NHS Cornwall and Isles of Scilly

NHS Devon

Joint Policy on the Receipt, Acceptance and Management of Petitions

NHS Devon
NHS Cornwall and Isles of Scilly

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Equality, diversity and inclusion statement

NHS Devon and NHS Cornwall and Isles of Scilly are committed to promoting equal opportunities, addressing health inequalities, and fostering good relations between people protected under the Equality Act 2010, the Health and Social Care Act 2012, and Human Rights legislation. We are equally committed to eliminating unlawful discrimination, harassment, and victimisation. To demonstrate this commitment, we develop, promote and maintain policies, strategies and operating procedures. Every effort is made to ensure that patients, employees, contractors or visitors do not experience discrimination; either directly or indirectly, because of their vulnerability; disadvantage; age, disability; gender reassignment; marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex (gender) or sexual orientation.

All staff must comply with this policy. Compliance must reflect our organisational commitment to and policy on equality, diversity and inclusion. In addition, each manager and member of staff involved in implementing this policy must give due regard to the needs of those protected under law.

If you, or any other groups, believe you are discriminated against under the terms of the Equality Act, the Health and Social Care Act 2012 or Human Rights legislation by anything contained in this document; or you need this document in an alternative format, for example, large print, Braille, Easy read or other languages; please contact our Patient Advice and Complaints Team (PACT):

Policy Summary

Summary & Key Aims	Target Audience
Aim: To provide a voice for the local community, visibility to genuine concerns and ensure petitions are addressed appropriately. **Purpose:** Provide clear guidance on receiving, validating, and managing petitions to ensure consistent and fair handling across ICBs, whether in hard copy or e-petition.	All ICB staff, including Board Members, involved in policy-making processes, whether permanent, temporary, or contracted for services, whether as individuals or through third-party suppliers.
Requirements	**ous Policy Names**
Petitions received in response to a formal consultation on a proposal to change an existing service will be managed through that process. Petitions may be submitted in paper or electronic format and will relate directly to: • services provided and decisions made by the ICBs or one of their partner organisations (where the service has been commissioned by one of the ICBs), or • a perceived gap in service provision or clinical policy. Share petitions with the Corporate Governance Team within 24 to 48 hours to ensure a response within policy timescales.	This Policy supersedes the individual policies of NHS Cornwall and Isles of Scilly and NHS Devon of the same name.
Risks to the ICB if the policy isn't followed	**What could happen if staff don't follow the policy**
Failure to adhere to this policy may result in petitions being deemed non-compliant and not formally accepted, which could lead to public dissatisfaction and loss of trust in the ICB's processes.	A complaint or formal grievance may be raised against the staff member by an aggrieved individual who has submitted a petition

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1. Introduction

1.1. The NHS Devon and NHS Cornwall and Isles of Scilly Integrated Care Board (ICB) Constitutions state that where a valid petition is received, it shall be included as an item for the agenda of the next meeting of the Board.

1.2. A petition represents the expression of the views of the people who sign it. For NHS Devon and NHS Cornwall and Isles of Scilly petitions are an important mechanism for local people to have a voice on local health matters.

1.3. Petitions can be raised as a discrete statement by the signatories or as a response to a public consultation or proposal being made by NHS Devon and NHS Cornwall and Isles of Scilly. To ensure that voices are heard appropriately and to avoid only listening to active lobby groups, NHS Devon and NHS Cornwall and Isles of Scilly will not view petitions in isolation, but as one piece of evidence and information which contributes to an overall picture of public opinion.

2. Purpose

2.1. The aim of this policy is to outline how NHS Devon and NHS Cornwall and Isles of Scilly will handle any petitions received from the local community.

3. Scope

3.1. This policy applies to the receipt, acceptance, and management of all petitions received by NHS Devon and NHS Cornwall and Isles of Scilly, whether in hard copy or as an e-petition. It does not apply to petitions received in response to a formal consultation on a proposal to change an existing service. These petitions will instead be managed through the formal consultation process.

4. Context

4.1. Petitions may be proactive, e.g., unsolicited, when public opinion indicates that a new service may be required to fill a perceived gap in service provision; or reactive, e.g., in response to an NHS-initiated proposal to change an existing service or clinical policy.

4.2. There is currently no legally binding guidance to the NHS on handling petitions.

4.3. When considering the receipt and management of petitions, NHS Devon and NHS Cornwall and Isles of Scilly follow best practice and have drawn on published terms and conditions for submitting e-petitions used by HM Government.

4.4. This policy applies to all staff, including Board Members, involved in policy-making processes, whether permanent, temporary, or contracted for services (either as individuals or through third-party suppliers).

Criteria for the consideration of petitions

4.5. In order to be received by NHS Devon and NHS Cornwall and Isles of Scilly for consideration, petitions should meet the criteria outlined below:

- Petitions will relate directly to:
  - services provided and decisions made by the ICBs or one of their partner organisations (where the service has been commissioned by one of the ICBs);
  - or where there is a perceived gap in service provision or clinical policy.

- 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
  - the number of signatures collected

- The following information about each petitioner should be included:
  - 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 (e.g., Facebook) 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.

4.6. A petition amounting to any number of signatures will be considered by NHS Devon and NHS Cornwall and Isles of Scilly.

4.7. Only those with more than 1000 signatures will be presented to the South West Peninsula Board. For those petitions with fewer than 1000 signatures, the petition will be forwarded to the most appropriate Chief Officer for consideration and response.

