

Petitions and E-Petitions

Scheme and Guidance

wolverhampton.gov.uk

CITY OF
WOLVERHAMPTON
COUNCIL

Introduction

The Council welcomes petitions and recognises that they are one way in which ~~citizens members of Wolverhampton the public can let us know raise their concerns, and have a direct influence on operational issues and/or a role in the policy development process.~~

Petitioning provides direct access to elected Councillors and other key policy makers. It can raise the awareness of a particular campaign and put issues on the Council's agenda which might not otherwise be considered. The petitions process is a key part of the Council's commitment to participation, openness and accessibility.

Background

~~Under the Local Democracy, Economic Development and Construction Act 2009, the Council is required to have a petitions scheme and thereby a mechanism for consideration of petitions from the public. Statutory guidance has been provided from the Department for Communities and Local Government. The Council is required to treat something as a petition if it is identified as being a petition or it seems to the Council that it is intended to be a petition.~~

Main features

1. Anyone who lives, works or studies in ~~Wolverhampton the local authority area~~, including under 18's, can sign or organise a petition. The lead petitioner will receive a direct response. ~~The government guidance recommends that councils be as flexible as possible in applying these provisions and that they may take account of signatures of people who do not supply such information.~~
2. Petitions submitted to the Council must include the following information:
 - Details of the lead petitioner: include name, a contact address to where all correspondence will be sent and (if possible) an email address and a phone number. This is the person we will contact to explain how we will respond to the petition; ~~That person will need to indicate which personal data can be published on the Council's website in order to enable the Council to meet its obligations under the Data Protection Act 2018. If the petition does not identify a Lead Petitioner, signatories to the petition will be contacted, starting with the first signatory, to agree who will act as the Lead Petitioner. A record of the signatures submitted for petitions will be deleted after a period of twelve months following the closed date.~~
 - Text of petition: state clearly and concisely what action you want the Council to take;
 - Additional information: provide additional information relevant to your petition and the reasons why you consider the action requested to be necessary. This information will be made available prior to consideration of your petition and should be limited to no more than three sides of A4;
 - ~~Background information including any action you have taken before submitting the petition: please provide a summary of the action you have taken to try and resolve the issue of concern including details of elected representatives, Council employees or other agencies (e.g. Police, etc.) you have approached.~~
3. Petitions should raise issues which fall within the responsibilities of the Council and have a public interest in what they propose.

4. Petitions submitted which relate to a matter on which a decision has already been made by the Council may still be considered by the relevant scrutiny body should the threshold be met, or should officers decide that is the most appropriate course of action. The Monitoring Officer will determine the scrutiny body to receive the response to the petition.
5. Petitions should be submitted in good faith and be decent, honest and respectful. They should not seek to ask the Council to determine:
 - personal or commercial issues;
 - specific or individual employee relations matters;
 - disciplinary or grievance matters;
 - matters which are subject to formal or statutory appeal processes or are sub judice (under consideration by a judge or court);
 - individual planning, licensing and housing issues or school admission appeals enforcement action or other legal actions in court etc;
 - decisions of the Governance and Ethics Standards, Audit and Risk, Planning or Licensing Committees of the Council.
 - matters which are subject to prescribed statutory requirements, such as changes to governance arrangements e.g. an elected mayor;
6. Petitions should not include:
 - offensive, intemperate, inflammatory, sarcastic or provocative language, discriminatory as defined within equalities legislation or language that might reasonably offend readers;
 - false or defamatory statements;
 - information which is protected by an interdict or court order; (e.g. the identities of children in custody disputes); or in accordance with any other enactment;
 - commercially sensitive or confidential material;
 - in relation to criminal accusations, the names of individuals, or information that might easily identify them.
 - the names of individual officials of public bodies;
7. The Council will not take action on any petition which it considers is covered by any of the above.
8. Petitioners may not ask for adjudication on personal or commercial interests which should be determined by a court or other tribunal. Petitioners must also be able to demonstrate that there is a public interest in what they are calling for.
9. Petitions which are the same or substantially similar to other petitions and which are lodged by or on behalf of the same person or organisation will not be considered unless more than two years have passed since the original petition was considered. In cases of dispute, the relevant scrutiny body will decide whether a petition is admissible. For advice regarding these issues, please contact Democratic Services

(details on page 4).

