Surrey County Council's Petition Scheme

Introduction

1. Surrey County Council welcomes petitions from all people, residents, those working or studying in the county or users of the service to which the petition relates, recognising that petitions are one way in which people can let us know their concerns. The purpose of this scheme is to establish a clear process for petitions submitted to the council to be handled in accordance with the relevant legislation. This version of the scheme updates the version that was approved by the County Council on 15 June 2010 and is available on the authority's website (www.surreycc.gov.uk)

2. The County Council provides a number of ways in which petitions may be considered - depending on the subject, the actions sought, and the number of signatories. 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.

3. There are various actions you might want to consider before deciding whether or not to raise a petition to Surrey County Council. For example, you could call our Contact Centre, as staff there may be able to offer advice and help to resolve an issue, and for some issues, you may be able to log them on the website. You may want to discuss your issue with your local County Councillor (known as Member), who may be able to help you with it or explain how to make representations on a particular subject to the right person at the County Council. Details on how to contact your local County Councillor are available on the authority's website. Alternatively, you could ask a question about your issue at a committee meeting. Information about how you can do this is also available on the County Council's website.

How to submit a petition

4. Petitions may be submitted to Surrey County Council in the following ways:
   - on paper (via post)
   - in person (to the Council's main office)
   - electronically through the council's own e-petition facility
   - electronically by email*

   * in the case of emailed petitions, each sheet of signatures must be scanned in full as an exact replica of the original copy. Original copies will be retained for six months.

5. All paper petitions sent to Surrey County 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.

   Paperpetitions should be sent to:

   Democratic Services Lead Manager
   Legal and Democratic Services
   Woodhatch Place
   11 Cockshot Hill
   Reigate
   Surrey
   RH2 8EF

6. The council also welcomes e-petitions that are created and submitted through our website. E-petitions must follow the same guidelines as paper petitions.

7. Should you choose to use an alternative e-petition system e.g. Change.org please be aware that online petition systems outside of the Council's own e-petition system do not automatically notify us when a petition has been submitted and therefore we will have to treat these in the same way as paper petitions. In these cases, the petition organiser will need to print a copy of the petition statement and the corresponding signatures and send these into us via post, in person or via email.

8. Petitions submitted to the council **must** include:
   - a clear and concise statement covering the subject of the petition.
   - a statement about what action the petitioners wish the council to take.
   - the name and address (and signature in the case of a paper petition) of any person supporting the petition.

9. A paper petition or e-petition will **not** be accepted where:
   - it refers to matters that are "confidential" or "exempt" under the Local Government Access to Information Act 1985;
   - it is considered to be vexatious, abusive or otherwise inappropriate, including referring to specific individuals;
   - it refers to a development plan, specific planning or right of way matter;
   - it refers to a decision for which there is an existing right of appeal, for example school admissions; or
   - it is the same or very similar to a petition received or submitted within the last six months.

10. The petition must refer to a matter that is relevant to the functions of the County Council. If a petition is about something over which thecouncil has no direct control (for example the local railway or hospital) we will consider whether we can still deal with the matter. The County Council works with a large number of local partner organisations and, where possible, will work with these partners to respond to apetition. If we are not able to do this for any reason then we will set out the reasons for this. You can find more information on the County Council's services on its website.

11. 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 you of the action we have taken.

12. The person who submits a petition must provide contact details, including an address. For e-petitions, an email address is also required. We will regard this person as the petition organiser and we will contact them to explain how we will respond to the petition

13. If we feel we cannot publish an e-petition for some reason, we will contact the petition organiser within five working days to explain why. The organiser will be able to change and resubmit the petition if they wish. If they 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.

14. The only change that can be made once an e-petition has been published online, is the date when it is due to close. If the petition organiser requires any other changes to be made, such as amending the wording of the petition, Democratic Services will withdraw the e-petition from the website and it will need to be resubmitted by the organiser with the amendments included.

