

NHS South East London Integrated Care Board

**Acceptance and Management of
Petitions Policy
(CG14) v0.1**

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Review date	
Description	Petitions Policy
Target audience	All SEL employees, contractors, agency and volunteer staff

Version Control

Version number	V0.1
Supersedes	n/a

Document Review Control Information

Version	Date	Reviewer Name(s) and Job title	Change/amendment
0.1	16/05/22		Creation of new policy for ICB

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1.0 Introduction

Section 4.4 of the Constitution of NHS South East London Integrated Care Board (hereafter referred to as 'SEL ICB') states that "where a valid petition has been received by the ICB it shall be included as an item for the agenda of the next meeting of the Board in accordance with the ICB policy as published in the Governance Handbook".

Petitions are an important mechanism for local people to have a voice on local health matters. A petition represents the expression of the views of the people who sign it. Petitions will therefore be used as one piece of evidence to contribute to an overall picture of public opinion and will not be used in isolation to determine a necessary action. 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 Integrated Care Board. In this way they are either proactive – the expression of public opinion on a health issue that a section of the population believes they need to raise with the ICB – or reactive, in response to a specific commissioning decision.

The purpose of this policy is to detail how SEL ICB will ensure any petitions received are dealt with appropriately and in accordance with the requirements of the ICB's Constitution. This policy is relevant to petitions received in either paper or electronic medium.

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 SEL ICB.

2.0 Roles & responsibilities

- 2.1 **ICB Chair** - where a petition, with significant support (with a minimum of 1000 signatures), has been received by SEL ICB, the chair of the ICB, once informed, should discuss the content with the chief executive as to whether the petition is included as an item for the agenda of the next meeting of the Board.
- 2.2 **Board members** are responsible for considering petitions brought to their attention in the SEL ICB Board and providing a response to the petition organiser.
- 2.3 **The ICB governance team** are responsible for ensuring the process of handling petitions is properly managed and executed in compliance with this policy, including providing administrative support to the process of acknowledging receipt of the petition.
- 2.4 **All ICB staff** are responsible for forwarding all petitions received by their team to the SEL ICB governance team for attention of the chair. They must ensure compliance with relevant policy and procedure documents and co-operate with the governance team to respond to petitions relevant to their team when requested to do so.

3.0 Submission of petitions

Petitions may be submitted to the SEL ICB for consideration by either:

- a) Sending hard copy petitions by post to:
The Chief Executive
NHS South East London Integrated Care Board
160 Tooley Street
London, SE1 2TZ
- b) Sending notification of a petition electronically, marked for the attention of the Chief Executive, to selgovernance@selondonics.nhs.uk

4.0 Eligibility of petitions

4.1 Acceptance of petitions

In order to be received for consideration, petitions should meet the following criteria:

- A petition can be submitted with any number of signatures of more than one for consideration.
- 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
 - information about each petitioner, which should include:
 - 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, e.g. a social media 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.

4.2 Refusal to consider petitions

Petitions will not be considered if:

- they are repeated:
 - either covering the same or substantially similar subject matter to another petition received in the preceding six months, or
 - presented by the same or similar individuals or groups as another petition received within the previous six months.
- they are vexatious:
 - focussing on individual grievances, or
 - the actions or decisions of an individual not the organisation.
- they concern issues which are outside the ICB's remit
 - concerning matters relating to another organisation,
 - requesting information available via a Freedom of Information request,
 - being used to correspond with individuals on personal issues, or
 - from signatories not based in the UK.
- the information contained is confidential, libellous, false, defamatory or offensive:
 - it contains information which may be protected by an injunction or court order,
 - it contains information that is potentially confidential, commercially sensitive, or which may cause personal distress or loss, or
 - it contains language that may cause offence, is provocative or extreme in its views.

The process for dealing with vexatious contacts is included in SEL ICB's Persistent and Unreasonable Contacts Policy and procedure.

5.0 Processing of petitions

The process for managing a petition received within SEL ICB should be as follows:

1. The advertised email address for petitions to be submitted into the ICB will be included on the SEL ICB website: selgovernance@selondonics.nhs.uk.
2. Where petitions are received by other staff members or teams within SEL ICB, they will be asked to forward the correspondence to the above address to enable the petition process to be co-ordinated from a central point.
3. Once a petition is received, the SEL ICB governance team will assess that it meets the criteria of a petition (as detailed above) and log its receipt.

