

Policy for the Receipt and Management of Petitions

June 2016

Authorship:	Corporate Services Manager
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Equality Impact Assessment	Completed - Screening
Sustainability Impact Assessment	Completed
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The on-line version is the only version that is maintained. Any printed copies should, therefore, be viewed as 'uncontrolled' and as such may not necessarily contain the latest updates and amendments.

POLICY AMENDMENTS

Amendments to the Policy will be issued from time to time. A new amendment history will be issued with each change.

New Version Number	Issued by	Nature of Amendment	Approved by & Date	Date on Intranet
1	SRCCG		Governing Body 27 th July 2016	8 th August 2016

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1. INTRODUCTION

A petition represents the expression of the views of the people who sign it and petitions are an important mechanism for the expression of community views and the public voice. However, to avoid the danger of listening only to active, vocal groups, petitions should not be viewed in isolation but as one piece of evidence and information which contributes to an overall picture.

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.

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

Any issues regarding the policy can be discussed with the Corporate Services Team

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2. ENGAGEMENT

In developing this policy discussion has taken place between staff at the CCG. The policy has been reviewed and approved by the Governing Board.

No further engagement was deemed necessary.

3. IMPACT ANALYSES

3.1. Equality

As a result of performing an Equality Impact Analysis, this policy does not appear to have any adverse effects on people who share Protected Characteristics and no further actions are recommended at this stage.

3.2. Sustainability

As a result of performing a Sustainability Impact Assessment, this policy does not appear to have any positive or negative impacts on any of the CCG's sustainability themes.

3.3. Bribery Act 2010

Any suspicion of fraud or bribery should be reported at the earliest available opportunity by contacting the CCG Counter Fraud Specialist.

4. SCOPE

This policy applies to the public, all staff, CCG Members, temporary staff, seconded staff, contractors and others undertaking work on behalf of the CCG etc.

5. POLICY PURPOSE & AIMS

This guidance outlines how NHS Scarborough and Ryedale CCG will handle any petitions from the local community. This guidance is relevant to the receipt and management of either paper or e-petitions.

It sets out two circumstances in which petitions may be received, outside a formal consultation period or during a formal consultation period.

6. DEFINITIONS

For the purpose of this policy a petition is defined as a written document signed by a number of people demanding some form of action from the CCG.

7. Criteria for the consideration of petitions

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

1. Petitions may be received in paper or electronic format.
2. Petitions should include a statement of petition on each page, which should comprise:
 - a) the organisation to which the petition is being addressed b) the proposition which is being promoted by the petition
 - b) the timeframe over which the petition has been collected
 - c) the following information about each petitioner should be included:
 - Name
 - Address
 - Signature (in the case of a written petition)
 - Email address (in the case of an electronic petition)
3. The name and address of the petition organiser, who must be resident within the area to which the petition relates, should be printed on the first page of the petition.

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

7.3. 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.

7.4. A petition will be considered as a vexatious petition if it focuses on individual grievance

7.5. A petition will be considered as outside the CCG's remit if:

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

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

1. it contains information which may be protected by an injunction or court order
2. it contains material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss

7.7. A petition will be considered as offensive if it contains language that may cause offence, is provocative or extreme in its views

7.8. Where a petition does not meet the requirement set out in the criteria above then the relevant Director 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, no response will be provided.

8. Petitions received outside formal consultation period

8.1. For petitions received outside a formal consultation period, the Chair will delegate responsibility for receiving a petition to their nominated representative.

8.2. The Chair's nominated Board Member 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.

8.3. Once received, the Chair's nominated representative will ensure that the petition receives appropriate and proportionate consideration at the next available Board Meeting and that a response is made in writing.

9. Petitions received during a formal consultation period

9.1. Where a petition concerns an issue out for formal consultation it 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 Section 7 of this policy.

9.2. All petitions received will be shared with the relevant Healthwatch group and Health Overview and Scrutiny Committee(s) as part of the report on views received during

consultation and the overall results of the consultation.

