

<b>Meeting:</b>	Overview and Scrutiny
<b>Date:</b>	16 March 2009
<b>Subject:</b>	Councillor Call for Action CCfA
<b>Responsible Officer:</b>	Tom Whiting, Assistant Chief Executive
<b>Exempt:</b>	No
<b>Enclosures:</b>	IDEA best practice guidance on the CCfA Harrow's proposed mechanism for CCfA Corporate Complaints Policy

## Section 1 – Summary and Recommendations

### **Recommendations:**

That Overview and Scrutiny Committee:

1. Note the report
2. Advise the officer working group<sup>1</sup> of any local issues around implementing CCfA, as a consequence of O&S discussions, which may affect the practical implementation of CCfA
3. Endorse that the officer group progress local plans around CCfA implementation.

### **Reason: (For recommendation)**

The report sets out a proposed mechanism for adoption of a Councillor Call for Action, in line with that envisaged in the Local Government and Public Involvement in Health Act 2007 and the Police and Justice Act 2006.

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<sup>1</sup> Desiree Mahoney, Policy and Partnerships; Nahreen Matlib/Heather Smith, Scrutiny; Ian Pearce, Community Safety; Phillip Mears, Complaints Manager; Claire Vincent/Elaine McEachron, Legal and Governance Services

## **Section 2 – Report**

### **2. Background**

2.1 The Local Government & Public Involvement in Health Act 2007 and the Police and Justice Act 2006 identified and set out the need for local authorities to adopt a Councillor Call for Action (CCfA) process in order to capture issues arising from local communities and ensure that the Council were able to respond accordingly.

2.2 The CCfA provides elected members with the opportunity to ask for discussions at scrutiny committees on issues where local problems have arisen when all other routes may have failed.

### **3. Current situation**

3.1 The Improvement and Development Agency (IDeA) have issued some best practice guidance on the CCfA and a copy of the guidance documents is attached as Appendix 1 of this report.

3.2 The process of CCfA should always be viewed as a measure of last resort – if the usual channels identified below for resolving an outstanding matter have been pursued without success:

- Responsive front line services
- Effective community consultation mechanisms
- Effective engagement with residents in general ward matters and in the planning of issues/services-before the 'complaint' has arisen
- Effective and accessible processes for handling complaints and day-to-day interactions are sufficiently robust to ensure that this is the route through which the vast majority of residents' concerns are addressed.
- Effective mechanisms for handling crime and disorder issues
- Effective appeals procedures and mechanism for responding to formal petitions
- Role and capacity of ward members – communicating the role to residents to ensure that majority of issues of concern are dealt with through ward case management and are not escalated, thereby preventing overload and ensuring residents receive a positive response.

3.3 Matters which are 'vexatious, or discriminatory or not reasonable to be included in the agenda' of O&S can be excluded from CCfA. Complaints, unless they are complaints which indicate a systematic failure of a process, are also excluded as are planning and licensing appeals and other matters where there is an alternative avenue to resolve the issues.

The Council is in the process of implementing a new complaints policy which is designed to make it easier for customers to make their complaints and to improve our approach to recording and learning from complaints. An overview of our new complaints process is set out in appendix 3.

3.4 Overview and Scrutiny Procedure Rule 13.5 of the Council's Constitution already offers a means whereby members of the Overview and Scrutiny Committee can request that items be included on the agenda of the Committee. Members can also request the call-in of an Executive decision if they consider it does not comply with the principles of decision making. CCfA will provide a further route for bringing issues to Overview and Scrutiny.

#### 4. Why a change is needed

4.1 Change is driven by the introduction of new legislation and forthcoming guidance.

4.2 A proposed CCfA mechanism has been drafted and is attached at Appendix 2.

#### 5. Implications of the Recommendation

##### 5.1 Equalities impact

CCfAs are intended to provide members with a means of bringing issues to the attention of O&S. This will be a potential benefit to all the communities of Harrow.

##### 5.2 Legal comments

The Council will have a legal responsibility to consider any CCfA which it receives and which are not covered by the exclusions.

#### 6. Financial Implications

6.1 None arising from this report. There will be cost implications if Overview and Scrutiny are required to consider CCfA but these cannot at this time be quantified.

### Section 3 - Statutory Officer Clearance

Name: Sheela Thakrar.....	<input checked="" type="checkbox"/>	on behalf of the Chief Financial Officer
Date: .....10 March 2009...		
Name: ...Helen White .....	<input checked="" type="checkbox"/>	on behalf of the Monitoring Officer
Date: .....9 March 2009...		

## Section 4 - Contact Details and Background Papers

Contact: Desiree Mahoney ext 2390

Background Papers:

**Appendix 1** IDeA best practice guidance on the CCfA

**Appendix 2** Harrow's proposed mechanism for CCfA

**Appendix 3** Corporate Complaints Policy

If appropriate, does the report include the following considerations?

1.	Consultation	YES
2.	Corporate Priorities	YES