9.10. In the period immediately before an 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 normally write to you to explain the reasons.

How do I submit a petition?

10.11. Any petitions must be signed by ten or more persons from five or more identifiable households within Wolverhampton.

12. In order to process the petition, a name, address including postcode, and signature must be clear for each petitioner.^[2]

13. *The Council reserves the right 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.*

Paper Petitions

11.14. Paper petitions, a recommended form for use by lead petitioners ~~should be submitted to the Council using the official form which~~ can be obtained from the Council's website: [here](#), or by contacting Democratic Services (details below).

12.15. Please post petitions to:

Democratic Services
City of Wolverhampton Council,
Civic Centre,
St Peter's Square,
Wolverhampton,
WV1 1SH

or deliver to the Civic Centre asking for Democratic Services at main reception.

13.16. If you do not submit your paper petition using the official form, you will be contacted by the Democratic Services team and asked to complete and submit the relevant form.

E-petitions

14.17. The Council welcomes e-petitions which are created and submitted through its website: <http://www.wolverhampton.gov.uk/article/2920/E-petitions>

E-petitions must follow the same guidelines as paper petitions.

15.18. When you sign an e-petition you will be asked to provide your name, address and a valid email address. This will trigger an email containing a link which you must click in order to confirm the email address is valid. Once this is completed 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.

16. You will also need to decide how long you would like your petition to be open for signatures. Petitions can be open for a maximum of 12 months. When you create an e-petition, it may take up to 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.

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18.19.

19. 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 e-petition if you wish.

20. ~~When your e-petition has reached its end date, you will need to submit it to Democratic Services, via the website, for processing as this is not done automatically.~~

21. Your e-petition will be considered in the same way as a paper petition.

22. ~~Once the- petition has been accepted it will become a public document accessible via the website and the Lead Petitioners name will be visible. Only the details of the lead petitioner will be shared with relevant officers and councillors.~~

Alternative methods

23. ~~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. the lead petitioner 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. The Council's official form, which can be obtained from the Council's website, must also be submitted alongside this information to be considered.~~

Next Steps

21.24. An acknowledgement will be sent to the lead petitioner with details of what the Council plan to do with the petition and when they can expect to hear from us again.

25. 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.

26. ~~Details of the petition will be sent to the Leader of the Council, relevant ward Councillors, and the responsible Cabinet Member for information. (For citywide~~

[petitions, all Councillors will be notified.](#)

~~If we can do what your petition asks, the acknowledgement may confirm that we have taken the action requested and the petition will be closed.~~

22.27. The petition will be considered by the relevant service, the relevant scrutiny body or by the Council meeting depending on the number of signatures accrued. The acknowledgement will confirm this and tell you what will happen next.

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| Petitions with fewer than 2,499 signatures | Considered and responded to by employees, within 28 days of receipt by the relevant service area. A summary of responses will be reported to the Scrutiny Board, the relevant Cabinet Member(s), Shadow Leader's office and, where appropriate, the relevant Ward Members. |
| Petitions with 2,500-4,999 signatures | Considered by the relevant scrutiny panel with recommendations made for action by employees or review by the Executive as appropriate. |
| Petitions with more than 5,000+ signatures | Reviewed and responded to at the next meeting of the Council. |

23. 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. For advice regarding these issues, please contact Democratic Services (details on page 4).

[Petitions eligible for Scrutiny Panel or Full Council](#)

24.28. All petitions that meet the necessary thresholds to be considered by a scrutiny body or Council will be considered in public.