Any signatures collected for that e-petition prior to its withdrawal will not be automatically transferred to the revised petition.

15. 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 the petition organiser to explain the reasons.

16. Further information on the County Council's procedures and how you can express your views are available on our website, including how to have your say on:
    - Rights of Way
    - County planning applications
    - School admission appeals.

What will the council do when it receives my petition?

Paper petitions

17. An acknowledgement will be sent to the petition organiser within 10 working days of receiving a paper petition. It will let them know what we plan to do with the petition, according to the options set out in paragraph 27 below.

18. If a petition is delivered in person to the Council's offices this should be handed in at main reception and a receipt will be provided. Please note that you will be contacted following this by Democratic Services who will notify you of what we plan to do with the petition, according to the options set out in paragraph 27 below. Officers and Members will not be available to receive petitions at this stage in the process.

19. If the County Council can, and wishes to, immediately do what your petition asks for, the acknowledgement may confirm that the action requested has been taken 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 we plan to take.

20. A suggested template for paper petitions can be found at annex 1.

E-petitions

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

22. When the petition organiser has submitted the required contact information they will be sent an email to the email address they have provided. This email will include a link, which the petition organiser must click on in order to confirm the email address is valid. Once this step is complete that 'signature' will be added to the petition. People visiting the e-petition will be able to see that name in the list of those who have signed it but the contact details will not be visible.

23. In the case of e-petitions, the petition organiser will need to decide how long they would like the petition to be open for signatures. Most petitions run for three months, but you can choose a shorter or longer timeframe, up to a maximum of six months.

24. To ensure that people know what we are doing in response to the e-petitions we receive, the details of the petitions submitted to us will be published on our website, except in cases where this would be inappropriate. When you sign an e-petition you can elect to receive this information by email. We will not send you anything that is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

25. To ensure the council understands the level of local support for a petition, it reserves the right to seek to verify each signature on a petition. This can be significant when establishing whether a petition has obtained the requisite number of signatures to trigger specific processes.

26. Please note that should you choose to use an alternative e-petition system other than the Council's own system e.g. Change.org you should be aware that you will need to print a copy of the petition statement and the corresponding signatures and send these into us via post, in person or via email.

How will the County Council respond to petitions?

27. 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 County Council meeting (minimum of 10,000 signatures)
    - considering the petition at a Cabinet or Cabinet Member meeting (minimum of 100 signatures)
    - holding an inquiry into the matter
    - undertaking research into the matter
    - holding a public meeting
    - consulting residents about the matter
    - holding a meeting with petitioners
    - referring the petition for consideration by one of the council's scrutiny boards*
    - writing to the petition organiser setting out our views about the request in the petition.

    *scrutiny boards are committees of councillors who are responsible for scrutinising the work of the council.

28. Within 10 working days of an e-petition closing we will let the petition organiser know the next steps. 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 the website.

29. At the end of the process of considering the petition, the petition organiser will receive a formal response. In the case of e-petitions, every signatory will be sent the formal response by email. 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.

30. This formal response will be despatched within 90 days of receipt or submission of a petition, or of the closing date of an e-petition and a copy will be published on the council website and easily accessible from the relevant pages of the e-petition facility.

31. You can see the e-petitions currently available for signature on the County Council's website.

32. It is not possible for an email address to be used more than once to sign a petition, regardless of whether or not different names are given. This is to reduce the opportunity for abuse of the

system. Should you be unable to sign an e-petition for this reason, and are reluctant to create another email address, we can add your name as an offline signature on request. Your name will not be displayed on the list of signatories but your signature will be added to the tally of those who have signed.

County Council debates

33. If a petition contains 10,000 signatures or more, the County Council will debate it unless it is a petition asking for a senior council officer to give evidence at a public meeting (see paragraph 37). The County Council will endeavour to consider the petition at its next meeting following the submission of a paper petition or the end date of an e-petition, although on some occasions this may not be possible and consideration will then take place at the following meeting. There must be 14 days between the submission of notice of a paper petition or the end date of an e-petition and the date of the meeting.

