

Appendix 2 - Petition Scheme

Derbyshire County Council welcomes petitions and recognises that petitions are one way in which people can let us know their concerns. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 10 working days of receipt. This acknowledgement will set out what we plan to do with the petition. We will treat something as a petition if it is identified as being a petition, or if it seems to us that it is intended to be a petition.

The County Council has decided that a petition for the purposes of this Petition Scheme must be signed by 100 or more persons who live, work or study in the Council's area. Any petition with fewer than 100 signatures will be passed to the relevant department to consider in accordance with the departmental complaints process.

Petitions can be presented in paper or electronic format. Paper petitions should be sent to:

The Director of Legal & Democratic Services
Derbyshire County Council
County Hall
Matlock
Derbyshire
DE4 3AG

Electronic petitions can be created, signed and submitted online at www.derbyshire.gov.uk/petitions

Under normal circumstances, a petition will be referred to the appropriate Cabinet Member. If you would like the opportunity to present your petition to the appropriate Cabinet Member, or would like your County Councillor or someone else to present it on your behalf, please contact Democratic Services at petitions@derbyshire.gov.uk who will arrange a meeting.

If your petition has received more than 7,500 (just under 1% of the Derbyshire population) signatures or more it will also be scheduled for a Full Council debate and, if this is the case, we will let you know whether this will happen at the same meeting at which you presented your petition or a later meeting of the Full Council.

What are the guidelines for submitting a petition?

Petitions submitted to the Council must include:

- a clear and concise statement covering the subject of the petition. It should state what action the petitioners wish the Council to take.
- the name and address and signature of any person supporting the petition (which may be an address where signatories live, work or study).

Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition. The contact details of the petition organiser will not be placed on the website. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as petition organiser.

Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be accepted. In the period immediately before any local or national election or referendum, we may need to deal with your petition differently – if this is the case, we will explain the reasons and discuss the revised timescale which will apply. If a petition does not follow the guidelines set out above, the Council may decide not to do anything further with it. In that case, we will write to you to explain the reasons.

What will the Council do when it receives my petition?

An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will let them know what we plan to do with the petition and when they can expect to hear from us again. It will also be published on our website.

If we can do what your petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence, then the acknowledgment will confirm this and tell you when and where the meeting will take place. If the petition needs more investigation, we will tell you the steps that we plan to take.

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 concerns a matter where there is already an existing right of appeal, other procedures apply.

We will not take action on any petition which we consider to be vexatious, abusive or otherwise inappropriate and will explain the reasons for this in our acknowledgement of the petition.

To ensure that people know what we are doing in response to the petitions we receive, the details of all the petitions submitted to us will be published on our

website, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed). When you sign an e-petition, you can elect to receive this information by email. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

How will the Council respond to petitions?

Our 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
- referring the petition to the relevant Cabinet Member or Full Council for consideration.
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- undertaking consultation
- holding a meeting with petitioners
- referring the petition for consideration by one of the Council's Improvement and Scrutiny Committees*
- writing to the petition organiser setting out our views about the request in the petition

*Improvement and Scrutiny Committees are committees of Councillors who are responsible for scrutinising the work of the Council. In other words, the Improvement and Scrutiny Committee has the power to hold the Council's decision makers to account.

In addition to these steps, the Council will consider all the specific actions it can potentially take on the issues highlighted in a petition.

If your petition is about something over which the Council has no direct control, for example the local railway or hospital, we 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), then we will set out the reasons for this to you. You can find more information on the services for which the Council is responsible here: http://www.derbyshire.gov.uk/Council/Council_works/ or by contacting the Democratic and Registration Services Manager.

If your petition is about something for which a different council is responsible, we will give consideration as to the best method for responding to it. This might consist of simply forwarding the petition to the other council, but could involve other steps. In any event, we will always notify you of the action we have taken.

Full Council Debates

If a petition contains more than 7,500 signatures it will be debated by the Full Council unless it is a petition asking for a senior Council officer to give evidence at a public meeting. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. 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 following meeting.