25.29. Once received, Democratic Services will refer the petition to the relevant Head of Service (HoS) or nominee to investigate the substance of the petition. The HoS will consider the content of the petition and determine the response required.

26.30. Should a petition be considered by scrutiny, the HoS will attend along with the relevant Cabinet Member(s) to respond to the petition.

27.31. A senior Council employee will be present to give evidence at a public meeting if a petition requests so and if that petition meets the threshold for consideration by scrutiny or Council. This means that the issue raised in the petition will be discussed at a meeting which all Councillors can attend. Both the Council and scrutiny will endeavour to consider the petition at the next appropriate meeting.

28.32. At Council, the lead petitioner will be given five minutes to present the petition at the meeting and the petition will then be discussed by Councillors for a maximum of 40 minutes. The Council will decide how to respond to the petition at this meeting. It 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 or scrutiny panel. Where the issue is one on which the Cabinet is required to make the final decision, the Council will decide whether to make recommendations to inform that decision. The lead petitioner will receive written confirmation of this decision.

29.33. For petitions to be considered by scrutiny, where the subject of the petition cuts across the remit of more than one scrutiny body it will be dealt with by the body that is most closely aligned with subject of the petition. The Monitoring Officer will determine which body that is. The meeting procedure to be followed at scrutiny meetings is attached at page 8.

30.34. Scrutiny meetings are held in public. The political balance of scrutiny bodies reflects the political balance of the Council. The role of scrutiny with regard to petitions is to ensure that appropriate action is taken in respect of each considered petition.

31.35. The lead petitioner will be invited to appear before scrutiny to speak in support of the petition and answer questions that Councillors may have. You may nominate someone else, including a councillor to attend on your behalf. Written evidence can be provided in support of the petition if it is forwarded to Democratic Services in advance of the meeting in accordance with access to information requirements. Scrutiny can deal with your petition in your absence. The relevant HoS or nominee and Cabinet Member will still attend the meeting.

32.36. A summary of the debate and any recommendations will be recorded in the minutes. A copy of the minutes will be forwarded to the lead and second petitioner with ten working days of the meeting.

How will the Council respond to petitions?

33.37. 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 inquiry into the matter;
- Undertaking research into the matter;
- Holding a public meeting;
- Holding a consultation;
- Holding a meeting with petitioners;
- Where it contains between 2,500 and 4,999 signatures or where officers determine that it is the most appropriate course of action, referring the petition for consideration by the relevant scrutiny body;
- Where the petition contains more than 5,000+ signatures, referring it for consideration by the Full Council meeting;
- calling a referendum;
- writing to the **lead** petitioner **organiser** setting out our views about the request in the petition.

38. If fewer than 2,499 signatures a formal response will be circulated to the Lead Petitioner within 28 Days of receiving the petition or of the closing date of the e-petition and a copy will be published on the council website and easily accessible from the relevant pages of the e-petition.

34-39. 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 inform you of this. You can find more information on the services for which the Council is responsible here <http://www.wolverhampton.gov.uk/>

40. If your petition is about something for which a different Council is responsible the petition will be referred to the relevant Cabinet Member(s) to consider 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, we will always notify you of the action we have taken.

Withdrawing/amending your petition

41. 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 lead petitioner 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 lead petitioner with the amendments included.

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

43. The Lead Petitioner may request, in writing, the withdrawal of a petition. Such requests will be considered by Democratic Services but in general it should be assumed that the Council will process all valid petitions received.

44. Where Democratic Services is minded to permit the Lead Petitioner to withdraw a petition, the Director of Governance shall be consulted.

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

45. If the Lead main petitioner contact is not satisfied with the process followed during consideration of their his/her petition, they he/she may appeal in writing to the Scrutiny Board by notifying the Scrutiny and Systems Manager of their his/her intention to appeal within 20 working days of being notified of the Council's decision on the petition. The correspondence should set out the reasons why the Lead Petitioner considers a review should be conducted.

