



ENGLISH LIBERAL DEMOCRATS

REFORMS TO THE WAY IN WHICH THE
PARTY DEALS WITH LOCAL AUTHORITY
ELECTIONS AND COUNCIL GROUPS

INITIAL BRIEFING NOTE AND FREQUENTLY ASKED QUESTIONS

This guide sets out the basics of what is now required in terms of a Liberal Democrat approval and selection process for Local Authority elections. It will be supplemented by detailed guidance jointly produced by A.L.D.C. and the English Party. That guidance will be available soon.

There are also rules coming into force next year about how Council Groups are to operate. We will be issuing advice and guidance on that over the coming months.

APPROVALS FOR LOCAL AUTHORITY ELECTIONS

The English Council has just voted to change the rules on how Local Parties should go about **approving** candidates for Local Authority elections. They are in force now.

Who is now responsible for organising the process?

Local Parties are responsible for this; not the Council Group. Where a Local Authority is wholly within a single Local Party, that Local party is responsible. Where the Local Authority covers the area of more than one Local Party, those Local Parties must form joint arrangements to do the job. Where a Local Party fails to do that, then the Region can step in and do it for them.

Should candidates for Local Authorities be approved?

Everyone who wants to stand for a Local Authority election on behalf of the Liberal Democrats must be approved to do so by a panel. This applies to those who are serving councillors already and who want to re-stand as much as it does to new candidates. That is because the Party has to ensure that the people who stand believe in the values of the Party and will not bring the Party into disrepute. Party members work hard to develop a positive brand for the Liberal Democrats and candidates should also contribute positively to that. No-one who has not been approved should be allowed to stand for the Party by any Delegated Nominating Officer. The bottom line is that every Liberal Democrat council candidate must have been approved to stand for that term of office and for that authority. It applies both to the ordinary annual election of councillors and to any by-elections.

The only exception is for those Town or Parish Councils that a Region agrees to exempt. A Region can state that the process is not to apply to any such authority or that it should only apply to some of them.

How does a Local Party go about approving candidates?

A procedure for candidate approvals should be agreed by the Local Party Executive or the joint committee of all relevant Local Parties. It should be the same procedure across the area of the authority. It would be wrong to have different approval mechanisms in different wards in the same authority. However, it is quite permissible to have different processes for, say, a District Council and a County Council.

The Local Party or group of Local Parties covering the area of the authority concerned should decide on a financial 'contribution' that would be required from every candidate in the event of their election. That contribution must be set at the same level for everyone elected to that authority. There could be different levels for different authorities though – a District and County Council need not have the same level of contribution. Often the contribution would be expressed in terms of a percentage of the basic pre-tax allowances payable by the authority. There will be detailed guidance on this point issued shortly.

The procedure should allow a prospective candidate to set out reasons why making a contribution would cause them hardship. A generous view should be taken of the term 'hardship'. No-one who would be caused by hardship by making a contribution should be required to make one.

How can a Prospective Candidate Gain Approval?

There should be a panel set up to consider whether prospective candidates should be approved. The procedure should generally require prospective candidates to submit an application form and then be interviewed by the panel. The panel shall then consider whether the prospective candidate is a fit person to be a Liberal Democrat candidate.

The panel should consist of members of the Liberal Democrats. Not every panel need comprise the same people. It could be that some people would sit on one panel and others would sit on another. It might be too much to ask for the same people to sit on each one! Every panel though should have one or more Councillors on it from the relevant authority, if there are any. There should also be one or more people on it who are members of the Party but who are not Councillors on that authority. One of the non councillors should chair the panel.

The panel must **not** decide to approve a candidate unless:

- (a) They are a member of the Liberal Democrats,
 - (b) They are a fit and proper person to be a candidate,
 - (c) They have agreed to make the contribution in the event of their election.
- That agreement should really be in writing. No-one shall be required to make a contribution if it would cause them hardship. Local Parties should take a generous view of that term.

We suggest the panel should generally consider:

- (a) Are the applicant's basic political beliefs consistent with those of the Liberal Democrats?
- (b) Is there anything in the candidate's background or history which if it became known could be an embarrassment to the Party?
- (c) Does the candidate know what is involved in being a candidate and, if elected, a councillor – and is he or she willing to do the work?
- (d) Is the candidate legally eligible to be a candidate?

Once approved, a candidate may stand for the Party. Approval shall last for four years and be only for that authority – no others. Anyone who wants to stand for two authorities will have to go through the approval process in respect of both.

SELECTIONS FOR LOCAL AUTHORITY ELECTIONS

The English Council has also changed the rules on how Local Parties should go about **selecting** candidates for Local Authority elections. Again, they are in force now.

What is a Selection?

A selection is a means by which it is decided who is to stand in which ward. Sometimes there is a contest between Party members, sometimes not, but in all cases, the process has to be fair. Every Local Party or Parties should agree a procedure for those selections and write it down. The procedure should be agreed by the Local Party Executive or the joint committee of all relevant Local Parties.

How Should a Selection be Carried Out?

The selection should be fair, impartial and democratically run. That means that there must be a secret ballot in which everyone eligible to vote may vote. Where more than one candidate is to be selected (e.g. in a multi member ward) STV must be used. There are no changes as to voting eligibility (this may be wither by all members of the Local party, by members of the relevant branch or by members in the relevant ward, but the selectorate must never be less than 10). The selection may be either by an all-member postal ballot or a ballot at a members' meeting, but must be open to all eligible Party members, not just the Executive.

Are there any Exceptions?

The only exception to these requirements is where there is a by-election and, as a result, there is no time to organise a secret ballot.

RELATIONS BETWEEN LOCAL PARTIES AND COUNCIL GROUPS

The rules set out that all Local Parties should **support the activities** of any Liberal Democrat Council Group falling wholly or partly within its geographical area. This should be going on already but it is now formalised.

ACTION TO TAKE

For Regions:

1. Ensure that Local Parties have the information that they need. They should have this guide already,
2. Consider, as a priority, whether to exempt any individual Town or Parish Council from the approvals and selection process or whether to agree a blanket exemption or no exemption.

For Local Parties:

1. Review the approval process in force locally and ensure that it complies with the rules as they stand now. If not, changes should be made to it to ensure that it does and no approvals should take place in the meantime,
2. Consider the level of the contribution that will be required from successful candidates and ensure that no-one is permitted to stand by a D.N.O. unless they have agreed to make it,
3. Seek to identify cases where making a contribution would cause hardship and give the relevant candidate an exemption,
4. If candidates have been approved where there has been no requirement imposed to make a contribution, then efforts should be made to obtain agreement now. If there is no such agreement, then the Region or Cowley Street should be contacted for advice. In the meantime, no-one should be sanctioned to stand without agreeing to make the contribution,
5. Consider the selection process in force locally and ensure that it complies with the rules as they stand now. If not, changes should be made and no selections should be undertaken until this has happened.