

Policy for the Receipt, Acceptance and Management of Petitions

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CONSULTATION AND RATIFICATION SCHEDULE

Name and Title of Individual/group	Date Consulted
Clinical Director, Partnerships & Engagement	February 2017
<i>Stoke-on-Trent Patient Congress</i>	<i>21.02.17</i>
<i>North Staffordshire Patient Congress</i>	<i>23.02.17</i>
Local Equality Advisory Forum (LEAF)	28.02.17
Health Watch Stoke Volunteer Engagement Meeting	30.03.17
Community Health Voice	06.04.17

Name of Committee	Date of Committee
Organisational Development Committee	23.05.17
North Staffordshire and Stoke-on-Trent Governing Board Meeting in Common	06.06.17

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1.0 INTRODUCTION

1.1 A petition represents the expression of the views of the people who sign it. For the Clinical Commissioning Groups (CCGs) petitions are an important mechanism for local people to have a voice on local health matters.

However, to ensure that the voices are heard appropriately and in order to avoid the danger of listening only to active lobby groups, petitions will not be viewed in isolation but as one piece of evidence and information which contributes to an overall picture of public opinion. Petitions can be raised as a discrete statement by the signatories or as a response to a public consultation or proposal being made by the Clinical Commissioning Groups.

1.2 This policy outlines how Stoke-on-Trent and North Staffordshire Clinical Commissioning Groups (CCGs) will handle any petitions received from the local community.

2. SCOPE

2.1 This policy relates to the receipt and management of either hard copy or e-petitions.

2.2 Petitions may be pro-active e.g. unsolicited; where there is public opinion that a new service may be required to fill a perceived gap in service provision or re-active i.e. in response to a CCG initiated proposal to change an existing service.

The policy sets out how petitions will be received whether outside a formal consultation period or during a formal consultation period.

3.0 CONTEXT

3.1 There is currently no clear, legally binding guidance to the NHS on handling petitions. Whilst the intention to introduce a clear framework was set out in Our health, Our Care, Our Say (Department of Health, 2006), this was not subsequently translated into policy.

3.2 When considering the receipt and management of e-petitions, the CCG wishes to ensure that it follows best practice. The CCG has drawn on published terms and conditions for submitting e-petitions, utilised by HM Government.

4.0 CRITERIA FOR THE CONSIDERATION OF PETITIONS

4.1 In order to be received for consideration, petitions should meet the criteria outlined below:

- A petition amounting to any number of signatures will be considered by the CCGs in their commissioning decisions. The sentiment indicated in the petition will be forwarded to the most appropriate internal commissioning process. This will be determined by the subject of the petition e.g. the petition may be passed to a Commissioning Manger to incorporate into a

service specification, the Clinical Priorities Advisory Group (CPAG), Planning and Commissioning Committee or Quality Committee.

- Where a petition, with significant support (with a minimum of 1000 signatures) has been received by the CCG, the Chair of the Governing Board shall include the petition as a specific item for the agenda and consideration of the next meeting of the Governing Board to agree any appropriate actions.
- Petitions may be received in paper or electronic (e.g. email, web based or social media) format.
- Petitions should include a statement of petition which should include:
 - the organisation to which the petition is being addressed
 - the proposition which is being promoted by the petition
 - the timeframe over which the petition has been collected
- the following information about each petitioner should be included:
 - Name
 - Postcode
 - Signature (in the case of a written petition)
 - Email address (in the case of an electronic petition). If this data is not collected due to the data controller not sharing the data eg a social media (eg Facebook) or 38 degrees petition, the petition will only be acknowledged as an indicator of public sentiment.
- The name and address of the petition organiser, who must be resident within the area to which the petition relates, should be provided on the first page of the petition.

5.0 ACCEPTANCE OF PETITIONS

- 5.1 An acknowledgement of receipt of the petition will be provided to the lead petitioner within 5 working days of receipt with a clear explanation about what will happen next.

Petitions will not be considered if they are repeated, vexatious or if they concern issues which are outside the CCGs' remit. Petitions will also not be considered if the information contained is confidential, libellous, false, defamatory or offensive.

A petition will be considered as a repeat petition if:

- a) it covers the same or substantially similar subject matter to another petition received within the previous six months;
- b) it is presented by the same or similar individuals or groups as another petition received within the previous six months.

