

Procedure for the Selection of Local Government Candidates (2022 onwards)

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1. This procedure is published under the powers of the Party Board under the Party Constitution Schedule 6 item 12:

2. “Power of the Board to determine the procedure by which Constituency Associations and other bodies select Candidates.

The Board may, through the Committee on Candidates, from time to time publish mandatory rules as to the procedure by which Constituency Associations and other bodies select Candidates for all or any public elections.”

3. The procedure is mandatory. **Not adhering to the rules can lead to appeals, the selections being re-run and the refusal of the Party Nominating Officer to give authorisation.**

Introduction

4. This procedure is an update to the procedures issued in 2019. This procedure may be used for the selection of candidates for elections scheduled to take place after May 2021.

4.1 Procedural rules which begin with an asterisk (*) apply only to meetings conducted virtually.

5. The procedure has been based on the following principles:

5.1 The process should be as simple, fair, open and as streamlined as possible.

5.2 There is no automatic admittance to the approved list for sitting councillors.

5.3 For a sitting councillor on the Approved List, preferential treatment in the process will be given in their current seat in stage two, but not automatic reselection. If a new council is being created, for example a new unitary, or if there have been major boundary changes (as decided by the Executive Council), for the purposes of these Rules, there are deemed to be no sitting councillors.

5.4 Party members will be involved in the selection of the prospective candidate within their ward or division.

5.5 All votes in the selection process must be by secret ballot.

5.6 Virtual meetings and the resulting decisions carry the same weight as any taken at a physical meeting.

6. The process is formed of three stages. Each stage is explained in detail below.

7. If a ward/division sits across Association boundaries both officer teams should meet to discuss how the selection will be undertaken at the earliest opportunity. The Area Management Executive (AME) will act as a facilitator in these meetings and will decide a process if a consensus cannot be achieved between Associations.

8. Where an Association is not meeting their minimum requirements the AME or Conservative Campaign Headquarters will work to assist.

9. Prior to taking part in the selection process each applicant must complete the Party’s mandatory application form (for new candidates) or re-approval form (for sitting councillors who wish to be selected). Applicants will be given a copy of these rules with their application form.

9.1 A new form must be completed each time an application to the approved list is required.

9.2 Associations must retain the form for four years.

Emergency procedure

10. The Executive Council must agree a procedure to deal with the emergency selection of a candidate in cases where there is too little time before the close of nominations for the normal procedure to be used. This should be decided at the same time as the composition of the Approvals Committee.¹

10.1 This procedure can be used where a previously selected candidate drops out at the last minute or for a local government by-election.

10.2 Any procedure must include potential candidates being placed on the Approved Candidates List. Other steps are at the discretion of the Executive Council.

¹ A suggested procedure can be found in the document ‘Suggested Emergency Selection Procedures’



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Appeals

11. The only appeal possible regarding the process is on the grounds that the process was not carried out in accordance with these rules. Applicants may not appeal against a properly taken vote that they have lost.

11.1 An appeal must be made to the AME within 14 days of a decision being notified. The decision of the AME shall be final. The AME must meet within 42 days of the receipt of the appeal.²

11.2 Any appeal to the AME must be submitted using the standard appeal template form.

Stage One – The approved candidates' list

12. It is the responsibility of the Executive Council of the Association (or Federation or MCA where relevant) to ensure that an approved list of potential candidates is always available for selection.

13. The Executive Council must delegate its authority for the approval of candidates to another body – an Approvals Committee.

14. Members of the Executive Council who sit on the Approvals Committee are allowed to act as part of the Executive Committee in stage three.

15. The Approvals Committee will include:

15.1 The Conservative Group Leader on the Council, for which candidates are being approved (or a deputy appointed by him/her) in an advisory, non-voting, position.

15.2 At least one other serving councillor from within the Association area. This may be one of the Association Officers and can be a councillor from any principal local government authority³.

15.3 The Association Chairman.

15.4 Association Deputy Chairman Political.

15.5 Any additional members, not seeking approval themselves, that the Executive deems suitable, subject to Rules 16 and 18.

15.6 *Where approval meetings are conducted virtually, an independent meeting administrator to convene the meeting and oversee the online ballot, in a non-voting capacity.⁴

16. The majority of the Approvals Committee must be composed of individuals who are not councillors. For this rule 'councillor' refers to a member of a principal local authority⁵.

16.1 Where someone appointed to the Approval Committee under rule 15.3, 15.4, 15.5 is also a councillor, they will be counted as a councillor for the purposes of rule 16.

17. Members of the Approvals Committee can be drawn from the wider Association membership.

18. A minimum of five voting members of the Approvals Committee must attend each meeting.

19. Members wishing to apply for approval cannot sit on the Approvals Committee, notwithstanding those appointed under 15.3 and 15.4.

19.1 If the Association is selecting candidates for all-out elections the councillor fulfilling 15.2 may be seeking approval. If this occurs the Executive should appoint a different councillor to join the committee to undertake his/her approval.

