

ARTICLE 17 - PETITIONS SCHEME

The Council welcomes petitions and recognises that they are one way in which people can let the Council know of their concerns. This Scheme, made under Section 11 (1) of the Local Democracy, Economic Development and Construction Act 2009, is intended to establish a clear process for how petitions submitted to the Council will be dealt with.

A. INTRODUCTION

- 1 The Scheme was approved by the Council.
- 2 The Scheme covers:
 - What constitutes a petition
 - how people who live, work or study in the Authority's area can organise or sign a petition and secure a statutory response
 - how specific responses can be triggered by achieving prescribed levels of Signatory support
 - *who* will do *what* and to what performance standards
 - how petition organisers can seek a review of the Council's response
 - how the Council will monitor the effectiveness of this Scheme.
- 3 The officer responsible for this Petitions Scheme, and its operation is the Head of Democratic Services whose contact details are as follows: Democratic Services, St Martins Place, 51 Bath Road, Slough SL1 3UF email Catherine.meek@slough.gov.uk

B. WHAT ARE THE GUIDELINES FOR SUBMITTING A PETITION

- 4 Something will be treated as a petition if it is identified as being a petition, or if it seems to the Council, that it is intended to be a petition.
- 5 A valid Petition must:
 - Be initiated by a Petition Organiser whose contact and address details have been supplied to the Council. The Council will not be able to deal with a petition if the Organiser cannot be identified.
 - Relate to the Council's functions or to the economic, social or environmental well-being of the area to which any of the Council's partner authorities could contribute'.
 - Contain a clear and concise statement covering the subject of the petition and should state what action the petitioners wish the Council to take.
 - Include the name, address and signature of any person (including those under the age of 18) supporting the petition.
 - Not be vexatious or abusive.
 - Not be related to matters excluded from the Scheme. These include any matter relating to individual planning or licensing decisions, for which other established processes exist. See paragraph 13 below.
 - Obtain a minimum of 10 valid signatories including verifiable address details that they live (home address), work (business address), or study (place of study address) in the Council area. Where it cannot be verified that a signatory lives, works or studies in the Slough Borough Council area, the entry will not be

- counted towards the total number of signatures
- Not be a duplicate or near-duplicate of a similar petition received or submitted under 6 months ago.

Where a petition is deemed invalid and cannot be accepted, the petition organiser will be informed and provided with the reasons why.

6 Petitions may be submitted to the Authority in the following ways:

- On paper
- Electronically, through the Council's own ePetition facility *
- Electronically by e-mail.

EPetitions submitted through the Council's ePetition website must state the starting and closing date of the petition and that individuals are not permitted to also sign a paper version of the same petition (if any). A paper petition can be run at the same time as an on-line petition but signatories are not permitted to also sign the ePetition (if any). The Council reserves the right to discount a signature which appears on both a paper and an ePetition. The organiser can send the paper petition to the Council at the same time as the closing date for the on-line petition so that the total number of signatures can be counted.

The name of the petition signatory will be displayed on the Council's ePetition website and in a public record of a paper petition. Signatures, email and postal addresses will not be disclosed and are used by the Council only to validate signatures.

C. DATA PROTECTION ACT REQUIREMENTS

The Fair Processing Notice is required by the Data Protection Act legislation. An example of the notice required under the Data Protection Act to be used on each petition is below

“The personal details you have provided within this petition will only be used in connection with the administration of the petition and will only be shared between the petition organiser and Slough Borough Council. Your personal information will not be used for any other purpose other than mentioned. It will be held and stored securely and will be securely destroyed in line with legislative requirements. As with all council held information, petition information will be subject to the provisions of the Freedom of Information Act legislation and may be disclosed to the public if requested. For further information regarding the Data Protection or Freedom of Information Acts, please contact the Council's Information Officer by email to: foi@slough.gov.uk

In the six weeks before an election local authorities cannot publish any material which may support any political party or a point of view which may be associated with any political party.

WHAT WILL THE COUNCIL DO WHEN IT RECEIVES A PETITION

7 The Council will acknowledge Petitions that meet the criteria shown in Paragraph 5 of this Scheme within **10 working days of receipt**.