A petition will be considered as a vexatious petition if:

- c) it focuses on individual grievances
- d) it focuses on the actions or decisions of an individual and not the organisation

A petition will be considered as outside the CCGs' remit if:

- e) it focuses on a matter relevant to another organisation
- f) it requests information available via Freedom of Information legislation
- g) its aim is to correspond on personal issue(s) with an individual(s)

h) signatories are not based in the UK

A petition will be considered as confidential, libellous, false or defamatory if:

- i) it contains information which may be protected by an injunction or court order
- j) it contains material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss

A petition will be considered as offensive if:

- k) it contains language that may cause offence, is provocative or extreme in its views

5.2 Where a petition does not meet the requirement set out in the criteria above then the relevant CCG will respond in writing within ten working days to confirm that the petition has been received and that, as the petition does not meet the criteria. The reason for rejection will be given clearly and explicitly.

5.3 Petitions received outside formal consultation period

5.3.1 For petitions received outside a formal consultation period, the Chair may delegate responsibility for receiving a petition to a nominated representative. The Chair or nominated representative will arrange for a short private meeting with the Petition Organiser to formally receive the Petition. All photographic opportunities may be politely declined by the CCG during this meeting.

5.3.2 Once received, the Chair's nominated representative will ensure that the petition receives appropriate and proportionate consideration and that a response is made in writing.

5.4 Petitions received during a formal consultation period

5.4.1 If a petition relates to a subject, proposal or matter about which the CCG is actively seeking public opinion, and if the petition is submitted before the publicised close date of the engagement or consultation process, the petition will be considered as an item of correspondence, in the same way that any other response would be considered. Petitions will be considered as valid for consideration as part of the consultation if they meet the requirements set out in the criteria outlined in this policy.

6.0 MANAGEMENT OF PETITIONS

6.1 When a report on the outcome of consultation is prepared, the following issues will be taken into account when considering a petition:

- If a petition is raised about a perceived lack of or missing service, Consultation is not a public referendum or public vote. Influence will be afforded to the most cogent ideas and arguments, based upon clinical effectiveness, quality, patient safety, clinical and cost effectiveness and not necessarily to the views of the most numerous stakeholders.
- The petition should be relevant to the subject of the consultation. It may not necessarily use the same words, but it should have a bearing on the proposal(s) that the CCG/s have put forward.
- The petition should reflect the latest proposals and policy statements being made by the CCG and not relate to issues that are no longer under consideration. This is particularly relevant when considering the timescale during which signatures have been collected.
- The petition should provide an accurate reflection of the proposals in the consultation, rather than including misleading information or statements.
- The petition should relate to the consultation and to the proposed action of the CCG (and/or its stakeholders), rather than to broader policy agenda beyond the scope of the consultation.
- The petition's concerns will be assessed in relation to the aims being put forward in the

consultation, and the rationale and constraints behind it. For example, a petition that proposes a realistic alternative option will normally be given greater weight than a petition that simply opposes an option that has been put forward for valid reasons.

- The petition's concerns will also be assessed in relation to the impact on other populations if these demands were accepted. This assessment could take into account views expressed in other petitions (which may conflict) or in more direct responses to the consultation.

6.2 The organiser of the petition will receive correspondence from the CCG as the body that has initiated the consultation, in the same manner as other respondents (e.g. acknowledgement, an outcome letter describing how the issues raised during consultation have or will influence the decisions made following consultation) within 28 days of receipt of the petition.

6.3 Petitions will be formally acknowledged in the analysis of consultation responses, along with all the other responses. If what Petitioners call for is accepted or rejected, the reasons for this should be given.

6.4 Hard copy and electronic petitions will be stored in a secure place within the CCG for 3 years and will then be destroyed as Confidential Waste (in the case of hard copies) or deleted (e-petitions.).

7.0 RETURN OF PETITIONS

7.1 Hard copy petitions should be addressed to

The Accountable Officer
C/o Head of Communication & Engagement
North Staffs & Stoke on Trent Clinical Commissioning Groups
Smithfield One
Leonard Coates Way
Stoke-on-Trent
Staffordshire
ST1 4FA

If you wish to make an appointment in advance to have your petition formally received;-
Telephone: 01782 298002 or email nscg@northstaffs.nhs.uk

Electronic petitions can be brought to the attention of the accountable officer by sending a link to nscg@northstaffs.nhs.uk