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# Stroud District Council

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## Councillor Call for Action

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This protocol sets out how elected members of Stroud District Council can make use of the Councillor Call for Action.

## **Councillor Call for Action**

### **1 What is a Councillor Call for Action?**

1.1 The prime aim of the Councillor Call for Action (CCfA) is to support elected members in achieving improvements for their local areas. In their day to day roles councillors identify issues of significant concern to their communities. They seek to resolve problems by talking to the Council and other service providers. If they cannot resolve a particular issue by talking to officers, fellow Councillors or the Monitoring Officer, they are able to refer it to a relevant committee for further investigation.

### **2 Outline of the process**

2.1 The CCfA is deemed to be an option of “last resort”. A CCfA will only be included on the relevant Committee agenda if the Chair, in consultation with the Chief Executive or Monitoring Officer is satisfied that:

- the councillor has made all reasonable efforts to resolve the matter via direct liaison with council officers and/or relevant partners; and
- the issue of concern is a matter in respect of which the council has a statutory power or duty to deal with and is not precluded by adopted council policy or legislation; and
- the CCfA does not, in any event, relate to:
  - any matter relating to a planning decision;
  - any matter relating to a licensing decision;
  - any Council Tax/Housing Benefit complaints and queries;
  - any matter relating to an individual or entity in respect of which that individual or entity has a right of recourse to a review or right of appeal conferred by or under any enactment;
  - any matter which is vexatious, discriminatory or not reasonable to be included in the agenda for, or to be discussed at, a meeting of a Committee

2.2 A valid CCfA will be considered at the next scheduled meeting of the Committee which will agree a resolution for the CCfA.

### **3 Activity to resolve issue**

3.1 Before referring a matter to a Committee, Councillors must have made use of existing mechanisms and exhausted these. The emphasis is on Councillors resolving issues at an early stage by making use of existing local mechanisms. The CCfA is not a mechanism to bring frivolous or minor issue to a committee meeting and the Chair and Vice Chair of the relevant committee will be mindful of this in determining if the CCfA is appropriate.

3.2 Councillors will need to be able to demonstrate that they have taken reasonable steps to resolve the matter. Appendix 1 provides some guidance on the sorts of activity that

it is expected that a councillor will have undertaken before making a request to the Committee.

#### **4 Referral to Committee**

4.1 If the Councillor is unable to resolve the matter, then they will be able to refer the matter to the relevant Committee in accordance with the process set out in paragraph 2 above.

4.2 Councillors will be expected to exercise some judgment over what is referred to the Committee. Issues that should be referred are those which have wider policy or strategic implications, are indicative of a broader issue or are particularly problematic.

4.3 If a Councillor is satisfied that they have a viable CCfA, they should notify the Chief Executive in writing.

4.4 The Chair and Vice Chair of the relevant Committee, in consultation with the Chief Executive or Monitoring Officer will consider the request and inform the Councillor whether they accept the CCfA. Reasons the Chair and Vice Chair may not agree to take the CCfA forward to the Committee could include:

- Insufficient information has been provided
- More could be done to resolve the issue at a local level
- The CCfA is, or has stemmed from, a vexatious complaint
- The matter has recently been examined
- The matter is the subject of an ombudsman complaint or other official complaints procedure.
- The matter falls under excluded matters. For example: planning and licensing appeals.

4.5 The Councillor has the opportunity to reply to the Chair and Vice Chair with further information to substantiate the CCfA.

4.6 If the CCfA is accepted, the relevant Members, senior officers and partners will be notified by the Chief Executive or Monitoring Officer.

#### **5 Determining how each CCfA is to be handled**

5.1 To allow the Chair and Vice Chair of the relevant Committee to make an informed decision, it is suggested that they hold a meeting with the relevant Councillor to agree how the CCfA is to be handled. This meeting would be an opportunity for them to agree the key questions to be answered, the information required, who needs to be involved and the timescale.

5.2 Relevant partners, Members and senior officers should be involved in the CCfA at an early stage. It is necessary to get a balance between involvement to resolve issues at the earliest opportunity and not involving people unnecessarily.

5.3 It is also a critical part of the process in making sure that Councillors are fully aware of the roles, responsibilities and priorities of the organisations concerned. This should help to ensure that neither the public nor Councillors have unrealistic expectations of what can be achieved.

## **6 Role of the relevant Committee**

- 6.1 The subject matter for the CCfA will be the subject of a report from the relevant Head of Service, with such supporting information and evidence as is reasonably available. If the matter also or exclusively entails consideration of information held by another public body or partner, an appropriate representative shall be invited to the Committee meeting to provide that information, make representations, or answer questions
- 6.2 The relevant Committee will hear from relevant witnesses, including the Councillor submitting the CCfA.
- 6.3 A ward councillor may address the Committee in respect of the CCfA, usually this will be for a period of 10-15 minutes but can be longer at the discretion of the Chair.
- 6.4 The Committee may also consider representations from any citizens of the ward affected by the CCfA, subject to the discretion of the Chair.
- 6.5 Upon hearing all the evidence the Committee will determine the matter as follows:
  - Write a report setting out the Committee's findings and recommendations
  - Decide that it is a complex issue requiring further investigation and refer the matter to another body for a more detailed review. Decide not to make a report and take no further action.
- 6.6 The CCfA will be considered in public session unless consideration of the issues involves the disclosure of exempt or confidential information as defined by the Access Procedure Rules of this Constitution.
- 6.7 Where Members and partners are requested to take action to resolve a particular issue they will be asked to make a formal response to a future meeting of the relevant Committee.

## Appendix 1

### **Examples of the steps which a Councillor could be expected to have taken before submitting a Councillor Call for Action.**

- 1 The relevant complaints procedures have been complied with.

If the issue appears to be that a standard service has not been provided, or not provided 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.

- 2 The Head of Service has been approached.

The issue may at its core be that local people 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 at management's discretion. The Councillor would therefore be expected to have discussed the matter with the Head of Service in an attempt to secure the change. Again, this could apply across the range of partner agencies.

- 3 Relevant partnership bodies or local groups have been approached.

It is more likely though that matters which merit a Councillor Call for Action are more complicated than the former examples. One likely possibility is that the matter requires attention from a number of agencies acting in partnership. The Councillor should in such cases demonstrate that local partnership bodies have had an opportunity to respond.