



## ANNEXE TO THE CONSTITUTION OF THE WELSH LIBERAL DEMOCRATS CANDIDATE SELECTION RULES

**November 2024**

**This document is in the process of being updated following decisions taken at the 2024 Autumn Conference. Changes are yet to be made to:**

- **Rules for the Selection of Constituency Candidates.**
- **Rules for the Selection of Constituency By-Election Candidates.**

**All other sections are up to date.**

### **Introduction and the Constitutional Position [2013 Edition]**

FEDERAL PROVISIONS: The Federal Constitution of the Liberal Democrats specifies that each State Party (England, Scotland and Wales) must have an appropriately approved and democratically selected candidate in place for a Westminster General Election and that there shall be a fair selection process. The selection rules contained in this document provide the framework that govern this process in Wales and as such must be used by all Local Parties in Wales when selecting their Westminster Parliamentary candidates.

WELSH PROVISIONS: The Constitution of the Welsh Liberal Democrats (Section J:7) states that the Campaigns and Communications Committee of the Welsh Liberal Democrats shall ensure that prospective candidates are selected for each Parliamentary Constituency and for each Constituency and Electoral Region for the Senedd.

The rules contained in this document were originally drawn up in 2012 following a review commissioned and approved by the Campaigns and Communications Committee and endorsed by the Welsh Conference for the use of all Local and/or Regional Parties and the Welsh Party as a whole when selecting candidates for their candidates.

The Welsh Campaigns and Communications Committee also has an obligation to produce rules for specific elections which have a political implication in Wales such as elected Police and Crime Commissioners or Directly Elected Mayors. At present, rules are in place for candidates for these two offices and are contained in this document. These rules must be followed by Local Parties or relevant groupings of Local Parties when selecting their candidates.

The rules for the selection and approval of Local Government Candidates are currently outside the remit of the Welsh Party and the Campaigns and Communications Committee. Such rules are the responsibility of individual Local Parties. Under the Model Constitution for Local Parties it is the responsibility of each Local Party to have rules in place for Local Government Selections and Approvals. Further guidance and model rules can be obtained from the Association of Liberal Democrat Councillors (ALDC) - [www.aldc.org.uk](http://www.aldc.org.uk)



Any selection process which is conducted under the auspices of the Welsh Liberal Democrats shall be conducted in accordance with the principles of Liberal Democracy. Everyone involved in a selection must act in such a way as to ensure that the Party is not brought into disrepute. In particular, selections must be conducted in a manner that is democratic, fair, accountable, robust, inclusive and manageable.

Further advice and information on the interpretation of these rules can be sought from the Welsh Liberal Democrats, Ground Floor, Pascoe House, 54 Bute Street, Cardiff, CF10 5AF (enquiries@welshlibdems.org.uk).

On behalf of the Welsh Party, I hope in using these rules you will have in place candidates of the highest calibre to represent the Welsh Liberal Democrats in public office and that they have been selected in the fairest and most transparent process possible.

Ian Walton  
Party Manager, Welsh Liberal Democrats

NB: In these rules, the words, “must”, “shall” and “will” refer to mandatory actions. The words “may”, “could” and “should” refer to optional actions.

### **March 2023**

There are changes to the number of Westminster seats in Wales and all the new boundaries for these currently due to become law in late summer 2023, In addition there are wholesale changes to the Senedd selection system increasing the number of AMs, pairing constituencies for list selection and some form of zipped selection being proposed for May 2026. Therefore the majority of the selection rules in the Annexe below will have to be changed as they become invalid.

In 2022 there were agreed Federal changes to campaigning with the introduction of a constituency Tiering system based on how winnable a seat is, how many members it has, its finances, the amount of work being done etc. so that target seats are better identified and different levels of help can be given to target seats and non-deposit holding low memberships seats and all the ones in between. As part of this a uniform agreed selection process across all of Great Britain was agreed by FCEC and JSCS which differentiated between Tier 1 Target Seats and all tier 2,3 and 4 non target seats.

This agreement also put in a shortened process for selections in non-target seats in First Past the Post (FPP) Constituencies which allows and regulates electronic balloting and communications which is now added to this Annexe. The current rules for Target seats in FPP exceptions, Senedd list Seats, PCC and European elections are being left as they currently are in the Annexe and will be re-written as the new legal requirements are made known.



