

## PROCEDURES FOR SELECTION OF CANDIDATES FOR ELECTION IN MAY 2021

We are aware that many Associations are keen to progress with candidate selections, which were necessarily stalled by the restrictions placed on meetings earlier this year. Now that we have begun our return to campaigning, it is essential that we have candidates in place for next year's elections at the earliest opportunity.

The temporary procedures issued in June allowed for approval meetings to take place virtually, meaning that an approved list of candidates could be created even where physical meetings could not take place. This revision to procedures retains a provision for virtual meetings, whilst also allowing Associations the option to revert to physical meetings.

We encourage Associations to use virtual methods of selection wherever possible but, where a physical meeting is deemed necessary, we ask you to note the guidance contained in Appendix C. However, we must stress that **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. Due consideration must also be given to the requirements of the Equalities Act 2010.**

We would encourage Associations to choose one method (virtual or physical) for all meetings in each stage to ensure a level playing field for candidates. However, if a mixed system is required (for the reasons outlined above), candidates should be asked to agree that they are content with the option offered and will not challenge a validly taken decision on the grounds that their interview/selection took place under different arrangements to other candidates. We would advise Associations to retain a record of their agreement until the process is concluded.

Previous alterations to Stage 2 are retained, meaning that all vacancies must be advertised to all candidates on the approved list and there is no option to reduce the list of candidates who have applied for a seat or to advance only sitting councillors to Stage 3.

In Stage 3 there is no requirement for a General Meeting of members to consider candidates in wards/divisions where the number of applicants is the same as the number of vacancies. In those cases, the Executive will vote whether or not to accept the candidate(s). For contested wards, a General Meeting of members must take place but a virtual alternative to a physical meeting is available to be used as required.

**This is the only procedure which may be used to select candidates for the May 2021 elections.** We do not intend to issue any further updates or revisions to this procedure prior to the May 2021 elections, unless there is a significant change in circumstances relating to Covid-19.

**Please note:** A copy of these procedures must be sent to all candidates seeking approval and any candidate currently on the approved list, noting that this process replaces any existing selection procedures for 2021 selections.

## SUMMARY OF CHANGES:

### Appeals

- In these temporary procedures there is only one appeal body, the Area Management Executive.
- Appeal submissions must be made using the template form.

### Stage 1

For virtual meetings the composition of the approvals panel remains unchanged (points 13-22). A minimum of five voting members are required at each interview and there must be a greater number of non-councillors voting.

All principles in place relating to the conduct of the meeting and of the committee members involved (rules 23-27) remain unchanged

Alterations:

- Any virtual approval meetings will be conducted via Zoom and an independent administrator will convene the meeting and oversee the secret ballots. They will not be involved in the interview itself but will oversee the participation of the committee and candidates and ensure the integrity of the ballot.
- The administrator must be independent of the approvals process. They cannot be a voting or advisory member of the panel and they should be aware that they are acting as a technician and so do not play any part in the interview/discussion. Associations should seek the approval of their ACM or VPM for their chosen administrator.
- The meeting administrator will record the results of the vote for each candidate and whether they have been approved for inclusion on the candidates' list.
- Once all potential candidates have been interviewed (this may be over the course of several sessions) the results of each vote are revealed as 'approved' or 'not approved' by the administrator(s).
- Whether virtual or physical interviews are chosen, the outcome of the approval interviews must be notified to all candidates on the same day after all interviews have taken place.
- Candidates then have a standard 14 days in which to submit an appeal to the AME.
- The relevant AME will hear any appeals received in one virtual meeting (where possible) convened by an independent administrator.
- Once all appeals are concluded (including any approval interviews which are re-run as a result of an appeal) there is a final list of approved candidates.

### Stage 2

- The Association may only move on to stage 2 once all candidate interviews have been conducted and any appeals resolved.
- All candidates on the list are notified of vacancies on the same day and have 14 days in which to respond indicating the vacancies they wish to be considered for.
- All applicants for each vacancy progress to the stage 3 selection. There is no option to reduce the number of candidates or to give preference by advancing only sitting councillors.