Petition debate process

The Chairman of the Council will invite the petition organiser (or their nominee) to present the petition at the meeting. Up to 5 minutes will be allowed for this.

The petition will then be debated by Councillors for a maximum of 15 minutes. This period may be extended at the discretion of the Chairman whose decision shall be final. All speeches are limited to a maximum of 3 minutes and no Councillor will be permitted to speak more than once. During his or her speech, any Councillor may move a motion for the Council's consideration relevant to matters in the petition (this does not require the suspension of the Council Procedure Rules). Following the debate, the Chairman will invite the relevant Cabinet Member or Committee Chair to respond to the matters raised, for up to 5 minutes.

The conventional standing orders for debating motions shall not apply to petition debates. For example, the proposer will not be entitled to a right to close the debate and a seconder may not reserve their right to speak. The ruling of the Chairman shall in all cases be final.

Following the petition debate any motion moved will be put to the vote. Where the issue is one of which the Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision.

If no motion is agreed, the petition will stand referred to the relevant Executive Director for a written response within 28 days of the meeting.

The petition organiser will receive written confirmation of the outcome of the petition debate and this confirmation will also be published on our website.

Officer evidence

Your petition may ask for a senior Council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior Council officer to explain progress on an issue, or to explain the advice given to Elected Members to enable them to make a particular decision. The senior officers who may be asked to give evidence will be the Council's Chief Officers or their nominees.

If your petition contains more than 3,750 signatures, the relevant Chief Officer (or their nominee) will give evidence at a public meeting of the Council's appropriate Improvement and Scrutiny Committee.

The list of Chief Officers that can be called to give evidence is set out below:

- Managing Director
- Executive Director of Corporate Services and Transformation
- Executive Director of Adult Social Care and Health
- Executive Director of Children's Services
- Executive Director - Place.

You should be aware that the Improvement and Scrutiny Committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance, if the named officer has changed jobs. The Committee may also decide to call the relevant Councillor, usually the Cabinet Member or where appropriate, the local Councillor, to attend the meeting. Committee members will ask the questions at this meeting, but you will be able to suggest questions to the Chairman of the Committee by contacting the Head of Democratic and Registration Services either by telephone on 01629 538327 or by email on scrutiny@derbyshire.gov.uk up to three working days before the meeting.

E-petitions

The Council welcomes e-petitions which are created and submitted through our website www.derbyshire.gov.uk/petitions E-petitions must follow the same guidelines as paper petitions as detailed in this Petition Scheme. The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.

When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature.

If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the

petition and the reason why it has not been accepted will be published under the 'rejected petitions' section of the website.

When an e-petition has closed for signature, it will automatically be submitted to the Director of Legal and Democratic Services. In the same way as a paper petition, you will receive an acknowledgement within 10 working days. If you would like to present your e-petition to a Council meeting, please contact the Head of Democratic and Registration Services within 10 working days of receipt of the acknowledgement.

A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information. The acknowledgment and response will also be published on this website.

How do I 'sign' an e-petition?

You can see all the e-petitions currently available for signature here www.derbyshire.gov.uk/petitions . When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete, your 'signature' will be added to the petition. People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

What can I do if I feel my petition has not been dealt with properly?

If you feel that we have not dealt with your petition properly, the petition organiser has the right to request to one of the Council's Improvement and Scrutiny Committees review the steps that the Council has taken in response to your petition. It is helpful to everyone, and can improve the prospects for a review if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.

The County Council has five Improvement and Scrutiny Committees, each with their own areas of responsibility as follows:

- Resources
- People
- Places
- Health
- Climate Change, Biodiversity and Carbon Reduction

For further details of these committees, including their areas of responsibility and details of when and where they meet, refer to www.derbyshire.gov.uk or contact the Head of Democratic and Registration Services.

The appropriate Committee will endeavour to consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers include instigating an investigation, making recommendations to the Council's Cabinet and arranging for the matter to be considered at a meeting of the Full Council.

Once the request has been considered the petition organiser will be informed of the results within 5 working days. The results of the review will also be published on our website.

The provisions contained within the Petition Scheme will be the subject of regular review.