Julian Tandy -  
Welsh Liberal Democrats State Chair of Candidates



## **RULES FOR THE SELECTION OF CONSTITUENCY CANDIDATES (WESTMINSTER & SENEDD)**

### **Introduction**

These rules provide the relevant rules and principles related to the selection of candidates for the Westminster Parliament and the Senedd and as such must be followed when Local Parties are selecting their candidates.

The purpose of these rules is to provide a fair and level playing field for anyone who wishes to be considered for selection as a prospective Parliamentary or Senedd Candidate (hereinafter referred to as a 'Prospective Candidate'). They allow flexibility in that they allow the applicants to demonstrate the skills required of such a candidate but also allow for fairness and equality amongst all applicants and for the avoidance of discrimination at any level or at any stage of the process.

Only those members of the Liberal Democrats (at a UK level) who appear on the approved list maintained by the Welsh Liberal Democrats shall be eligible to put themselves forward for selection as a prospective candidate.

The Campaigns and Communications Committee of the Welsh Liberal Democrats (CCC) has the discretion to appoint candidates who may not be on approved list to be the Welsh Liberal Democrat Candidate for a particular constituency if, within six months of a General Election and provided that a selection process has been previously advertised, no applicants were forthcoming. Where the CCC has appointed a candidate by this process, if the member is not on the approved list of candidates at the time of the General Election then they shall not, without the consent of the Chair of the CCC, be considered for appointment as a candidate at a subsequent General Election unless they have been through the Welsh Party's candidate approval process and appear on the approved list of candidates.

Following the introduction of fixed term Parliaments at Westminster and the repeal of legislation which prevented Senedd candidates being both a regional and a constituency candidate, the following timetable has been agreed by the CCC and the Welsh Conference for the selection of Westminster and Senedd Candidates:

A. Three years out from the elections to the Senedd, the CCC may start, in consultation with the relevant Local Party/Parties, the process of appointing fully approved candidates to any seat (Westminster or Senedd) which has not yet selected its candidate(s) but has at least advertised a vacancy for either a PPC or a PSC or both.

B. Two years out from from the elections to the Senedd, the CCC may start, in consultation with the relevant Local Party/Parties, the process of appointing any candidate (fully approved or otherwise) to any constituency which has not yet selected its candidates (or



where a candidate has not been appointed under A (above) - either for the Westminster Parliament or the Senedd.

NB. This timetable has been varied by the 2013 Welsh Liberal Democrat Autumn Conference for the selection of candidates in the 2015 Westminster General Election and the 2016 Welsh General Election. For full details of this varied timetable, please contact Welsh Liberal Democrat HQ.

Furthermore, no member shall be considered for selection if they have not first signed the Candidates' Code of Conduct.

These rules replace all arrangements for selection of constituency candidates for Westminster and the Senedd that have previously been published by the Welsh Party but nothing in these rules overrides any of the functions of the CCC or the Constitutions of the Welsh Liberal Democrats or the Federal Constitution and the Equalities Act 2010.

Unless otherwise agreed in writing by the Chair of the CCC and the Chair of the Finance and Management Committee, the costs of the selection process including the advertising of a vacancy for a candidate and any expenses incurred by the Returning Officer, shall be borne by the relevant Local Party or grouping of Local Parties in the case of multiple constituencies being advertised at the same time.

**NEW RULES:** In this edition of the Rules, new clauses 81 and 82 have been inserted regarding duality of Westminster and Senedd Candidature and the placing of Constituency Candidates on a Regional List.



## **Rules for Selection of Constituency Candidates for Westminster and Senedd Constituencies for Tier 1 Target seats**

### **Stage One: From Deciding to Select to the Close of Applications**

#### **A. Getting Started**

1.

a. Where there is an incumbent Member of Parliament the provisions in Article 11.7 of the Federal Constitution shall apply if they wish to stand at the next General Election.

b. Members of the Senedd must inform their Local Party not later than 18 months before any Welsh General Election whether or not it is their intention to put themselves forward for re-selection. All incumbent Members of the Senedd who intend to put themselves forward for re-selection must apply for re-selection under these rules save that they shall be automatically short-listed should they apply.

c. The Chair of the Local Party may (but not within two years of there being a Welsh General Election unless there is the serious possibility of an early Welsh General Election) require a Member of the Senedd to indicate within one month in writing whether or not they wish to stand at the next Welsh General Election.

2. Following any boundary review by the Parliamentary or Senedd Boundary Commissioners, a Member of Parliament or Member of the Senedd whose current seat forms any part of a new seat shall be automatically short-listed for selection should they apply.

