

## Section 4 - Citizens and the County Council

### 1. Citizens' rights

- 1.1 Citizens have a number of rights under this Constitution. These rights set out the ways in which Citizens can participate in the County Council's decision-making arrangements.
- 1.2 A Summary of Citizens rights is given below and they are covered in more detail in the relevant parts of Section 11 (Procedural Standing Orders) and Section 12 (Access to Information Procedure Rules).

### 2. Voting and referenda

- 2.1 Residents on the electoral roll for the County area have the right to vote in any election or referendum organised by the County Council. They may also sign a petition to request a referendum for an elected mayor form of Constitution. If the number of signatures on the petition reaches the prescribed number (currently 5% of the Electoral Roll), the County Council will hold a referendum.
- 2.2 Staffordshire residents also have a right to submit or sign petitions to the County Council including electronic petitions which can be submitted via [About petitions - Staffordshire County Council](#). Petitions submitted to the County Council will be dealt with under the petition scheme appended to this section.
- 2.3 Further details on how petitions are dealt with can also be found in Section 11 (Procedural Standing Orders).

### 3. Information

- 3.1 Full details of Citizens' rights of access to information are given in Section 12 (Access to Information Procedure Rules).
- 3.2 In Summary, Citizens have the right to:
  - attend meetings of the County Council, its Committees and Panels, and Cabinet except where it is likely that confidential or exempt information will be disclosed during the meeting. Where this is the case, the meeting will be held in private and any reports containing confidential or exempt information will not be published;
  - find out what key decisions will be taken by the Cabinet, and when, from the Council's Forward Plan of Key Decisions, which can be



found on the County Council's website: [Browse plans – Cabinet - Staffordshire County Council](#);

- see reports and background papers, and any records of decisions made by the Council and the Cabinet;
- inspect the Council's accounts and make their views known to the external auditor; and
- record, report or film formal meetings (including by the use of electronic methods such as Twitter, Blogs and Facebook).

#### **4. Complaints**

4.1 Citizens have the right to complain to the Council under its complaints scheme which can be found on the Council's website at [Comments, compliments and complaints - Staffordshire County Council](#).

4.2 If Citizens are not satisfied by the response from the Council after using the Council's own complaints scheme they can then complain to the Local Government and Social Care Ombudsman, details of how to complain to the Ombudsman are given as part of Council's complaints scheme.

4.3 Citizens can also complain about the conduct of elected members of the County Council to the County Council's Monitoring Officer who will investigate and determine if a breach of the elected members' Code of Conduct has occurred. Further details about the Members' Code of Conduct can be found in Section 3 (Members of the County Council).

#### **5. Overview and Scrutiny**

5.1 Citizens have the right to participate in the Council's Overview and Scrutiny arrangements by suggesting topics for the Overview and Scrutiny Committees to review. More details can be found at [Get involved - Staffordshire County Council](#).

5.2 Citizens also have the right to attend meetings of the Council's Overview and Scrutiny Committees and members of the public may be invited to participate in scrutiny activity at appropriate points.

#### **6. Citizens' responsibilities**

6.1 Citizens must not be violent, abusive or threatening to elected members or officers and must not wilfully harm things owned by the County Council, elected members or officers.



## 7. Petitions

7.1 Staffordshire County Council wants to hear from people who live, work and study in the area about the things that matter to them. We welcome petitions which are one way for people to let us know their concerns. We will acknowledge all petitions sent or presented to the council within 10 working days of receipt. This acknowledgement will set out what we plan to do in response to the petition. We will treat something as a petition if it says it is a petition, or if it seems to us that it is meant to be one.

7.2 You can send paper petitions to:

Mike Bradbury  
Democracy Manager  
Staffordshire County Council  
Staffordshire Place 2  
Stafford  
ST16 2DH

7.3 Or create, sign and submit a petition online by following this link [About petitions - Staffordshire County Council](#).

7.4 Or contact Mike Bradbury, Democracy Manager on 01785 276133 to make arrangements to hand a petition in.

7.5 Petitions can also be presented to a meeting of the Full Council by elected members of the Council. These meetings take place at least six times a year, dates and times can be found here: [Committee details - County Council - Staffordshire County Council](#). If you would like your councillor to present it on your behalf, please contact Mike Bradbury, Democracy Manager, on 01785 276133 at least 10 working days before the meeting and an officer will talk you through the process.