4.8. Where a petition, with significant support (with a minimum of 1000 signatures) has been received by NHS Devon and NHS Cornwall and Isles of Scilly and meets the criteria above, the Chief Executive shall consult with the Chair as to how best to address the receipt of the petition at the next meeting of the South West Peninsula Board. This could be as a specific item for the agenda, as a reference in either the Chair or Chief Executive's Report to the Board. The purpose of presenting the petition is to enable the Board to be aware of the issues raised and the proposed actions to be taken in response.

Acceptance of Petitions

4.9. If staff receive a petition, they must share it with the Corporate Governance team within 24 to 48 hours. The lead petitioner will receive an acknowledgement of receipt within 5 working days, along with a clear explanation of the next steps which will include an assessment as to whether the petition meets the requirements of this policy.

4.10. Petitions will not be considered if they are repeated, focus on individual grievances, are in respect of a subject of persistent contact with the NHS Devon or NHS Cornwall and Isles of Scilly, or if they concern issues which are outside the ICBs' remit such as health issues of national concern. Petitions will also not be considered if the information contained is confidential, libellous, false, defamatory or offensive.

4.11. 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.

4.12. A petition will be considered as the subject of persistent contact if:

a) it focuses on individual grievances
b) it focuses on the actions or decisions of an individual and not the organisation

c) the subject matter or individual submitting the petitions meets any of the definitions contained within the ICB 's "Dealing with Persistent and Unreasonable Members of the Public Policy".

4.13. A petition will be considered as outside the ICBs' remit if:
a) it focuses on a matter relevant to another organisation
b) it focuses on a matter of national rather than local concern
c) it requests information available via Freedom of Information legislation
d) its aim is to correspond on personal issue(s) with an individual(s)
e) signatories are not based in the UK

4.14. A petition will be considered as confidential, libellous, false or defamatory if:
a) it contains information which may be protected by an injunction or court order
b) it contains material which is potentially confidential, commercially sensitive, or which may cause personal distress or loss

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

4.16. The petition's concerns will be assessed in relation to the aims being put forward, and the rationale and constraints behind it. For example, a petition proposing a realistic alternative will normally be given greater weight than one that simply opposes a validly put-forward option.

4.17. The petition's concerns will also be assessed in relation to the impact on other populations if these demands were accepted. This assessment could consider the views expressed in other petitions (which may conflict) or in more direct responses to the consultation.

4.18. Where a petition does not meet the requirements set out in the criteria above, NHS Devon and NHS Cornwall and Isles of Scilly will write to the petitioner within ten working days following the acknowledgement of receipt to confirm this, and the reason for rejection will be given clearly and explicitly. Should a petition relate to an individual grievance or treatment received by an individual, it will be referred to the Patient Experience Team for review and, if required, action via the NHS Complaints procedure

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

Management of Petitions

4.20. The Corporate Governance team will evaluate all petitions to ensure compliance with the policy requirements.

4.21. A register of petitions received will be maintained by the Corporate Governance Team and reported annually to the Audit and Risk Committee.

4.22. Hard copy and electronic petitions will be stored in the Governance cupboard in the Board Room on S:\Governance & Data Protection\Governance\11. Governance - Other\02. Petitions respectively or 3 years from the date of receipt by NHS Devon and NHS Cornwall and Isles of Scilly will then be destroyed as confidential waste (in the case of hard copies) or deleted (e-petitions).

5. Accountabilities, Duties and Responsibilities

Chief Executive Officer	The Chief Executive has ultimate accountability for the strategic direction and operational management of NHS Devon and NHS Cornwall and Isles of Scilly, including compliance with all legal, statutory and policy requirements. The Chief Executive Officer is responsible for receiving petitions submitted to NHS Devon and NHS Cornwall and Isles of Scilly. Where petitions include over 1000 signatures, the Chief Executive Officer has the responsibility, together with the Chair, to consider and discuss at a meeting of the South West Peninsula Board any appropriate actions. The Chief Executive is responsible for ensuring that appropriate correspondence is sent to petitioners informing them of any rejected petitions and providing clear and explicit reasons for the rejection.
Chair	The Chair is responsible for reviewing petitions with over 1000 signatures together with the Chief Executive Officer for consideration to discuss at a meeting of the South West Peninsula Board to agree any appropriate actions.

Corporate Governance team	The Corporate Governance team is responsible for providing administrative support for the petition acknowledgement process.
Managers	Senior Managers, or their designated representatives, are responsible for notifying all staff of the policy's existence. New staff will be informed of this policy as part of their induction Having adequate knowledge of, and / or access to, all relevant legislation in order to ensure that compliance with such legislation is maintained.
All Staff	Employed or engaged staff have a duty to ensure that any petitions received are shared with the Corporate Governance Team within 24 to 48 hours to allow a response within the timescales set out within this policy.

6. Impact assessments

6.1. An Equality Quality Impact Assessment (EQIA) has been completed in respect of this policy. No concerns were highlighted.

7. Implementation

7.1. Staff will be informed of the approval of the Policy via the Staff Bulletin, which will provide a link to the document on the Intranet.

7.2. This policy is subject to approval of the NHS Devon and NHS Cornwall and Isles of Scilly Integrated Care Boards following recommendation from the Audit & Risk Committees meeting in common.

8. Monitoring compliance and effectiveness

8.1. The Corporate Governance team will evaluate all petitions to ensure the policy requirements are met.

8.2. Petitions deemed to be non-compliant will not be formally accepted by the South West Peninsula Board. However, they will be listed as "other correspondence received" on the appropriate committee (or local council) agenda, if applicable.

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

8.4. The log of petitions received, along with any policy-related breaches, will be reported annually to the Audit and Risk Committees meeting in common.

9. Review

9.1. This policy will be reviewed annually or sooner in the event of changes to legislation, national guidance or the local context.