3. Any Welsh Local Party wishing to select a Prospective Candidate must apply to the CCC for permission to select a candidate. The CCC in taking a decision on this application must first of all take into consideration whether or not there is an incumbent Member of Parliament or Member of the Senedd, the cycle of elections, whether or not the process could be conducted in conjunction with other Local Parties and the timetable outlined in the introduction to these rules.

#### **Returning Officers and Selection Panels**

4. One of the criteria for approval to proceed to be granted shall be that the Local Party concerned must have appointed a Selection Panel which shall be responsible for managing the selection process in a fair and unbiased manner. This Panel shall consist of a minimum of 3 and a maximum of 7 members who shall reflect and represent the membership at large and oversee the process. The Selection Panel shall not include the relatives or partners of any applicant nor any member whose position as regard to a particular candidate could be seen as making a difference to the decisions they would make in regard to the selection process.



5. Members of the Selection Panel shall not campaign for or against any applicant. They must also keep the details of the applications, and the assessments of applicants, confidential and shall behave in a fair and unbiased way towards all applicants.

6. The Selection Panel, and not the Local Party Executive, is responsible for managing the selection. If the Local Party is concerned that the Selection Panel is failing in its duties then it should raise the matter with Returning Officer. Decisions of the Selection Panel must not be altered other than by the Returning Officer.

7. Once permission has been granted by the CCC to go ahead with the process, the Chair of the CCC shall appoint a qualified Returning Officer from the list of accredited Returning Officers held by the CCC who shall not be a member in the Local Party or constituency undergoing selection nor shall they have any personal interest in the selection.

8. The Returning Officer will:

- Support the Selection Panel;
- Protect the interests of Members;
- Ensure the fair and equal treatment of applicants; and
- Ensure that the selection rules are followed

9. The Chair of the CCC may appoint a Replacement, Substitute or Deputy Returning Officer(s) for any part of the selection, if this becomes necessary at any time.

10. Returning Officers may claim reasonable expenses from the Local Party which have been incurred whilst carrying out their duties. Any expenses should be claimed within 30 days of the completion of the selection process.

11. Following their appointment, the Returning Officer shall meet with the Selection Panel to ensure that they are satisfied that the Panel is sufficiently trained in the purposes of short-listing and the Panel's responsibilities with regard to equality of opportunity and fairness to all applicants. Where necessary, and appropriate, the Returning Officer shall arrange for appropriate training to be given before the process can proceed further

## **B. Preparing to Advertise**

### **The Kind of Candidate you are Looking for and the Timetable for Selection**

12. The Selection Panel, in conjunction with the Returning Officer, shall then meet to draw up a profile of the Constituency and the criteria that they are looking for in their prospective candidate. The profile and criteria shall be included in the application pack sent to prospective applicants following the publication of the advertisement.



13. The Local Party Executive must provide the Selection Panel with details of the priorities for the campaign and what they expect the candidate's role will be in achieving these. They may be supported in this by staff from the Welsh Party, the Federal Party's Department of Elections and Skills and/or the Chair of the CCC. They may also be supported in this by the candidate from the last Election, but s/he must play no further part in the selection process except to help put together the Application Pack if asked by the Selection Panel and as an ordinary member of the Local Party.

14. The Selection Panel will use these priorities to identify criteria for selection. These selection criteria will form the basis of the application form and questions at any short-listing interview, and the Selection Panel shall decide the minimum acceptable standard for each criteria. The selection criteria will also be included in the members' mailing to assist members in making their decision.

15. The Application pack must include:

- the current political position, number of members and level of activity of the Local Party
- the name and contact details of at least one impartial member of the Local Party who can provide potential applicants with further information should they require it;
- a copy of the selection criteria;
- a copy of the timetable for the selection process;
- a copy of these selection rules; and
- an application form.

16. Members of the Local Party, the candidate at the last General Election if not seeking re-selection and Local, Regional and/or Welsh Party employees may, at the Selection Panel's request, assist the Selection Panel in putting together the Application Pack, but the Selection Panel shall remain responsible for deciding its final composition. The Returning Officer shall send the final Application Pack to all applicants promptly.

17. The timetable for the selection process is given below. The Selection Panel, in conjunction with the Returning Officer may extend the length of intervals between elements of the process but they may not be reduced. The final timetable must be agreed by the Selection Panel prior to the advertisement being published.

