



Petitions Scheme

Adopted by Council - 24 May 2022

Reviewed in July 2023

1. Introduction

- 1.1 The Local Government & Elections (Wales) Act 2021 places a duty on a Principal Council to make and publish a Petitions Scheme setting out how the Council intends to handle and respond to Petitions (including Electronic Petitions). Electronic Petitions are referred to in this Scheme as ePetitions. This Petitions Scheme is one element of the wider Public Participation Strategy.
- 1.2 Petitions are documents (whether electronic or physical) that contain details of issues that are important to communities and the City & County of Swansea as a whole, signed by local electors who are in support of the proposed action.
- 1.3 This Petition Scheme was approved by Council on **24 May 2022** and will be reviewed by Council every two years or more frequently as required.
- ~~1.5~~ A copy of the Privacy Statement relating to this Petition Scheme is available at www.swansea.gov.uk
- 1.46 Address any queries on this Petition Scheme to:
Democratic Services Team, Swansea Council, Guildhall, SA1 4PE
democracy@swansea.gov.uk 01792 63 6923

2. Before submitting a Petition to Council

- 2.1 Before submitting a Petition, residents are encouraged to:
 - a) Contact the Council to see whether an ordinary service request would resolve the issue. www.swansea.gov.uk or www.swansea.gov.uk/reportit
 - b) Contact a relevant ward Councillor(s) to see whether they can help. www.swansea.gov.uk/councillors

3. Lead Petitioner

3.1 The name and contact details of the person that started the Petition (Lead Petitioner) is required, to allow contact between the Council and the Lead Petitioner. Only the Lead Petitioner will be contacted in relation to the Petition. The contact details of the Lead Petitioner will not be placed on the website.

3.2 If a Lead Petitioner is not identified, contact will be made with signatories to the Petition to agree who should act as the Lead Petitioner.

4. Who Can Raise a Petition?

4.1 Signatories to the Petition must live, work or study in the Swansea Council area.

4.2 Petitions may be signed by people of all ages.

5. Submitting a Paper Petition

5.1 **Paper Petitions Criteria.** The Paper Petition must:

- i) Include a clear and concise statement of the concern. The wording must be set out in full on each sheet (or side of a sheet) where signatures are asked for. The Petition will be returned if the wording is unclear.
- ii) Include what the Petitioners would like the Council to do in response.
- iii) Include the Petitioners' Name, Address, Postcode & their Signature.
- iv) Relate to something for which the Council is responsible for or over which the Council has some direct influence. If the Council receives a Petition that does not relate to something under the Council's control or direct influence, it will be returned to the Lead Petitioner with an explanation as to why the Council cannot progress the matter further.

Note: A "Petition Template Form" is set out at www.swansea.gov.uk/petitions

6. Submitting an ePetition

6.1 ePetitions created through websites other than the Councils' can be submitted provided they meet the Council's ePetitions criteria.

6.2 The period that an ePetition shall be open for e-signatories (subscription) must be determined at the outset. No ePetition will be allowed to be open for **36** months or more.

- 6.3 If it is considered that your ePetition cannot be published for any reason, the Council will contact you to explain the reason. You may be able to change and resubmit your petition. If you do not do this within 10 clear working days, a summary of the ePetition and the reason why it has not been accepted will be published under the 'Rejected Petitions' section of the website.
- 6.4 When an ePetition has closed for signature, it will automatically be submitted to Democratic Services. The Lead Petitions shall receive an acknowledgement within 10 clear working days.
- 6.5 **ePetitions Criteria.** The ePetition must:
- i) Include a clear and concise statement of the concern. The wording must be set out in full on each page where signatures are asked for. The Petition will be returned if the wording is unclear.
 - ii) Include what the Petitioners would like the Council to do in response.
 - iii) Include the Petitioners' Name, Address, Postcode & valid e-mail address.
 - v) Relate to something for which the Council is responsible for or over which the Council has some direct influence. If the Council receives a Petition that does not relate to something under the Council's control or direct influence, it will be returned to the Lead Petitioner with an explanation as to why the Council cannot progress the matter further.

7. Petitions (Paper & ePetitions) Procedure

- 7.1 Petitions will be acknowledged within 10 clear working days.
- 7.2 Petitions will be checked to ensure they comply with the Council's Petitions criteria (Paper or ePetition respectively).
- 7.3 Petitions will be published bilingually online. This may take several days as the Petition may need translating into Welsh or English.