Once the assessment is complete, the petition will be either:

- Declined
- Accepted as a discrete statement for consideration
- Accepted as a response to a consultation or proposal for consideration

5.1 Declined petitions

Where a petition does not meet the requirement set out in the criteria in section 4.1, SEL ICB will respond in writing within ten working days to confirm that the petition has been received but that it does not meet the eligibility criteria or has been rejected due to one of the reasons in section 4.2. The reason for rejection will be given clearly and explicitly.

5.2 Petitions received outside a formal consultation period

Where a petition is submitted on a specific subject by a group of individuals who wish to raise an issue of concern with the board, the process to be followed will be:

1. The governance team will receive the petition and acknowledgement of receipt of the petition will be provided to the lead petitioner within five working days of receipt with a clear explanation about what will happen next.
2. For petitions with significant support, defined as supported by in excess of 1,000 signatories, the governance team will make the ICB chair aware. The ICB chair will discuss the petition with the chief executive and decide whether the petition should be included as a specific item on the agenda of the ICB Board to agree any appropriate actions.
3. If the chair and chief executive decide that the board will not discuss the matter as a specific agenda item, the chair may delegate responsibility for receiving the petition to a nominated representative. Either way, a meeting with the petition organiser should be arranged to formally receive the petition. Once received, the petition should receive appropriate and proportionate consideration.
4. For all petitions with significant support, the board will be made aware that they have been submitted, either by inclusion in the next board meeting as a specific agenda item for consideration, or as a written information only update within the next board papers to detail the petition received and the response provided.
5. For other petitions, the ICB governance team will forward to the most appropriate internal commissioning team to respond to the petition.
6. In all circumstances, the response and outcome will be advised to the lead petitioner in writing via the governance team within ten working days from the date the response is agreed.

5.3 Petitions received as part of a formal consultation response

Petitions may be received during a formal consultation period relating to a subject, proposal or matter about which the ICB is actively seeking public opinion. 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 (4.1).

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 SEL ICB have put forward.
- The petition should reflect the latest proposals and policy statements being made by the SEL ICB 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 SEL ICB (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.

The organiser of the petition will receive correspondence from SEL ICB as the body that has initiated the consultation, in the same manner as other respondents to the consultation.

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.

6.0 Archiving

Petitions received will be retained by SEL ICB for a period of five years, consistent with the retention period for public consultation documents as defined in the NHS Records Management Code of Practice 2021.

Hard copy documents will be retained in off site storage under ICB archiving arrangements. Electronic copies of petitions will be retained for the same period.

7.0 Review

This policy will be reviewed every two years or earlier, if NHS England issues new guidance, or if there is a change in legislation that may affect this policy.

8.0 Links to Relevant policies

- Records Management policy
- Persistent and Unreasonable Contacts Policy
- Standards of Business Conduct Policy
- NHS Records Management Code of Practice 2021

Appendix 1 – Equality Impact Assessment

This is a checklist to ensure that relevant equality and equity aspects of proposals have been addressed either in the main body of the document or in a separate Equality & Equity Impact Assessment (EEIA)/ Equality Analysis. It is not a substitute for an EEIA which is required unless it can be shown that a proposal has no capacity to influence equality. The checklist is to enable the policy lead and the relevant committee to see whether an EEIA is required and to give assurance that the proposals will be legal, fair and equitable.

The word “proposal” is a generic term for any policy, procedure or strategy that requires assessment.

Challenge questions	Yes/No	What positive or negative impact do you assess there may be?
Does the proposal affect one group more or less favourably than another on the basis of:		
• Race	No	
• Pregnancy and Maternity	No	
• Sex	No	
• Gender and Gender Re-Assignment	No	
• Marriage or Civil Partnership	No	
• Religion or belief	No	
• Sexual orientation (including lesbian, gay bisexual and transgender people)	No	
• Age	No	
• Disability (including learning disabilities, physical disability, sensory impairment and mental health problems)	No	
Will the proposal have an impact on lifestyle? (e.g. diet and nutrition, exercise, physical activity, substance use, risk-taking behaviour, education and learning)	No	
Will the proposal have an impact on social environment? (e.g. social status, employment (whether paid or not), social/family support, stress, income)	No	
Will the proposal have an impact on physical environment? (e.g. living conditions, working conditions, pollution or climate change, accidental injury, public safety, transmission of infectious disease)	No	

<p>Will the proposal affect access to or experience of services? (e.g. Health Care, Transport, Social Services, Housing Services, Education)</p>	<p>No</p>	
<p>Policy Author Simon Beard</p>	<p>Date 17/05/22</p>	<p>Signature:</p>
<p>Equalities Manager</p>	<p>Date</p>	<p>Signature:</p>