Publication of advert = A

Closing Date for applications = A+14 days

Publication of shortlist = A+28 days

Mailing to members with details of shortlist, members' meetings and ballot arrangements = A+35 days

Date of Mailing to Members and commencement of campaigning by candidates = B  
(First) Members' meeting = B+21 days





(The selection Panel may opt to hold a postal ballot of all members in the Constituency. If so the ballot papers shall either be sent out at B+21 days (the day of the only members' meeting) with a return date of B+42 days at noon with the count on the same day or, if there is more than one members' meeting, the mailing ballot papers shall be sent out the day of the final members' meeting with a return date of twenty one days following their dispatch at noon and the count on the same day.)

18. Campaigning by Candidates, or their supporters, shall not start before the dispatch of the first mailing to members. Evidence of such campaigning shall constitute a breach of these rules and shall render the relevant candidate liable to disqualification or other appropriate action by the Returning Officer.

19. Once the Returning Officer is satisfied that an appropriate number of Selection Panel members have been trained the advert for a vacancy can be placed by the Returning Officer. This advertisement must be placed in Liberal Democrat News and also circulated to all members who have a registered email address via whatever mechanism the Welsh Party has in place for such mass email distribution.

20. Members of the Selection Panel, or their nominee(s), may contact approved candidates and invite them to apply. This must be done using a list of approved candidates issued for this purpose by the Candidates' Office in London to the Returning Officer, who must ensure that invitations to apply are made without undue bias. All Selection Panels must actively seek applications from as diverse a range of candidates as possible, with the help and guidance of the appropriate diversity bodies within the Party (guidance on who these bodies are is available from the Candidates' Office in London).

21. The advertisement shall give the name of the Constituency, the name and postal address of the Returning Officer to whom applications shall be submitted and the deadline for receipt of applications - the Returning Officer will then forward applications to the Selection Panel at the close of applications.

22. The Selection Panel may decide to whether or not they wish to consider applicants who are not on the Party's approved list but who have submitted an application for approval to the Candidates' Office. If they do wish to consider unapproved applicants, they may wait for applicants to gain approval, but no applicant can proceed to short-listing unless they are on the approved list.

23. The date of the publication of the advertisement shall form the date of eligibility to be included on the selection register.

### **Deciding Who Can Vote in the Selection**

24. The Returning Officer shall obtain a list a list of members, which will be available before the date of publication of the shortlist, from the Welsh Party Manager, or, in their absence,



Membership Services in London. This Selection Register will contain (where available) each member's name, address, telephone number, email address and date of expiry of membership. The use of data in the Selection Register is subject to the Party's data-protection policies. The Returning Officer will use the data to identify those eligible to vote in the selection. The cut-off date for inclusion on the Selection Register shall be the date of the publication of the advertisement unless there is a delay in selection of more than six months, when the Returning Officer shall determine and publish a new cut off date.

25. Members entitled to vote in a selection shall be over the age of ten years and with a minimum of twelve months continuous membership and have renewed that membership for a further year, at the date the advertisement was published.

26. Members whose subscriptions are not more than three months overdue shall be entitled to attend any members' meeting but shall only be eligible to vote if they pay their overdue subscription before the date at which applications close.

27. In the case of a Local Party containing more than one constituency, then the Local Party Constitution must be consulted to determine whether the whole Local Party or only members in the relevant constituency shall vote in the selection. If the Local Party Constitution is silent then only members in the relevant constituency may vote as long as there are at least 30 members in the constituency. If there are less than 30 members in the constituency then the Local Party as a whole shall vote in the selection.

28. The Returning Officer will provide the Selection Register to the relevant Local Party Membership Secretary to identify any errors omissions in the Selection Register. These should be resolved by the date of the publication of the shortlist, so that the Register can be passed to applicants promptly at this date. Any further changes should be notified promptly to all short-listed applicants and the Selection Panel.

29. The Selection Register must only be used for:

- Deciding who can vote in the selection;
- Issuing Ballot Papers;
- Sending out the mailing to Members; and
- Any campaigning by short-listed applicants or their supporters, who must not use it for any purpose other than the selection.



## Stage Two: Deciding on a Short-List for the Selection

### Deciding if the Selection can go Ahead

30. At the close of applications the Returning Officer shall pass all applications to the Selection Panel at the close of applications, with any identifying information redacted in order to allow the Selection Panel to arrive at a decision in a robust and fair manner without any prejudice or bias towards individual applicants. The Selection Panel will then sift applications and reject any that do not meet the selection criteria or reach the minimum standard previously agreed by the Selection Panel. The Returning Officer must be satisfied that the decisions have been arrived at robustly, fairly and on the basis of the evidence contained in the applications before them.