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

- Consultation is not a public vote. Influence will be afforded to the most cogent ideas and arguments, 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 has 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.

9.4. 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 influenced the decisions made following consultation).

9.5. 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, set out against a transparent set of criteria.

11. Roles / Responsibilities / Duties

The Chair of the CCG is responsible for receiving all petitions and submitting them to the attention of the Governing Body.

The Chief Officer has responsibility for ensuring that the policy is adhered to by the CCG.

The Governing Body is responsible for considering the petition and providing a response to the petition organiser.

The Lay member with responsibility for Communications and Engagement is responsible for reporting to the Governing Body the results of any petitions received.

The Corporate Services Team is responsible for providing administrative support to the process of acknowledging receipt of the petition.

All CCG staff are responsible for forwarding all petitions received by their team to the Corporate Services Team for attention of the Chair.

12. IMPLEMENTATION

This policy will be disseminated by the approved process and will be available on SR CCG's website.

13. TRAINING & AWARENESS

Communications will be sent to staff making them aware of the policy and requesting them to note it.

14. MONITORING & AUDIT

The Corporate Services Team will evaluate all petitions to ensure that the requirements of the policy are met.

Petitions deemed to be in non-compliance will not be formally accepted by the Governing Body, however they will be listed as "other correspondence received" on the appropriate Standing Committee or Council agenda, if applicable.

Any suspicion of fraud or bribery should be reported at the earliest available opportunity by contacting the CCG Counter Fraud Specialist.

15. POLICY REVIEW

This policy will be reviewed in 3 years. Earlier review may be required in response to exceptional circumstances, organisational change or relevant changes in legislation/guidance, as instructed by the senior manager responsible for this policy.

16. REFERENCES

UK Government and Parliament Terms and Conditions for E-Petitions

Equality Impact Analysis: Form

September 2013

For support with completion of this documentation, please see the accompanying guidance and/or contact the Equality Lead in the North Yorkshire and Humber Commissioning Support Unit

1. Equality Impact Analysis

Policy / Project / Function:	Policy for the Receipt and Management of Petitions								
Date of Analysis:	17 June 2016								
This Equality Impact Analysis was completed by: (Name and Department)	Corporate Services Manager								
What are the aims and intended effects of this policy, project or function?	This guidance outlines how NHS Scarborough and Ryedale Clinical Commissioning Group (CCG) will handle any petitions from the local community. This guidance is relevant to the receipt and management of either paper or e-petitions.								
Please list any other policies that are related to or referred to as part of this analysis?	None								
Who does the policy, project or function affect? Please Tick ✓	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Employees</td> <td style="text-align: right; padding: 5px;">X</td> </tr> <tr> <td style="padding: 5px;">Service Users</td> <td style="text-align: right; padding: 5px;">X</td> </tr> <tr> <td style="padding: 5px;">Members of the Public</td> <td style="text-align: right; padding: 5px;">X</td> </tr> <tr> <td style="padding: 5px;">Other (List Below)</td> <td style="text-align: right; padding: 5px;"><input type="checkbox"/></td> </tr> </table>	Employees	X	Service Users	X	Members of the Public	X	Other (List Below)	<input type="checkbox"/>
Employees	X								
Service Users	X								
Members of the Public	X								
Other (List Below)	<input type="checkbox"/>								

2. Equality Impact Analysis: Screening

	Could this policy have a positive impact on...		Could this policy have a negative impact on...		Is there any evidence which already exists from previous (e.g. from previous engagement) to evidence this impact
	Yes	No	Yes	No	
Race	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Age	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Sexual Orientation	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Disabled People	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Gender	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Transgender People	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Pregnancy and Maternity	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Marital Status	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Religion and Belief	<input type="checkbox"/>	X	<input type="checkbox"/>	X	
Reasoning					

If there is no positive or negative impact on any of the Nine Protected Characteristics go to Section 7

