

# **SHEFFIELD CITY COUNCIL**

## **PETITIONS SCHEME INTRODUCTION**

### **Introduction**

The Council welcomes online and paper petitions and recognises that they are one way in which people can let us know their concerns. Petitions can be organised or signed by anyone who lives, works or studies in Sheffield. More information and guidance is available on the Council's website:

Sign or start a petition ([sheffield.gov.uk](http://sheffield.gov.uk))

A petition can relate to any issue on which the Council has powers or duties or on which it has shared delivery responsibilities through a partnership. Petitions must state the subject of the petition and what action the petitioners want the Council to take, the contact and address details of the organiser, along with the names, addresses and signatures of people supporting the petition. There must be at least 5 signatures. For the petition to be valid, everyone who signs it will need to provide their name and address.

Petitions can be sent or presented to the Council. All petitions sent or presented to the Council will receive an acknowledgement from the Council within 14 days of receipt. This acknowledgement will set out what we plan to do with the petition.

Petitions may be presented to meetings of the Council, Policy Committees or their Sub-Committees, Regulatory Committees or Area Committees. Petition organisers should contact Democratic Services in advance for advice about which Body is most appropriate. If the topic is on the work programme for a particular Policy Committee then the petition organiser may wish to present the petition at a meeting when the topic is on the agenda, but may choose to attend another meeting (or a meeting of another Policy Committee) or to present the petition at Full Council.

You will need to give advance notice of your petition, in writing, by 9.00 a.m. two working days prior to the day of the meeting, and you can either present your petition at the meeting or ask that it be submitted to the meeting on your behalf. If you attend the meeting, you will be able to speak for up to three minutes. Please contact the Democratic Services team by email [committee@sheffield.gov.uk](mailto:committee@sheffield.gov.uk)

### **What are the Guidelines for Submitting a Petition?**

#### **Petitions submitted to the Council must include:**

- A minimum of five signatures, from anyone who either lives, works or studies in Sheffield.
- A clear and concise statement covering the subject of the petition, to include what action the petitioners would like the Council to take.

- Contact details, including a postal address, for the petition organiser. This is the person we will contact to explain how we will respond to the petition (only the organiser's name will appear on the Council website).
- The name, postal address and signature of any person supporting the petition.

## **Data Protection**

Use of individuals' personal data, including their addresses/email addresses, will be protected under the terms of the General Data Protection Regulation (GDPR) and will be held by us only for the purpose of corresponding in relation to the petition submitted.

By starting or signing a petition, an individual gives explicit consent to the Council to process personal data as part of the Council's Petition Scheme. This means Councillors and Council Officers can respond to the issue(s) raised, publish details about the petition's objectives in public reports and invite the lead petitioner (or representative) to speak at a Committee meeting. This use may include some personal details (eg the speaker's name and address) and the Council may publicly broadcast meetings that include personal statements made by those speaking.

Petitioners have the right to withdraw this consent at any time. However, withdrawing consent does not affect the processing that has occurred before this time.

We advise that for paper petitions, the following wording is included on each page of the petition that will contain signatures:

"Sheffield City Council (the Council) will become the data controller when the petition is deposited with the Council. The details you provide on this form will only be used for the purpose of this petition. Your information may be shared with the petition organiser, Council officers, Councillors or service providers."

## **E-Petitions**

The Council welcomes e-Petitions which are created, signed and submitted through the website. E-Petitions must follow the same guidelines as paper petitions. The petition organiser will need to provide their name, postal address and e-mail address. The e-Petition will also need to include:

- A date for the e-Petition to go live on the website.
- A closing date when the e-Petition will stop collecting signatures. We will host the e-Petition for up to 12 months, but expect that most petitions will be open for signatures for a much shorter period than this.
- The online form is submitted to Democratic Services.
- The Council is required by UK law to ensure that petitions that are published do not contain any defamatory or offensive material. Therefore, we will need to review the petition before it is published on our website. Petitions will be reviewed

and published during normal office hours. We expect to be able to publish a petition the same day provided that it is submitted by 12.00 noon.

- A petition must be submitted in good faith. It must not include:
  - ~ potentially libellous, false or defamatory statements;
  - ~ information protected by a court order (e.g. the identities of children in custody disputes); or in accordance with any other enactment;
  - ~ matters which are subject to appeal processes or legal actions (e.g. planning appeals, enforcement action or other legal actions in court etc.);
  - ~ material which is commercially sensitive, confidential or which may cause personal distress or loss;
  - ~ the names of individual officials of public bodies; or information where they may be easily identified, in relation to criminal accusations.
  
- Petitions which are considered to be vexatious, abusive or otherwise inappropriate will not be published, but we will contact the petition organiser to explain the reasons so that they may change and resubmit your petition if they wish. If this is not done 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, except in cases where this would be inappropriate.

#### **Additional Information:**

- The Council accepts no liability for the petitions published on its website and the views expressed in the petitions do not necessarily reflect those of the Council.
  