- 8 The acknowledgement will indicate how the Council proposes to handle the issue, the name of the officer dealing with the petition and, where appropriate, outline what it may be possible for the Authority to do in response. If the Council is able to do what the petition asks for the Petition Organiser will be informed and the petition closed. If the petition has enough signatures to trigger a Council debate or a senior officer giving evidence the acknowledgement will confirm this along with the meeting date and time.

Petition	Signatory Threshold	Action Required
Any Petition above a set threshold will trigger a debate of full Council	1500	Debate at Council meeting
Any Petition above a set threshold which will call a senior council officer to give evidence at a public meeting	750	Senior Officer to attend Overview & Scrutiny Committee to give evidence
'Standard' Petition Any other petition requesting action or response by the Council	10	Acknowledge and respond in accordance with scheme

- 9 It may be inappropriate for the Council to deal with certain petitions during periods when they are subject to restrictions immediately before elections or referendums. In these circumstances the Petition Organiser will be informed of the date when the petition will be considered or when material relating to it will be published on the Council's Website.
- 10 To ensure the Council understands the level of local support for a Petition, it reserves the right to seek to verify each signature appended to a Petition. This can be significant when establishing whether a Petition has obtained the requisite number of signatures to trigger specific processes.
- 11 For any Petition relating specifically to a Council Ward or Wards, the relevant Elected Members will be formally notified and asked for comments.
- 12 The petition will be published on the Council website, except in cases where it would be inappropriate, for example if the petition was considered to be potentially libellous or unlawful. Whenever possible all correspondence relating to the petition (with personal details removed) will be published on the website.
- 13 If the petition applies to a planning or licensing application, is a statutory petition (for example requesting a referendum on having an elected mayor) or on a matter where there is already an existing right of appeal such as council tax banding and non-domestic rates other procedures apply. Further information on these procedures and how you can express your views is set out in the Council's Procedure Rules (No. 11).

D. RESPONDING TO PETITIONS

- 14 The Council's response to a petition will depend on what a petition asks for and how many people have signed it, but may include one or more of the following:-
- Taking the action requested in the Petition
 - Considering the Petition at a Council Meeting
 - Holding an Inquiry
 - Commissioning relevant research
 - Organising a public meeting
 - Mounting a wider public consultation
 - Meeting with the Petition Organiser or representatives of signatories
 - Providing a written response outlining the Council's views on the subject
 - Referring the issue to the Council's Overview & Scrutiny Committee **OR**
 - Referring the issue to the relevant Committee/Cabinet
 - Consulting statutory partners and local service providers
 - Instigating discussions with the voluntary and community sectors
 - Making representations to Commercial or other Interests
- 15 If your petition is about something over which the council has no direct control (for example the local railway or hospital) the Council will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason (for example if what the petition calls for conflicts with council policy), the Petition Organiser will be advised of the reasons.
- 16 If your petition is about something that a different council is responsible for the Council will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event the petition organiser will always be notified of the action that has been taken.
- 17 Under normal circumstances, the Council will expect to provide the Petition organiser with a response detailing which of the actions specified above or other initiatives it intends within 28 days of receipt.

E. COUNCIL DEBATE – 1500 SIGNATURES

- 18 If a Petition has, or acquires 1500 valid signatures the issue will be debated at a full Council meeting (i.e. a Meeting to which all elected members are invited). The Council will endeavour to consider the petition at its next meeting, although on some occasions this may not be possible and consideration will then take place at the next available meeting.
- 19 The Head of Democratic Services, in consultation with the Chief Executive and/or relevant Director will prepare a report detailing the subject of the petition and what action the council and/or partners is being asked to take.
- 20 At such a meeting, the Petition Organiser or someone nominated on his or her behalf will have the right to speak about the petition, normally for up to five minutes; reasonable advance notice will be provided to ensure that any preparation can be undertaken in time.

- 21 The petition will then be discussed by elected members at the meeting for a maximum of 15 minutes. The Mayor has discretion to extend this time taking account of the degree of public interest in the issue, the level of support given to the Petition and the number of elected members wishing to express their views on the subject.
- 22 The Council accepts that it will not normally be sufficient for such a meeting merely to 'take note' of the Petition and that there should be a decision taken as to what other steps (including but not restricted to the actions specified in Paragraph 4) should also be taken as a response.
- 23 Where the issue is one on which the Council's Executive (Cabinet) is required to make the final decision the Council will decide whether to make recommendations to inform that decision.
- 24 The Petition Organiser will be notified of the decision taken at the Council meeting within 5 working days of the meeting.