31. If a constituency has received fewer than three applications the chair of the Selection Panel may, following consultation with the Returning Officer, apply to the Chair of the CCC to proceed with one or two applicants.

32. For a selection to proceed with less than three applicants, the constituency under selection must not be a target, or potential target, seat and the Chair of the CCC must be satisfied that every effort has been made to allow people to come forward for selection.

33. If there are fewer than three applicants, the Chair of the CCC may direct either that the seat be re-advertised or that the selection may proceed. If there is a re-advertisement, the date of that advert shall become the date for the Selection Register.

34. If the Chair of the CCC agrees for a selection to proceed with a single applicant there shall be no requirement for a members' meeting but there shall be a postal ballot of all eligible members against Re-Open Nominations, which shall be conducted under guidance of the Returning Officer.

35. If the Chair of the CCC agrees for a selection to proceed with two applicants, the process may continue on the same basis as though there were three or more applicants.

36. The Selection Panel shall then consider the diversity of applicants. In the event that the appropriate criteria are not met, the Selection Panel shall extend the application deadline in order to meet the criteria. This extension must be publicised widely within the Party and may be advertised in Liberal Democrat News. Any such extension shall not affect the composition of the Selection Register.

37. Subject to there being a sufficient number of applicants of each gender, short-lists of two to four must include at least one woman and short-lists of five or more must include two women.



38. Before proceeding to short-listing, potential target seats must ensure that there are sufficient applications from eligible candidates to meet the above diversity requirements on the final shortlist.

39. For a Westminster selection, subject to there being a sufficient number of applicants from the Leadership Programme, short-lists for potential target seats must include at least two applicants who are members of the Leadership Programme. If there are Leadership Programme applicants who do not meet the predetermined selection criteria, and when initial short-listing has taken place there are insufficient Leadership Programme candidates on the shortlist, then any Leadership Programme applicants who scored lower than the 'cut-off level' must be included on the shortlist for interview without also including any other non-Leadership Programme applicants who would not otherwise have been placed on the shortlist.

40. If the final shortlist diverges significantly from the diversity of the original applicants, the Selection Panel must demonstrate to the Returning Officer how the unsuccessful applicants did not meet the minimum selection criteria.

### **Short-Listing Interviews**

41. The Selection Panel must, in potential target seats, interview all applicants who meet the minimum selection criteria and shall agree the details of the interviews, including scoring procedure and any tasks, with the Returning Officer in advance.

42. In non-target seats, the Selection Panel do not have to hold short-listing interviews and can publish the list of applicants and proceed to the campaign and members' meeting stages of this process. Such seats may hold short-listing interviews in accordance with the rules for potential target seats if they choose.

43. For potential target seats, and for non-target seats which are holding short-listing interviews, the following rules shall apply:

- a. Questions and tasks shall adhere to the principles underlying these rules and must be agreed in advance with the Returning Officer and be based on the agreed selection criteria.
- b. Marking schemes must be agreed in advance with the Returning Officer and shared with all applicants.
- c. Applicants shall not be asked if they will contribute financially to the campaign and must not offer to do so.
- d. The Selection Panel must not ask applicants for references nor may applicants offer any references or endorsements of their candidature.
- e. Final short-lists must comply with the positive action requirements in Clause 37, above. If they do not, the Returning Officer shall seek advice from the Chair of the CCC. The Chair of the CCC may require re-advertisement, an extension to the



application deadline, or may allow the selection to proceed with a non-standard shortlist.

f. Final short-lists for a Westminster Selection must include at least two members of the Leadership Programme where sufficient applications have been received (Clause 38, above). If they do not then the short-list shall be enlarged to meet this requirement by the addition of applicants who are part of the Leadership Programme. In making these additions the Selection Panel shall take into account both their responsibility under Clause 11.5(g) of the Federal Constitution to show due regard to securing adequate representation of groups having protected characteristics within the meaning of the Equalities Act 2010 and the applicants' relative scores.

44. On agreeing the shortlist:

- Applicants will be notified of the outcome by the Returning Officer, if possible within the same 24 hour period.
- Applicants will be entitled to feedback on their performance from a member of the Selection Panel.
- Details of short-listing decisions shall be confidential to the Selection Panel, the Returning Officer, the Chair of the CCC and the Candidates' Office in London.
- The composition of the shortlist shall remain confidential until the deadline for appeals has passed. Any appeal must be made within seven days of the despatch of notification to the applicants of the shortlist.
- Short-listed applicants will be told, by the Returning Officer, the location, date and time of all formal members' meetings and at which formal members meeting, if there is more than one such meeting, the voting and count will take place.