46. The request will be considered by the Chair of Scrutiny Board consulting with the Scrutiny and Systems Manager. If it is felt that there is sufficient case to warrant a review the matter should then be referred to the Council's Scrutiny Board for consideration. The Scrutiny and Systems Manager will arrange for the matter to be considered by the next available meeting of the Council's Scrutiny Board and will

notify the Lead Petitioner of the date of this meeting.

35-47. If the Council's Scrutiny Board considers the Council has not dealt with the petition in accordance with this scheme, it may make recommendations to the appropriate Cabinet Member.

48. Once the request has been considered the Lead Petitioner will be informed of the result within 5 working days.

Petitions Scheme

36-49. These arrangements for considering petitions came into operation on XXX10 November 2016.

Contact

For further information and advice on the petitions process, please contact Democratic Services:

Email: democratic.services@wolverhampton.gov.uk

Telephone: 01902 550320 XXXX2873

Write to: Democratic Services, City of Wolverhampton Council, Civic Centre, St Peter's Square, Wolverhampton, WV1 1SH

Public Petition

Please be aware that all personal data collected via this petition will be processed, upon submission to City of Wolverhampton Council, in accordance with relevant data protection legislation. Only the details of the lead petitioner will be shared with relevant officers and councillors. Should you wish to submit a public petition for consideration, please refer to the guidance leaflet Petitions and E-Petitions Scheme and the Guidance Notes at the back of this form.

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| Petition Title | |
| Petition Text (briefly describe your issue, problem or request and what you want the City of Wolverhampton Council to do) | |
| Background information, including any actions taken to resolve issues of concern before submission of petition (please use extra sheets if necessary) | |

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|--|----------|
| Total number of petition signatures | |
| Contact information | |
| Lead Petitioner <small>(You will be the contact for this petition)</small> | |
| Address | |
| Contact number | |
| Email address | |
| Should the Committee consider it necessary, in order to broaden its understanding of the petition, it may invite a petitioner to appear before and give an oral presentation and answer questions. Would you wish, if invited, to appear? | Yes / No |
| Signature of lead petitioner | |
| Date of submission | |
| <p>Please return completed forms to: Democratic Services City of Wolverhampton Council Civic Centre St Peter's Square Wolverhampton WV1 1SH</p> <p>Email: democratic.services@wolverhampton.gov.uk Tel: 01902 5503202873</p> | |

| | Name (please print) | Home address | Work/educational establishment address | Signature |
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Only sign this petition if you live, work or study in Wolverhampton. You must supply a valid home **address and postcode**. Please also include a work or educational establishment **address and postcode** if you do not live in Wolverhampton, otherwise the entry will be discarded. You are not allowed to sign this petition on behalf of any other person. Those wishing to participate in this petition must sign for themselves. Any replicate signatures will not be counted.

1. Name of petitioner:

Please insert your name or, in the case of a petition being presented on behalf of a group e.g. a community council, the name of the person who is to represent the group and who will be the main contact.

2. Petition title:

Please give your petition a title that relates directly to the subject matter.

3. Text of petition:

The petition should clearly state what action the petitioner wishes the Council to take. Please note that this should be **limited to no more than five lines of text**.

4. Background information:

~~Please insert relevant, factual background information and set out the reasons why you consider the action requested to be necessary.~~

~~Before submitting your petition, petitioners should have made an attempt to resolve the issues of concern. Please provide a summary of the action taken to resolve your concern including details of Councillors approached, what happened, what was the result etc.~~

~~This information should be limited to no more than two sides of A4.~~

5.4. Contact information:

Please provide as much of the requested information as possible. This information is necessary for the administration of your petition. Please, in particular, provide a contact telephone number and e-mail address if you have one. This will enable the Democratic Services team to contact you quickly and efficiently in regard to your petition if necessary. **These details will not be published.**

