that on 1 April 2009, the Councillor Call for Action (CCfA) mechanism came into force namely through the Police and Justice Act 2006 and the Local Government and Public Involvement in Health Act 2007. Such provisions provide Members with the opportunity to ask for discussions on issues where local problems have arisen and where other methods of resolution have been exhausted.
- 2.2 In Sunderland, two local issues have been raised through the Councillor Call for Action (CCfA) mechanism and as a result of those referrals; it has become apparent that the current procedure should be reviewed to ensure both current and future CCfAs are addressed in a timely, open and transparent way.
- 2.3 Coincidentally, work is also being undertaken to develop the Scrutiny Committees' links with both the Sunderland Partnership and the Area arrangements, one of which is the signposting and escalation of local issues to the most appropriate body for resolution where appropriate.
- 2.4 It is therefore proposed that provision for the processing of non-mandatory referrals to Overview and Scrutiny be introduced through an agreed selection criteria which also reflects / combines the CCfA mechanism. As such the remainder of this report outlines proposed revisions to the existing CCfA mechanism along with the introduction of a selection criteria for dealing with issues triggered either by the non-mandatory / Councillor Call for Action referral routes.

3. PROPOSED INTRODUCTION OF A REFERRAL CRITERIA / SUGGESTED REVISIONS TO THE CURRENT COUNCILLOR CALL FOR ACTION PROCEDURE

- 3.1 On a practical level, consideration has been given as to how best to implement a 'referral' mechanism within existing policies and practices to escalate / re-direct issues of local concern either raised by an Elected Member/Committee, member of the public or external partner to the appropriate body namely the Sunderland Partnership and the City Council's Scrutiny and Area Committees.
- 3.2 To assist those bodies in determining the appropriateness of undertaking an investigation triggered either by the non-mandatory / CCfA referral route, the following selection criteria is proposed for future use by such bodies, at the point of the referral being considered to the next available meeting:-
- (i) Clear evidence that reasonable attempts have been made to resolve the issue with relevant partners / council departments?
 - (ii) Has a significant impact on a group of people living within the Sunderland area;
 - (iii) Relates to a service, event or issue in which the Council has direct responsibility for, significant influence over or has the capacity to act as public champion;
 - (iv) Not be an issue which overview and scrutiny and area arrangements have considered during the last 12 months (unless circumstances have changed substantially);
 - (v) Not relate to an on-going service complaint or petition (including the ability to exclude any matter which is vexatious, discriminatory or not reasonable) ; and
 - (vi) Not relate to matters dealt with by another Council committee, unless the issue deals with procedure and policy related issues.
- 3.3 The proposed selection criteria outlined above, clearly makes provision for the processing of referrals to be undertaken in an open and transparent way and provides a formal record as to whether the issue is worthy of further investigation together with the agreed course of action and any associated / prescribed timescales.
- 3.4 In response to Members observations in relation to the two local issues which have been raised through the existing Councillor Call for Action procedure, it is proposed that the current procedure will be strengthened through the introduction of such selection criteria and that any future CCfAs will be reported to the next available meeting of the Management Scrutiny Committee for consideration.