8. What Petitions will not be accepted by the Council?

- 8.1 Petitions must be in relation to something which falls under the remit of the Council. The Monitoring Officer will have discretion as to whether a Petition meets the criteria set out in the Petitions Scheme. No further action will be taken in response to a Petition that fails to meet the criteria.
- 8.2 A Petition will not be accepted by the Council if:

- a) It duplicates another, concurrent Petition. In this case, signatures will be added to the first such Petition to be received by the Council.
- b) It repeats a Petition received within the previous six months, whether the Lead Petitioner is the same in each instance.
- c) In the opinion of the Council's Chief Executive Officer or Monitoring Officer, it is personal, rude, defamatory, or vexatious in nature.
- d) It becomes apparent that any local elector's name, address, or signature has been added to the Petition without their explicit consent.
- e) It is not in relation to a matter for which the Council has a responsibility, or which does not affect the administrative area or citizens of the Council.
- f) It would require the disclosure of confidential or exempt information in response.
- g) It relates to the personal circumstances or conduct of any officer and Member or conditions of service of employees.
- h) It relates to an individual, ~~particular~~ group or business or the Petitioner's own ~~particular circumstances~~ circumstances.
- i) It would be ultra vires or unlawful for the Council to consider.
- j) It relates to a matter which is the subject of legal or enforcement proceedings or an appeal to a court or tribunal or to a Government Minister or the National Assembly or an investigation by the Public Service Ombudsman for Wales.
- k) It relates to the activities and aims of a Political Party or Organisation.
- l) It would require the expenditure of a disproportionate amount of time, money, or effort to prepare the answer.
- m) A Petition seeks to overturn a lawfully made decision such as a formal decision of Council, Cabinet, Committee etc.-
- n) It can be more appropriately dealt with as part of a consultation response in which case it will be referred to the appropriate Council body / Officer and included as part of the consultation documentation.

8.3 If the Council rejects your Petition or you feel that the Council has not dealt with your Petition properly, please contact the Council's Corporate Complaints Team who will review your complaint and will advise you of the action intended. Please provide a short explanation of your reasons in your communication with us and the resolution you are seeking:

~~Corporate~~ Complaints, Swansea Council, Guildhall, Swansea, SA1 4PN
complaints@swansea.gov.uk

9. What will the Council do when it receives my Petition?

9.1 An acknowledgement will be sent to the Lead Petitioner within **10** clear working days of receiving the Petition. It will let you know what the Council plans to do with the Petition and when you can expect to hear from the

Commented [HE1]: Is Complaints the appropriate place? I suggest that the decision of the Presiding Member in consultation with the Monitoring Officer & Section 151 Officer is more appropriate.

Council again. A copy of your Petition will also be forwarded to the relevant Head of Service & relevant Cabinet Member www.swansea.gov.uk/cabinet

- 9.2 Where a Petition is in respect of a particular local issue affecting a specific ward(s) then the Democratic Services Team will notify the appropriate Councillor(s).
- 9.3 The Petition will be published on the Council's Petitions Register on the Council's website. www.swansea.gov.uk/petitions
- 9.4 If the Council considers it can meet what the Petition asks for, the acknowledgement may confirm what action has been taken on the request and the Petition will be closed.
- 9.5 If some other action is proposed or intended, the acknowledgement will explain this. **If the Petition has enough signatories to trigger a debate at a meeting of Council, Cabinet or the Petitions Committee, then the acknowledgment will confirm this and advise when and where the meeting will take place. If the Petition needs more investigation, you will be advised of the Council's next steps.**
- 9.6 The Council reserves the right to verify signatories as required. Petitioners should ensure that a valid address and postcode is included for all Petitioners that relates to a home address (if living in Swansea Council area) or work address (if working or run a business in Swansea Council area). These details will be considered when identifying if there are enough signatories from people who live or work in Swansea Council area to trigger a debate.
- 9.7 Any Petition that is a duplicate or near duplicate of another petition that the Council has already received will not normally be considered within a 6-month period although Officers will exercise their discretion in individual cases. It is advised that details of previous Petitions are checked on the website at the start of your Petition. www.swansea.gov.uk/petitions
- 9.8 To ensure that people know what the Council are doing in response to the Petitions received, the details of all the Petitions submitted, including those pending action will be published on the Council's website.
- 9.9 In the period preceding an Election or a Referendum, the Council may need to treat any Petitions received differently subject to the Pre-Election Publicity (PEP) guidance. Under such circumstances, the reasons for this will be explained to the Lead Petitioner.
- 9.10 The Council's response may also depend on the number of people who have signed the Petition. The table sets out the thresholds:

Number of Signatures	Response
1-49	Response from the relevant Director / Head of Service
50-499	Response from the relevant Cabinet Member
500+	Referred for debate at a meeting of the Full Council