F. OFFICER EVIDENCE – 750 SIGNATURES

- 25 Petitions may request that a senior Council Officer be required to appear and give evidence on an issue for which he or she is responsible as part of their job. If such a Petition has, or acquires 750 valid signatures, the relevant senior officer will give evidence at a public meeting of the Council's Overview and Scrutiny Committee, though the Council reserves the right to substitute a more appropriate officer for the name referred to in the Petition.
- 26 Officers who may be called to give evidence in this way as a result of a Petition are the Chief Executive and Directors or their nominees. The Overview and Scrutiny Committee may also decide to call the relevant Commissioner to attend the meeting.
- 27 If in the opinion of the Council, an issue raised in a petition seeking to call a Senior Officer to account would be better considered through the attendance of relevant Senior Officers from a Partner Authority, the Council may, at its discretion request that such an individual be invited to give evidence to the Overview and Scrutiny Committee,
- 28 The Petition Organiser will be given reasonable notice of the meeting, and will be able to address the Committee for up to 5 minutes. There is no right to question the officer directly – this would be at the discretion of the Chair. Although able to attend, will not normally be able to participate in the meeting. The meeting Chairperson will normally be prepared to consider suggested lines of questioning from the Petition Organiser or Signatories and these would need to be notified to the Head of Democratic Services up to three working days before the meeting.
- 29 The Head of Democratic Services, in consultation with the Chief Executive and/or relevant Director will prepare a report detailing the subject of the petition. Following the meeting the Committee will prepare a report and/or make recommendations. These will be sent to the Authority Chief Executive and to the Leader of the Council, and a copy sent to the Petition Organiser. Unless the issue raises matters of confidentiality, the Council will normally publish this document on the Council's website.

G. FORMAL RESPONSE

- 30 At the end of the process of considering a Petition, the relevant Director (or nominated officer) will write to the Petition Organiser with a formal response. This communication will normally outline the steps taken by the Council to consider the issue and will refer to the involvement (where applicable) of the Authority's elected members.
- 31 This Formal Response will be despatched within one month of receipt or submission of a Petition if possible but no later than 90 days, and a copy will be published on the Council's website and included in the monthly Significant Decision schedule to Members.

H. REVIEWING THE RESULTS

- 32 If a Petition Organiser is not satisfied with the Council's response to the Petition, he or she may request a Review. Such a request should be made in writing within 28 days of the despatch of the Formal Response to the Petition Organiser and should give a short explanation of the reasons why the Council's response is not considered to be adequate.
- 33 Upon receipt of such a Request the Head of Democratic Services will identify a Reviewing Officer from among Senior Officers at the Council. This Officer will be given wide scope to reconsider whether the Authority should, in all the circumstances take additional steps to respond to the Petition. This will normally include reference to the Overview & Scrutiny Committee which will itself consider the adequacy of the initial response.
- 34 On some occasions, such as where the initial response took the form of the Overview & Scrutiny Committee's taking evidence from a Senior Officer it may be inappropriate for the same Committee to review the issue. The Head of Democratic Services will ensure that a suitable alternative process is followed to engage elected members in reviewing the petition.
- 35 At the end of the process of reviewing the Petition the Council's Chief Executive will formally write to the Petition Organiser to inform him or her of the results of the Review. This communication will normally outline the process followed to establish whether the initial response had been adequate and outline any additional steps taken by the Council as part of the Review. It will also refer to the involvement (where applicable) of the Authority's elected members. The letter will also identify the Reviewing Officer who handled the issue and highlight his or her involvement where appropriate. This Review Response will be despatched within 28 days of receipt or the request for Review and a copy will be published both on the Council website.

I. REPORTING

- 36 The Council will prepare an Annual Summary detailing all petitions submitted under this Scheme, the signatures each attracted, and the Council's response to each. This Report will be presented to the Overview & Scrutiny Committee each year and published on the Council's website. A list of petitions submitted under the Scheme will also be included in the Members' Weekly bulletin.