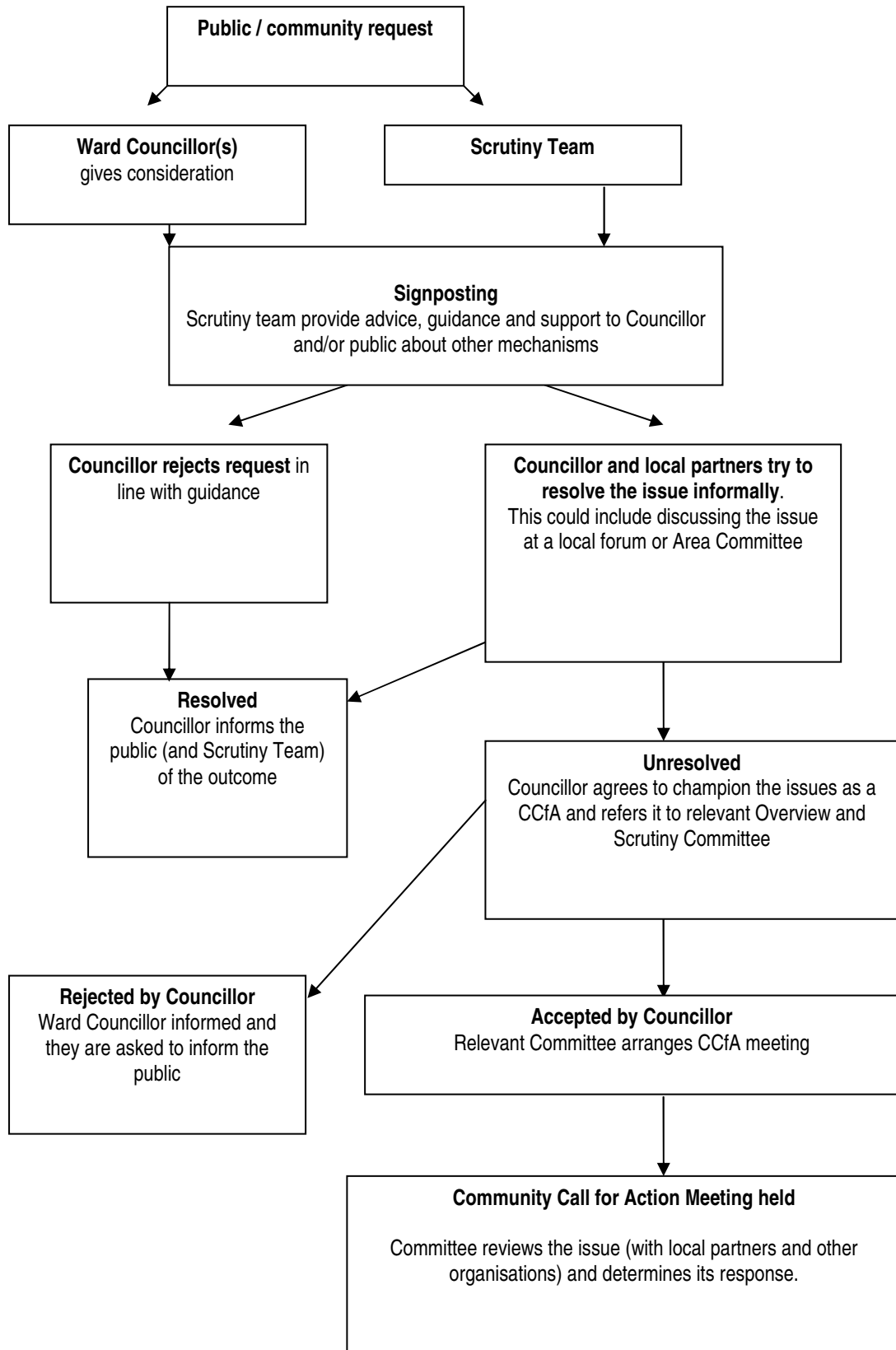
- 3.5 For ease, **Appendix A** outlines the current CCfA procedure and **Appendix B** details the revised procedure for determining the appropriateness of undertaking a scrutiny investigation triggered either by the non-mandatory / Councillor Call for Action referral route.
- 3.6 Furthermore, it should be noted that the Councillor Call for Action measure requires **the Councillor to use every available tool to resolve the issue in the first instance without involving the Management Scrutiny Committee, therefore any additional burden should be minimal as the mechanism is designed as a last resort after all other avenues have been exhausted.**

4. RECOMMENDATIONS

- 4.1 It is recommended that the Management Scrutiny Committee:-
- (a) endorses the introduction of the selection criteria for determining the appropriateness of undertaking an investigation triggered either by the non-mandatory referral / Councillor Call for Action route;
 - (b) incorporates the revised procedure within the existing Scrutiny Handbook, following consideration by the six Scrutiny Committees; and
 - (c) determines the appropriateness of the two local issues which have been raised through the existing Councillor Call for Action (CCfA) being reported to this Committee for further consideration.

APPENDIX A

CURRENT COUNCILLOR CALL FOR ACTION PROCEDURE



**PROPOSED NEW PROCEDURE FOR THE CONSIDERATION OF
NON-MANDATORY / COUNCILLOR CALL FOR ACTION REFERRALS TO
OVERVIEW AND SCRUTINY**