- A petition response will be e-mailed to everyone who has signed the e-Petition and also published on our website.

#### **What will the Council do when it Receives a Petition?**

We will send an acknowledgement to the petition organiser within 14 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. Details of the petition will also be published in the Council Petitions Log, on our website.

If the Council can do what the petition asks for, the acknowledgement may confirm that we have taken the action requested and the petition will be closed. If the petition needs more investigation, the acknowledgement will set out the steps we plan to take.

Most petitions go to a public meeting where petitioners can present their petition and Councillors will decide how to respond. Petitions with 5,000 signatures will trigger a public debate at Full Council and those with 2,500 signatures can call for evidence by a Senior Officer at a Policy Committee.

If the petition has enough signatures to trigger a Council debate, or a senior officer giving evidence at a public meeting of one of the Council's Policy Committees, then the acknowledgement will confirm this and when and where the meeting will take place. If the petition needs more investigation, the acknowledgement will set out the steps 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 relates to a matter where there is already an existing right of appeal such as Council Tax banding and non-domestic rates, other procedures apply, outside of this Scheme. With specific reference to planning and licensing application petitions, the approach adopted in Sheffield is to permit the receipt of these by the Council or their presentation at Full Council or a Policy Committee, which will then trigger a referral to the Planning and Highways or Licensing Committee, as appropriate. The receipt and recording of the petition and actions to be taken will be administered in the same way, for consistency and in the spirit of the provisions of this Scheme.

We will not take any 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 in the Council Petitions Log, on our website except in cases where this would be inappropriate.

### **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
- considering the petition at a Council meeting
- holding an enquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the relevant Policy Committee or Sub-Committee\*
- writing to the petition organiser setting out our views about the request in question

\* Policy Committees and their Sub-Committees can take decisions on or make recommendations to Full Council on changes to policy and the provision of Council services.

In addition to these steps, the Council will consider other specific actions it may be able to 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 aim to make 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 a 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.

If a petition is about something that a different Council is responsible for, we will give consideration to what the best method is for responding to it. It might consist of simply forwarding the petition to the other Council but could involve other steps. In any event, we will always notify the petition organiser of the action we have taken.

### **Essentially there are Three Types of Petitions:**

- “Ordinary” petitions
- Petitions requiring debate
- Petitions to hold senior Council employees to account.

### **Ordinary Petitions**

Ordinary petitions must be signed by at least five people. We will acknowledge the petition within 14 days of receiving it and let the petition organiser 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 the petition needs more investigation, we will set out the steps we plan to take.

In the vast majority of cases, the petition will be submitted to one of the Council’s formal Member meetings where elected Councillors will decide how to respond to the petition. These meetings will be held in public and petitioners are welcome to attend the meeting and observe the proceedings. The petition organiser will be given three minutes to present the petition at the meeting.

A petition can be submitted to the Council, Policy Committees or Sub-Committees, Regulatory Committees and Area Committees.

### **Full Council Debates**

If a petition contains 5000 signatures or more, it will trigger a debate by the Full Council, in public, unless it is a petition asking for a senior Council officer to give evidence at a public meeting of one of the Policy Committees. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend.

For petitions that trigger a debate at Full Council, we require seven working days’ notice to be given prior to a Council meeting to ensure Councillors have adequate preparation time. The Council will endeavour to consider the petition at its next meeting, but due to other Council business, it may not be possible to debate every eligible petition at the next Council meeting, and it is unlikely that any more than two eligible petitions will be debated at any one meeting. Therefore, on occasions, an eligible petition may be debated at the next but one Council meeting.

The petition organiser will be given three minutes to present the petition at the meeting and the petition will then be discussed by Councillors. The Council will decide how to respond to the petition at this meeting. The Council may decide to take the action the petition requests, not to take the action requested for reasons put forward in the debate or to commission further investigation into the matter, for example by a relevant Committee.

The petition organiser will receive written confirmation of this decision. The decision will be published on the Council's website.

### **Officer Evidence**

A petition may ask for a senior Council officer to give evidence at a public meeting of one of the Council's Policy Committees and 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 advice given to Elected Members to enable them to make a particular decision. Petitions which call for evidence from a senior Council employee, and have at least 2500 signatures, will trigger that response.

Senior staff that can be called to give evidence are:

- Chief Executive
- A senior officer who reports directly to the Chief Executive
- Directors or Heads of Service, as considered appropriate by the relevant Policy Committee

You should be aware that the relevant Policy 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.

### **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 may:

- Make a complaint under the Council's Complaints Procedure if not satisfied with the way the petition has been administered
- Request that the appropriate Policy Committee review the steps taken in response to the petition if unhappy with the steps proposed or the way they have been taken
- Request that a petition that has not been presented to a Council meeting be considered at such a meeting

It is helpful to everyone, and can improve the prospects for review, if the petition organiser gives a short explanation of the reasons why the Council's response is not considered to be adequate.