### **Stage 3**

- Where the number of candidates applying for a ward is equal to the number of vacancies, the Executive council votes to accept the candidate(s). In these circumstances, a General Meeting of members is not required.
- In all contested wards, the members must be consulted via a General Meeting. Where a physical meeting is not possible, a virtual alternative is offered.
- As in previous procedures, 15 or more members must take part in the vote in order for the outcome to be a final decision. Where fewer than 15 members participate, the result is considered a recommendation which must be ratified by the Executive Council.

## PROCEDURES FOR SELECTION OF CANDIDATES FOR ELECTION IN MAY 2021

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 a temporary amendment to the procedures issued in 2019. This amended procedure may be used between 31st May 2020 and 1<sup>st</sup> May 2021 .
  - 4.1 These modified procedures may only be used in the selection of candidates for elections due to be contested in May 2021.
  - 4.2 Any candidate who was officially selected for a seat which should have been contested in May 2020 remains the candidate for that seat unless there are concerns which warrant their recall to the approvals committee or they withdraw from the process.
  - 4.3 Any candidate who underwent an approvals interview for the 2020 local elections remains on the approved candidates list and is not required to undergo a further approval interview, unless there are concerns which warrant their recall to the approvals committee or they withdraw from the process.
  - 4.4 Any candidate added to the approved list for the 2021 local elections before the cessation of physical meetings remains on the approved list, unless there are concerns which warrant their recall to the approvals committee or they withdraw from the process.
  - 4.5 Any prospective candidate not covered by points 4.3 and 4.4 must attend an approval meeting to be placed on the approved list. There is no automatic admittance to the approved list for sitting councillors.
  - 4.6 Virtual approval interviews and the resulting decision carry the same weight as any previously conducted approval meetings or a physical approval meeting.
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 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.

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

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

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.<sup>1</sup>

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.

10.3 Emergency procedures established by the Association may not be used to select candidates between 31<sup>st</sup> May 2020 and 31<sup>st</sup> January 2021.

## **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 30 days of the receipt of the appeal.<sup>2</sup>

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<sup>1</sup> Suggestions of procedures can be found in "Selections of Local Government Candidates"

<sup>2</sup> Contact details for the relevant AME may be obtained by contacting your Voluntary Party Manager (please see list in Appendix A). An appeal submission form can be found in Appendix B.

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 authority<sup>3</sup>.
  - 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.<sup>4</sup>
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 authority<sup>5</sup>.
  - 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.

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

<sup>4</sup> The independent meeting administrator must be a person approved by your Voluntary Party Manager or Area Campaign Manager. Contact details for Voluntary Party Managers are listed in Appendix A. For more information on how the administrator will conduct the meeting, please refer to the guidance notes on Stage 1 selection meetings via Zoom.

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

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.

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. 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 can only be made by secret ballot of those members of the Approvals Committee present and voting.

22.1 Where approval meetings are conducted virtually, a record of decisions will be retained by the meeting administrator and supplied to the Association when all candidate interviews are concluded.

22.2 Where approval meetings are conducted in person, decisions will be recorded at the first Executive meeting after the candidates have been informed.

22.3 The decisions of the approval panel will be communicated to all candidates on a single date. Candidates then have 14 days to submit an appeal to the AME.

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 Candidate 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.

## **STAGE TWO – SHORT-LISTING**

27. Following the conclusion of all candidate interviews and any appeal hearings by the AME the Executive Council shall advertise vacancies to all individuals on the Approved Candidates list. Only those on the Approved Candidates list can 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.

28.1 Only sitting councillors who have been placed on the Approved Candidates list can progress.

29. In a ward/division with more than one vacancy the vacancies must be advertised and selected together.

30. Candidates must indicate within 14 days which vacancies they wish to be considered for.

31. All applicants pass to stage three.

### **STAGE 3 – FINAL SELECTION**

32. The Executive retains the right to select candidates in this stage but the Executive must consult the views of members in circumstances where the ward is contested.