### **What are the guidelines for submitting a petition?**

7.6 Petitions submitted to the council must include:

- a clear and concise statement covering the subject of the petition - it should state what action the petitioners wish the council to take (or stop taking)
- the name and address and signature of any person supporting the petition.



- 7.7 Petitions should be accompanied by contact details, including an address, for the petition organiser. This is the person we will contact to explain what we will do in response to the petition. If the petition does not identify a petition organiser, we will contact signatories to the petition to agree who should act as the petition organiser.
- 7.8 Please tell us if the petition has been sent to anyone else as well as the County Council.
- 7.9 Petitions which we consider to be vexatious, abusive or otherwise inappropriate are not acceptable.

### **What will the council do when it receives my petition?**

- 7.10 An acknowledgement will be sent to the petition organiser within 10 working days of receiving the petition. It will explain what we plan to do in response to the petition and if and when they can expect to hear from us again. The acknowledgement will also be published on our website. The contact details of the petition organiser will not be published.
- 7.11 If we can do what your petition asks for, the acknowledgement may confirm our response that we will do this and the petition will be closed.
- 7.12 If the subject raised by the petition needs more investigation, we will tell you the steps we plan to take to do this, how you may be involved and when you can expect a final response.
- 7.13 If the petition has enough signatures to trigger a council debate (5,000 signatures), or a senior officer giving evidence (2,500 signatures), then the acknowledgment will confirm this and tell you when and where the meeting will take place and how you may be involved.
- 7.14 If the petition applies to a planning application, is a statutory petition (for example requesting a referendum on having an elected mayor), or on a matter where there is already an existing right of appeal, other procedures apply. Further information on all these procedures and how you can express your views is available on the council's website.
- 7.15 In the period immediately before an election or referendum we may need to deal with your petition differently – if this is the case, we will explain the reasons and discuss the revised timescale which will apply.



- 7.16 If a petition does not follow the guidelines, the council may decide not to do anything further with it. In this case, we will write to you to explain the reasons.
- 7.17 So that people know what we are doing in response to the petitions we receive the details of all the petitions submitted to us will be published on our website, together with the acknowledgement and notification of the response, except in cases where this would be inappropriate. Whenever possible we will also publish all correspondence relating to the petition (all personal details will be removed).

### **How will the council respond to petitions?**

- 7.18 Our response to a petition will depend on what a petition asks for and how many people have signed it, but the steps we take in response may include one or more of the following:
- considering the petition at a council meeting
  - holding an inquiry into the matter
  - undertaking research into the matter
  - holding a public meeting
  - holding a consultation
  - holding a meeting with petitioners
  - referring the petition for consideration by one of the council's Overview and Scrutiny Committee\*
  - calling a referendum

leading to writing to the petition organiser:

- setting out our views about the request in the petition
- explaining that we will take the action requested in the petition
- explaining why we will not take the action requested in the petition
- explaining what action we will take, if any, in response to the subject raised by the petition
- giving advice about how the subject raised by the petition might be pursued.

*\*Overview and scrutiny committees are committees of elected members who are responsible for scrutinising the work of the council and some partners – in other words, the overview and scrutiny committee has the power to hold the council's decision makers and some partners to account. You can find out more about our decision making and scrutiny arrangements by following this link: [Scrutiny overview - Staffordshire County Council](#)*



- 7.19 The council will consider all the specific actions it could take on the subject raised by a petition. If your petition is about something over which the council has no direct control (for example the local railway or hospital) we will consider making representations on behalf of the community to the relevant body. The council works with a large number of local partners and where possible will work with these partners to respond to your petition. If we are not able to do this for any reason, then we will explain this to you. You can find more information on the services for which the council is responsible on our website.
- 7.20 If your petition is about something that a different council is responsible for, we will give consideration to what the best method is for responding to it. This might consist of simply forwarding the petition to the other council but could involve other steps. In any event, we will always notify you of the action we have taken.

