

MIDLOTHIAN COUNCIL - PROCEDURE FOR DEALING WITH PETITIONS

1 Introduction

- 1.1** Petitions allow you to raise issues with us, either as an individual or on behalf of an organisation. Councillors cannot send us petitions but everyone else can. We will consider your petition as long as it keeps to the following procedures.
- 1.2** We will consider petitions at meetings of our Petitions Committee which are open to you and the press.

2 The Role of the Petitions Committee

- 2.1** The Petitions Committee will consider each petition, listen to you, ask you questions and take one of the following actions for each petition.
- No action, in which case we will give you the reasons.
 - Pass the petition to the relevant director or other Council Committee to look into, with or without any specific recommendation.
 - If the petition relates to another public organisation, we may pass it on to that organisation with or without any specific recommendation.
- 2.2** The Petitions Committee cannot change Council decisions, although they may ask for us to review a policy or procedure.

3 Valid Petitions

- 3.1** Petitions should be about what we are doing or issues that are relevant to you. They can be about services provided by other organisations such as the police and health services, although the Petitions Committee has a limited say in what these organisations do.
- 3.2** You cannot make petitions for the following:-
- Petitions where the subject matter is currently; has recently been; or will shortly be the subject of public consultation. In these circumstances the consultation process will be the mechanism to allow all parties to express their views.
 - Petitions about complaints or issues that should go through our normal procedures.
 - Petitions about individual planning, licensing or other applications (including decisions we have already made) where there are already procedures.
 - Petitions about personal or business interests.

- Petitions about complaints about the behaviour of individual officers or councillors which should go through the normal procedures.
- Petitions about employees' terms and conditions of employment which should go through the normal procedures.
- Petitions which could be defamatory (contain information which is not true), discriminate against someone or contain offensive or inappropriate language.
- Petitions which accuse someone of breaking the law or codes of practice.
- Petitions which are, or are from petitioners who are, trying to cause trouble.
- Petitions which are the same or are very similar to petitions the board have already considered in the last 12 months.
- Petitions about any decision we have made, or decisions a board, committee, joint committee or officer has made in the last six months.
- Petitions which support any political parties.

4 **Format of Petitions**

You should send in petitions using the template which we include in the annex to this document. If you are sending us a petition, you must be an individual or an organisation and will need to provide the following information. You are known as the Principal Petitioner.

- You should include your details including your name, address, phone number and e-mail address.
- You should include the text of the petition, which should clearly show the issue and what you want us to do.
- You should include any extra information you have to support the petition on no more than four sides of A4 paper.
- You should include any action already taken to deal with the issue.
- Please also list the names of other petitioners, if there are any.

Important – Please note that petitions will be rejected and returned to the Principal Petitioner in cases where the wording contained within the Petition Statement box differs from that on any accompanying petition signature sheets.

5 How are Petitions dealt with?

- 5.1** Our Monitoring Officer will check all petitions to make sure that they keep to our procedures. The Monitoring Officer will be the sole arbiter as to whether a petition is valid. Petitions which are deemed not to be valid will not be reported to the Petitions Committee.
- 5.2** Only petitions that are fully valid be accepted. Petitions that are partly valid will be rejected and returned to the Principal Petitioner with an explanation why and asking them to re-submit a fully valid petition.
- 5.3** If your petition is valid we will give you a reference number. We will also give you five working days' notice of the date of the meeting where we will consider your petition.
- 5.4** Depending on the rules about access to information, we will consider all petitions in public. We will ask you to make a statement (that lasts no longer than 10 minutes) to support your petition. You can bring one supporter to speak on your behalf. You and/or your supporter should be prepared to answer questions from the Petitions Committee.
- 5.5** The Petitions Committee can stop you or your supporter speaking if you talk about something which would have made the petition invalid if it was included in the petition, or if you behave in an inappropriate way when you present your petition or statement.
- 5.6** The Petitions Committee can consider two or more petitions together if they are similar or if they deal with the same subject. You will be told beforehand about this and will be asked to make either joint statements or individual statements for each petition.
- 5.7** Where appropriate, our officers will be present to provide any information about the petition that may be necessary.
- 5.8** The Petitions Committee will reach a decision about the petition at the meeting and this will be confirmed in writing. The Committee can take longer to consider a petition if they are waiting for more information.
- 5.9** The procedures depend on our standing orders which deal with how we organise our meetings.

6 Annual Report

We will put details about each petition the Petitions Committee has considered on our website. The Committee will also consider in its annual report the petitions considered and the results achieved.

7 Reviewing procedures

The Petitions Committee will review these procedures every year.

8 Can we help?

This procedure is available in Braille, in large print, on computer disk, on audio tape or in other languages. If you need the procedure in one of these formats or if you need help filling in the form, please contact:-

Petitions Staff
Legal and Secretariat Section
Resources Directorate
Midlothian Council
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EH22 1DN
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