19.2 If those appointed to the Approvals Committee under rule 15.3 or 15.4 are seeking approval they are not replaced during his/her approval. The Approval Committee is still subject to rules 16 and 18.

19.3 If the Group Leader is seeking approval a deputy should sit on the Approvals Committee.

2 Contact details for the relevant AME may be obtained by contacting your Area Campaign Manager or Voluntary Party Manager. An appeal submission form can be found at the end of this document.

3 Principal Local Authority refers to District, Borough, Unitary, County, Metropolitan and London Borough Councils.

4 The independent meeting administrator must be a person approved by your Area Campaign Manager or Voluntary Party Manager. For more information on how the administrator will conduct the meeting, please refer to the guidance notes on 'Stage 1 Approval Interviews on Zoom'

5 Principal Local Authority refers to District, Borough, Unitary, County, Metropolitan and London Borough Councils.



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20. It is strongly recommended that where an Association shares a council, it shall set up a joint committee with all relevant Associations to create a common list for the whole council area. This would enable a candidate to be approved for all vacancies in a council area without having to attend a multitude of approval meetings. It would also create a common standard for the council.
21. The Approvals Committee must be provided with the candidates' application form prior to their interview. If available, they may also consider any appraisal records from an applicant's current term as a councillor and attendance records from council meetings.
22. The final decision regarding an applicant's inclusion on the list may only be made by secret ballot of those members of the Approvals Committee present and voting.
23. No questions or doubts about the suitability of an applicant can be discussed by the Approvals Committee without the applicant being given the opportunity to respond.
24. No discussions about the suitability of an applicant can take place between the Committee members after the applicant has left the room or video conference following an interview before the ballot has taken place. Each member of the Approvals Committee must make their own decision without influence from the other members.
25. To be placed on the Approved Candidates List an individual needs the support of the majority of those voting. A drawn vote will not be considered a pass.
26. No-one should attempt to offer reasons or speculate as to why a candidate has been unsuccessful.
- 28.1 Only sitting councillors who have been placed on the Approved Candidates list may progress.
29. In a ward/division with more than one vacancy the vacancies must be advertised together.
30. Once the applications are received, they are reviewed by the short-listing panel. The panel make decisions about how many applicants to pass to stage three.
 - 30.1 The Executive Council should decide whether the short-listing panel consists of the Association Deputy Chairman Political and 3 Branch members or the Approvals Committee as constituted in stage 1.
 - 30.2 The Executive Council should make this decision for each ward or division being selected.
 - 30.3 Where the ward or division covers multiple branches the short-listing panel should consist of members from all branches.
31. If there are six or fewer applicants the panel must put forward either (1) just the sitting councillors or (2) all applicants.
 - 31.1 Where putting through only the sitting councillors means there are fewer candidates than vacancies, a stage 3 selection meeting is held to adopt or reject those candidates first. Any remaining vacancies are then re-advertised and a further members meeting is held to fill the remaining seats.
32. If there are seven or more applicants, the panel may put forward (1) just the sitting councillors or (2) all applicants, or (3) the panel may reduce the list to not fewer than six. They may not remove the sitting councillor(s).
 - 32.1 Where putting through only the sitting councillors means there are fewer candidates than vacancies, a stage 3 selection meeting is held to adopt or reject those candidates first. Any remaining vacancies are then re-advertised and a further members meeting is held to fill the remaining seats.

Stage Two – Short-listing

27. As and when the Association needs and is ready the Executive Council shall advertise vacancies to all individuals on the Approved Candidates list. Only those on the Approved Candidates list may progress to stage 2.
28. The vacancies will be listed with an indication of which councillor(s) wish to be reselected for their existing seats.



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Stage Three – Final selection

33. The Executive retains the right to select candidates in this stage but the Executive must consult the views of members.

34. Voting in stage three shall be by secret ballot at both the General Meeting of members and the Executive Council (or 'Joint Executive Council'). Proxy voting is not allowed.

35. Where circumstances allow, and with due consideration given to any national and local restrictions on social gatherings which may be in place, a General Meeting of members should take place in person⁶.

35.1 *Where this is not possible, a virtual General Meeting must be conducted in line with accompanying guidance.⁷

35.2 References to 'the General Meeting' in these procedures apply to both physical and virtual meetings unless otherwise stated.

35.3 *Where a virtual meeting is held, candidates should note that members being unable to join the meeting or to see/hear candidates for the duration of their presentation and questions, does not constitute grounds to appeal a validly taken decision. Similarly, the Association is not responsible for any problems in connectivity experience by the candidate during the course of the meeting.

36. All qualifying members in the ward/divisions being selected must be invited to the General Meeting to choose their preferred candidate(s)⁸.