### **Full council debates**

- 7.21 If a petition contains more than 5,000 signatures it will be debated by the full council (unless it is a petition asking for a senior council officer to give evidence at a public meeting). This means that the subject raised in the petition will be discussed at a meeting which all elected members can attend. The council will usually 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. We will let you know about the specific arrangements for the debate and how you may be involved. The council may decide the response to the petition at this meeting or suggest what other steps should be taken. Where the council executive has to make the final decision on the response to the petition, the council may make recommendations to inform this decision.
- 7.22 The petition organiser will be notified of the council's resolutions. This notification will also be published on our website.

### **Officer evidence**

- 7.23 Your petition may ask for a senior council officer to give evidence at a public meeting about something for which the officer is responsible as part of their job. For example, your petition may ask a senior council officer to explain progress on an issue, or to explain the advice given to elected members to enable them to make a particular decision.



7.24 If your petition contains at least 2,500 signatures, the relevant senior officer will give evidence at a public meeting of the relevant overview and scrutiny committee. A list of the senior staff that can be called to give evidence can be found at Appendix 1. You should be aware that the overview and scrutiny committee may decide that it would be more appropriate for another officer to give evidence instead of any officer named in the petition – for instance if the named officer has changed jobs. The committee may also decide to call the relevant councillor to attend the meeting. Committee members will ask the questions at this meeting, but we will let you know the specific arrangements for the meeting and how you may be involved. The overview and scrutiny committee will make a report on its findings which may include recommendations for action.

7.25 The petition organiser will be sent a copy of the overview and scrutiny committee's report. The report will also be published on our website.

### **E-petitions**

7.26 The council welcomes e-petitions which are created and submitted through our website: [About petitions - Staffordshire County Council](#). E-petitions must follow the same guidelines as paper petitions.

7.27 The petition organiser will need to provide us with their name, postal address and email address. You will also need to decide how long you would like your petition to be open for signatures. Most petitions run for six months, but you can choose a shorter or longer timeframe, up to a maximum of 12 months.

7.28 When you create an e-petition, it may take five working days before it is published online. This is because we have to check that the content of your petition is suitable before it is made available for signature. If we feel we cannot publish your petition for some reason, we will contact you within this time to explain. You will be able to change and resubmit your petition if you wish. If you do not do this within 10 working days, a summary of the petition and the reason why it has not been accepted will be published under the ['rejected petitions' section of the website](#).

7.29 When an e-petition has closed for signature, it will automatically be submitted in the same way as a paper petition, you will receive an acknowledgement within 10 working days.

7.30 A petition acknowledgement and response will be emailed to everyone who has signed the e-petition and elected to receive this information.



The acknowledgment and response will also be published on this website. We will not send you anything which is not relevant to the e-petition you have signed, unless you choose to receive other emails from us.

### **How do I 'sign' an e-petition?**

- 7.31 You can see all the e-petitions currently available for signature on the council's website.
- 7.32 When you sign an e-petition you will be asked to provide your name, your postcode and a valid email address. When you have submitted this information, you will be sent an email to the email address you have provided. This email will include a link which you must click on in order to confirm the email address is valid. Once this step is complete your 'signature' will be added to the petition.
- 7.33 People visiting the e-petition will be able to see your name in the list of those who have signed it but your contact details will not be visible.

### **What can I do if I feel my petition has not been dealt with properly?**

- 7.34 If you feel that we have not dealt with your petition properly, the petition organiser has the right to request a review of the steps that the council has taken in response to your petition. This will be undertaken by the Council's Corporate Overview and Scrutiny Committee, unless it has previously been involved in considering the petition in which case it will nominate another of the council's Overview and Scrutiny Committees to undertake the review. It is helpful to everyone if the petition organiser gives a short explanation of the reasons why the steps the council has taken are not considered to be adequate.
- 7.35 The committee will usually consider your request at its next meeting, although on some occasions this may not be possible and consideration will take place at the following meeting. Should the committee determine that we have not dealt with your petition adequately, it may use any of its powers to deal with the matter.
- 7.36 These powers include making recommendations to the council executive and arranging for the matter to be considered at a meeting of the full council.





7.37 Once the appeal has been considered the petition organiser will be informed of the results within five working days. The results of the review will also be published on our website.

### **Appendix 1 - List of the senior staff that can be called to give evidence**

Chief Executive

Deputy Chief Executive and Director for Families and Communities

Director for Economy, Infrastructure and Skills

Director for Corporate Services

Director of Health and Care