7. Equality Impact Analysis Findings

Analysis Rating:	☐ Red	☐ Red/Amber	☐ Amber	XGreen
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		Actions	Wording for Policy / Project / Function
Red Stop and remove the policy	Red: As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . It is recommended that the use of the policy be suspended until further work or analysis is performed.	Remove the policy Complete the action plan above to identify the areas of discrimination and the work or actions which needs to be carried out to minimise the risk of discrimination.	No wording needed as policy is being removed
Red Amber Continue the policy	As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason may exist that could legitimise or justify the use of this policy and further professional advice should be taken.	The policy can be published with the EIA List the justification of the discrimination and source the evidence (i.e. clinical need as advised by NICE). Consider if there are any potential actions which would reduce the risk of discrimination. Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.	As a result of performing the analysis, it is evident that a risk of discrimination exists (direct, indirect, unintentional or otherwise) to one or more of the nine groups of people who share <i>Protected Characteristics</i> . However, a genuine determining reason exists which justifies the use of this policy and further professional advice. <i>[Insert what the discrimination is and the justification of the discrimination plus any actions which could help what reduce the risk]</i>

Equality Impact Findings (continued):

		Actions	Wording for Policy / Project / Function
Amber Adjust the Policy	As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.	<p>The policy can be published with the EIA</p> <p>The policy can still be published but the Action Plan must be monitored to ensure that work is being carried out to remove or reduce the discrimination.</p> <p>Any changes identified and made to the service/policy/ strategy etc. should be included in the policy.</p> <p>Another EIA must be completed if the policy is changed, reviewed or if further discrimination is identified at a later date.</p>	<p>As a result of performing the analysis, it is evident that a risk of discrimination (as described above) exists and this risk may be removed or reduced by implementing the actions detailed within the <i>Action Planning</i> section of this document.</p> <p><i>[Insert what the discrimination is and what work will be carried out to reduce/eliminate the risk]</i></p>
Green No major change	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.	<p>The policy can be published with the EIA</p> <p>Another EIA must be completed if the policy is changed, reviewed or if any discrimination is identified at a later date</p>	As a result of performing the analysis, the policy, project or function does not appear to have any adverse effects on people who share <i>Protected Characteristics</i> and no further actions are recommended at this stage.
Brief Summary/Further comments			

Approved By

Job Title:	Name:	Date:
Simon Cox	Chief Officer	July 2016

SUSTAINABILITY IMPACT ASSESSMENT

Staff preparing a Policy/ Board Report / Committee Report / Service Plan / Project are required to complete a Sustainability Impact Assessment. Sustainability is one of the CCG's key priorities and the CCG has made a corporate commitment to address the environmental effects of activities across CCG services. The purpose of this Sustainability Impact Assessment is to record any positive or negative impacts that this activity is likely to have on each of the CCG's Sustainability Themes. For assistance with completing the Sustainability Impact Assessment, please refer to the instructions below.

Policy / Report / Service Plan / Project Title:				
Theme (Potential impacts of the activity)	Positive Impact	Negative Impact	No specific impact	What will the impact be? If the impact is negative, how can it be mitigated? (action)
Reduce Carbon Emission from buildings by 12.5% by 2010-11 then 30% by 2020			X	
New builds and refurbishments over £2million (capital costs) comply with BREEAM Healthcare requirements.			X	
Reduce the risk of pollution and avoid any breaches in legislation.			X	
Goods and services are procured more sustainability.			X	
Reduce carbon emissions from road vehicles.			X	
Reduce water consumption by 25% by 2020.			X	
Ensure legal compliance with waste legislation.			X	
Reduce the amount of waste produced by 5% by 2010 and by 25% by 2020			X	
Increase the amount of waste being recycled to 40%.			X	
Sustainability training and communications for employees.			X	
Partnership working with local groups and organisations to support sustainable development.			X	
Financial aspects of sustainable development are considered in line with policy requirements and commitments.			X	