Suggested Changes

Number of Signatures	Response
1-499	Response from the relevant Director / Head of Service
500-999	Response from the relevant Cabinet Member
1,000+	Referred for debate at a meeting of the <u>Petitions Committee</u> Full Council

10. Petition debated by the Petitions Committee ~~Full Meeting of the Council debates~~

- 10.1 If a Petition contains 1,500+ signatures, it will be debated by the Petitions Committee ~~a full Meeting of the Council~~. ~~A~~ The Petitions Committee will be arranged as soon as practicable ~~Council will endeavour to consider the Petition at its next meeting, although on some occasions this may not be possible, and consideration will then take place at the following meeting. Petitions will not be considered at the Annual Meeting of Council, Extraordinary Council, Ceremonial Council or at the Budget Setting Council meeting.~~
- 10.2 The Lead Petitioner will be given **3** minutes to address the Petitions Committee ~~Council~~ on the subject matter of the Petition. The Local Ward Councillors shall also have 3 minutes; however, in the event of it being a Multi-Member Ward, the total permitted shall be 5 minutes between them all. The relevant Cabinet Portfolio Holder will then be given **3** minutes for a right of reply and the Petition will then be discussed by the Petitions Committee. ~~Council for a maximum of 30 minutes.~~ Perhaps Lead Petitioner should also have 3 minutes to reply further. Officers too. The relevant Cabinet Portfolio Holder has a further right of reply, for no more than **3** minutes, at the end of the debate on the matter.
- 10.3 The Petitions Committee ~~Council~~ will decide how to respond to the Petition at this meeting. They 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 / Officer.
- 10.4 Where the issue is one on which the Council's Executive, namely the Cabinet, are required to make the final decision, the Petitions Committee ~~Council~~ will decide whether to make recommendations to inform that decision.

10.5 The Lead Petitioner will receive written confirmation of the decision as soon as practicable following the decision having been made. This confirmation will also be published on the Council's website.

11. Potential Outcomes from a Petition

11.1 The 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:

- Raising publicity for, and an awareness of an issue.
- Submission of Petition to a Cabinet meeting having regard to Executive functions.
- Taking the action requested in the Petition (either under Officer delegated powers or otherwise as appropriate in all the circumstance).
- **Taking the matter to full Council so the Petition can be considered.**
- Commissioning research.
- Writing to the Lead Petitioner setting out the Council's views on the request in the Petition.
- Referring the Petition to the Scrutiny Programme Committee.
- Holding a meeting with the Lead Petitioner.
- Forwarding your Petition / Lobbying another Body if it is something that the Council has no direct control.
- In matters that are dealt with by delegated authority, the responsible Officer will respond to the Petition.
- Some other appropriate response.

12. Data Protection and GDPR

12.1 Within 3 months of the Council's formal response to a Petition, the Paper Petition will be destroyed safely and securely and all eSignatures on an online Petition will be erased.

13. Freedom of Information (FOI) requests, Comments, Compliments and Complaints

13.1 Petitions that are essentially FOI requests, Comments, Compliments or Complaints will not be allowed. Please use the following links:

Freedom of Information Requests

<https://www.swansea.gov.uk/foireviewrequest>

Submitting Comments, Compliments and Complaints

<https://www.swansea.gov.uk/complaints>

Appendix 1

Swansea Council - Petition Template Form

Guidance Notes:

1. Please use this suggested template.
2. Additional pages must also include the Petition subject at the top of each page.
3. The Lead Petitioner must live, work, or own a business in the Swansea Council area.
4. If you wish to sign this Petition, please put down your Swansea Council address if you live, work, or own a business in the Swansea Council area as this will count towards any threshold for debate at [the Pensions Committee full Council meetings \(where all Councillors attend\)](#).
5. Signatories from outside the Swansea Council area will be taken into consideration in respect of the issue being raised but will not count towards the numbers required for formal debates under the Petition Scheme.
6. Please refer to the Petitions Scheme at www.swansea.gov.uk/petitions for further information.

Contact Details of the Lead Petitioner

Full Name	
Address	
Home Telephone	
Mobile Telephone	
email Address	
Do you Live / Work / Own a Business within the Swansea Council area? Indicate all that apply	
Signature	

Petition (Complete all areas)

Petition Title:	
Purpose of Petition: i) Clearly outline the purpose of the Petition. ii) What you are hoping to achieve. Note: The Purpose of the Petition must be shown on each page of the Petition.	
Summary of action already taken (if applicable):	

No.	Name	Address	Postcode	Signature	email Address (if possible)

Return to: Democratic Services, Swansea Council, Guildhall, Swansea, SA1 4PE