33. Where the number of candidate applications received for a ward/division is equal to the number of vacancies, those candidates shall be confirmed by a vote of the Executive Council

33.1. 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.

33.2. Where a ward/division crosses Association boundaries, candidates will be confirmed by a vote of a 'Joint Executive Council' the composition of which shall be determined by the AME on the basis of each Associations' share of the electorate.

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 current national and local restrictions in place relating to the ongoing public health emergency, a General Meeting of members may take place in person.

35.1. Where this is not possible, a virtual General Meeting must be conducted in line with accompanying guidance.<sup>6</sup>

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

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

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.

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<sup>6</sup> Please refer to the guidance document 'Setting up and running a stage 3 meeting on zoom'.



37. It is necessary for the successful applicant to achieve over 50% of the votes cast, excluding abstentions<sup>7</sup>.

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 given the opportunity to ask for a recount before any announcement is made to the meeting.

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

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

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

38.3 At a physical meeting the candidates should be invited to address the meeting and answer questions individually.

38.4 Where a virtual meeting is held, all members must be supplied with a submission from each candidate to consider in advance of the vote.<sup>8</sup>

38.5 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.

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

38.7 The meeting must be chaired by an Association officer.

38.8 Those invited to attend shall have not less than 14 days notice of the meeting.<sup>9</sup>

39. If a meeting of the Executive is selecting the candidate(s) in a contested ward the following rules apply:

39.1 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 individually.

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<sup>7</sup> For guidance on selecting multi-member wards please contact your Voluntary Party Manager (see Appendix A) or Area Campaign Manager.

<sup>8</sup> The submission should be in a common format for all candidates. As a minimum, we suggest a written submission taking the form of a single page personal statement. A set of questions (common to all candidates) may also be asked and the written responses provided to members.

<sup>9</sup> 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.

39.2 If the recommendation is rejected the candidates must be invited to address the meeting and answer questions individually.

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

39.4 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.

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

40. 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 September 2020**

## APPENDIX A

### CCHQ Voluntary Party Managers

North East, North West and Yorkshire – Jas Singh [Jasbir.Singh@Conservatives.com](mailto:Jasbir.Singh@Conservatives.com)

East Midlands and Eastern Region – Mark Roberts [Mark.Roberts@Conservatives.com](mailto:Mark.Roberts@Conservatives.com)

West Midlands and South West – Carys Parry [Carys.Parry@Conservatives.com](mailto:Carys.Parry@Conservatives.com)

South East – Edward Norman [Edward.Norman@Conservatives.com](mailto:Edward.Norman@Conservatives.com)

Head of the Voluntary Party – Ian Sanderson [Ian.Sanderson@Conservatives.com](mailto:Ian.Sanderson@Conservatives.com)

## APPENDIX B

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) (Temporary Procedures May 2021) 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.

## APPENDIX C

### Considerations when convening an 'in-person' meeting at stage 1 or stage 3

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. Due consideration must also be given to the requirements of the Equalities Act 2010.

#### Key points to consider:

- It is against the law for gatherings of more than 30 people to take place in private homes (including gardens and other outdoor spaces) and in public outdoor spaces.
- However, businesses, charities and political organisations may hold larger gatherings, of an unlimited number of people, if they use a business or venue which is following COVID-19 Secure guidelines or in a public outdoor space.
- They may not use a private house or private land for the event.
- The person responsible for the event must have carried out a risk assessment that would satisfy the Management of Health and Safety at Work Regulations and have taken all reasonable measures to limit the risk of transmission of the coronavirus.
- Attendees at the event would still be expected to follow the guidance and so indoors may only socialise with members of up to 2 households and outdoors in a group of up to 6 people from different households or up to 2 households.

*The above information is correct on the date of publication (1<sup>st</sup> September 2020). Please ensure that you also consult the latest Government guidelines as they apply locally and nationally. <https://www.gov.uk/coronavirus>*