34. The petition organiser will be given five minutes to present the petition at the County Council meeting. The relevant Cabinet Member will then be given five minutes for a right of reply before Members have an opportunity to debate the petition for no more than 30 minutes, with each Member allowed to speak for a maximum of three minutes.

35. The County Council will decide how to respond to the petition at this meeting. It may, for example, 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. Where the issue is one on which the Cabinet or an individual Cabinet Member is required to make the final decision, the County Council will decide whether to make recommendations to inform that decision. The petition organiser will receive written confirmation of this decision within five working days of the meeting. This confirmation will also be published on our website.

Presenting petitions to other meetings

36. Petitions can be presented to other meetings of the County Council. The subject matter of the petition will determine where it is considered, as the power to enact whatever the petition requests must be within the terms of reference of the body that considers it.

37. For the Cabinet, Cabinet Member or any committee to consider a petition, it must contain at least 100 signatures.

38. Notice of petitions must be given in writing at least 14 days before the meeting, in the case of paper petitions. For e-petitions, no other written notice is needed, but the required number of signatures must have been reached at least 14 days before the meeting.

39. The petition organiser will be given up to three minutes to present the petition at the meeting, although the time limit may be extended if agreed by the Chairman. The petition will either be responded to at that meeting, or it may be referred without discussion to the next meeting of that body.

40. No more than three petitions may be presented at any one meeting. The Chief Executive may amalgamate within the first received petitions other petitions of like effect on the same subject. The presentation of a petition on the same or similar topic as one presented in the last

six months will not be allowed at meetings.

Officer evidence

41. A 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, a 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.

42. If a petition contains at least 10,000 signatures and clearly states a specific issue to raise, the relevant senior officer will give evidence at a public meeting of the appropriate scrutiny board.

43. The senior officers that can be called to give evidence are the Chief Executive, Deputy Chief Executive, Strategic Directors, Assistant Directors and Heads of Service. You should be aware that the scrutiny board referred to at paragraph 26 above may decide that it would be more appropriate for another officer to give evidence instead of any officer specified in the petition. The scrutiny board may also decide to call the relevant Cabinet Member to attend the meeting.

44. Members of the scrutiny board referred to at paragraph 27 above will ask the questions at this meeting, but the petition organiser will be able to suggest questions to the chairman of the scrutiny board by contacting the Scrutiny Manager up to five working days before the meeting. Details will be given to the petition organiser to assist with this process when receipt of the petition is acknowledged.

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

45. If a petition organiser feels that the council has not dealt with a petition properly, i.e. the process outlined above was not followed, he or she may request a review. Such a request should be made in writing within 28 days of the dispatch of the formal response to the petition organiser, providing a short explanation of the reasons why the council's response is not considered to be adequate.

46. Within five working days of receipt of intention to appeal, the County Council will determine which is the relevant scrutiny board to carry out the review. The board will endeavour to consider the 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 board determine we have not dealt with your petition adequately, it may use any of its powers to deal with the matter. These powers may include making recommendations to the Cabinet or relevant Cabinet Member.

47. Once the appeal has been considered, the petition organiser will be informed of the results within five working days. The results of the review will also be published on our website. There is no further right of appeal through the County Council.

ANNEX 1

SCC Written Petition Template

[If there is also an on-line petition on the same subject, please do not sign both petitions]

We the undersigned petition Surrey County Council to.....[Set out the issue you'd like SCC to address and if appropriate what you'd like us to do to improve things. If your concern is at a particular location please include the full address and if possible in which Borough or District it is situated]

Lead petitioner: [Name, address, e-mail]

No	Name	First line of address and postcode	Email address (optional)	Signature
1				
2				

No	Name	First line of address and postcode	Email address (optional)	Signature
3				
4				
5				
6				
7				
8				

No	Name	First line of address and postcode	Email address (optional)	Signature
9				
10				