36.1 Where the number of members voting at the meeting is less than 15 the vote shall be

considered a recommendation and the final decision undertaken by the Executive. Where a ward/division crosses Association boundaries, the decision will be made by a 'Joint Executive Council' the composition of which shall be determined by the AME on the basis of each Associations' share of the electorate.

37. It is necessary for the successful applicant to achieve over 50% of the votes cast, excluding abstentions⁹.

37.1 If this is not achieved in the first round, the applicant with the fewest votes is eliminated and the meeting proceeds to a further ballot. This process continues until an overall majority for one applicant is achieved.

37.2 At the end of each stage it should be announced who is eliminated.

37.3 The number of votes received for each candidate must not be announced to the meeting.

37.4 Following any stage of a count, the applicants must be informed of the result and, where a physical ballot has taken place, be given the opportunity to ask for a recount, before any announcement is made to the meeting.

37.5 *Where the vote is conducted online, there is no mechanism for a recount as the number of votes cast for each candidate is indisputable.

37.6 Where there is a tied vote in the final round which is not broken by a further ballot of members, this should be resolved by a coin toss/drawing of lots. Where the outcome of the vote is a recommendation to the Executive (fewer than 15 members voting) the fact that a tied vote was resolved in this manner should be noted in the recommendation to the Executive.

38. If only one candidate is put forward, a vote needs to be held to confirm them as the candidate. An individual needs more than 50% of the votes cast in favour of their candidacy. If the individual does not receive more than 50% of the vote the vacancy must be re-advertised to those on the approved list.

⁶ It is the duty of each Association to ensure that any 'in person' meetings they convene are in line with Government guidelines on social distancing or any local restrictions which may be in place at the time. You can find the latest Government guidelines as they apply locally and nationally here <https://www.gov.uk/coronavirus>. Due consideration must also be given to the requirements of the Equalities Act 2010.

⁷ Please refer to the guidance document 'Stage 3 Member Selections on Zoom'.

⁸ Where a virtual meeting is being held, members will need to supply an email address to receive the invitation to vote. Where you do not hold an email address for a member, they should be notified of the meeting by other means and asked to provide an email address if they wish to participate in the selection meeting.

⁹ For guidance on selecting multi-member wards please see the accompanying guidance 'Selection of Local Government Candidates 2022'.



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39. At the meeting of members the following rules apply:

39.1 Only those members who qualify to vote under the Rules of the Conservative Party may take part in any selection.

39.2 Only those qualifying members who live within the ward/division for which the candidate is being selected may take part.

39.3 At the meeting the candidates should be invited to address the meeting and answer questions individually.¹⁰

39.4 Candidates have the same voting rights at this meeting as any other qualified member in the ward or division but are not allowed in the room to hear other candidates.

39.5 Anyone arriving to a physical selection meeting after the first candidate has commenced speaking may listen but may not vote.

39.6 *In a virtual meeting, late arrivals will not be admitted to the meeting¹¹.

39.7 The meeting must be chaired by an Association officer.

39.8 Those invited to attend shall have not less than 14 days' notice of the meeting.¹²

40. If a meeting of the Executive is selecting the candidate(s) the following rules apply:

40.1 The recommendation of members must be announced to the Executive at the beginning of the meeting. The Executive should vote on whether to accept this recommendation. In multi-member wards candidates are announced and voted on individually.

40.2 If the recommendation is rejected the candidates must be invited to address a meeting of the Executive and answer questions individually.

40.3 Only members who are full voting members of a properly constituted Executive, as per the Association rules, may vote in the selection.

40.4 Candidates who are also a voting member of the Executive have the same voting rights at this meeting as any other member but are not allowed in the room to hear the other candidates.

40.5 Anyone arriving late to a selection meeting may listen but may not vote.

41. If the membership makes the selection, with a meeting attended by 15 or more members, there is no requirement for the Executive to ratify the decision. The Executive should not reverse a properly taken decision.

Rachel Oldham November 2020

¹⁰ Where a stage 3 meeting is being conducted virtually, please refer to the guidance document 'Stage 3 Member Selections on Zoom'

¹¹ This does not apply to those who may have briefly lost connection to a virtual meeting they had joined prior to its commencement. In those circumstances, members will be re-admitted if they re-join prior to the poll being concluded.

¹² Where a virtual meeting is being held, members will need to supply an email address to receive the invitation to vote. Where you do not hold an email address for a member, they should be notified of the meeting by other means and asked to provide an email address if they wish to participate in the selection meeting.

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Appeal Submission Form

Name:	
Association:	
Date of Appeal:	

Appeals against non-approval may only be made on the grounds that the procedure was not carried out in accordance with the rules. Please indicate below which procedural rule(s) (Procedure for the Selection of Local Government Candidates 2022) were not followed giving reference numbers:

In what way did the Association and/or Approvals Committee fail to adhere to this rule(s)?

Do you wish to provide any further comment in support of your appeal? Please ensure that this is relevant to the breach in procedure.