## Stage Three: Members' Mailing and the Candidates' Campaign

### The Members' Mailing

45. A members' mailing shall be produced by the Selection Panel and approved by the Returning Officer. It must be sent to all members who are entitled to vote in the selection, all candidates in the selection and the Returning Officer. The Selection Panel may also decide to send the members' mailing to non-voting members.

46. All candidates must be given the opportunity to include a personal manifesto with the members' mailing. The specification (eg paper size, colour etc) for the personal manifesto must be agreed in advance by the Selection Panel and approved by the Returning Officer and must be the same specification for all candidates.

47. Personal manifestos may be produced bilingually (English and Welsh) provided they meet the agreed specification and that each language shall only be a direct translation of the other language. Translations costs shall be at the candidate's own expense but guidance may be sought from the Selection Panel as to appropriate translators.

48. The Returning Officer shall notify candidates of the deadline for the mailing in order to allow them to send manifestos for inclusion. This may include the provision for a manifesto to form part of the application process save that it shall not be used by the Selection Panel in determining the final shortlist. Manifestos not received by the agreed deadline will not be included in the members' mailing.

49. The mailing shall contain the following:

- a. A copy of the selection criteria and a description of the candidates' role (but not necessarily the priorities for the constituency if they are politically sensitive);
- b. A postal vote application form for each voting member;
- c. Details of the date, time and venue of the members' meeting(s) and how to get there;
- d. Details of how members can gain access to a copy of these rules;
- e. Copies of each manifesto provided by the candidates.

50. The members' mailing may also contain other communications from the Local Party, with the permission of the Returning Officer, provided that any reference to the selection shall remain strictly neutral.

51. The members' mailing shall be produced by the Local Party.

52. The members' mailing shall be posted at least fourteen days before the date of the (first) members' meeting and each member shall have their own mailing posted to them separately.



## The Candidates' Campaign

53. In addition to the members' mailing, candidates may use any means to communicate with members or publicise the campaign except that they (and their supporters) shall not comment to the press on what is an internal party selection. All such communications should comply with these rules and Candidates shall provide copy or electronic links to the Returning Officer so that all material can be scrutinised if necessary. Failure to comply with this requirement may result in a candidate's exclusion from the selection process.

54. It is not the role of the Returning Officer to approve communications from candidates. The Returning Officer shall however use the copies supplied to assist in any adjudication following a complaint about any alleged breach of these rules.

55. The amount of money that candidates shall be permitted to spend on their campaign will be limited by an expenditure cap agreed in advance by the Selection Panel, who will use the suggested limits contained in the guidance issued to Returning Officers to assist them. Candidates must keep records of all expenses and receipts, and submit this to the Returning Officer at the conclusion of the selection process. These records must be available to for inspection by other candidates, who can ask the Returning Officer to investigate if they think the limit has been breached. Failure to comply with this requirement may result in the exclusion of a candidate from the selection process or the result of the selection being overturned.

56. The number of direct communications with members (emails, messages or delivered materials) shall be restricted to a manageable and affordable number agreed in advance by the Selection Panel.

57. Potential target seats should agree extensive limits for direct communication with members to allow candidates to demonstrate their campaigning skills. Whereas non-target seats may choose to restrict additional communications to one additional piece of paper in addition to the personal manifesto in the members' mailing as well as limited messages and emails. Non-target seats may 'opt up' to the rules for potential target seats if they so choose.

58. If a Local Party holds any campaign action days, social events or other such activity during the selection period, all candidates shall be invited, and encouraged to attend, but there shall be no obligation for candidates to attend.

59. Candidates, and anyone acting on their behalf:

- a. Must comply with data protection legislation, the Party's own data-protection policies and with PPERA legislation at all times (eg candidates must not send group emails which reveal the email addresses of recipients);
- b. Must not use their campaign to denigrate others;



- c. May use photographs as they wish as long as they comply with these rules and both the copyright holder(s) and the subject(s) have given their written permission. Copies of written permission(s) shall be submitted to the Returning Officer in case of any complaint about any alleged breaches of these rules;
- d. Must not use written endorsements of their candidature;
- e. May allow any supporters to campaign on their behalf but must ensure that all such people comply with these rules. Employees of the Local Party must remain neutral in the selection at all times. The neutrality of employees of the Welsh Liberal Democrats, Members of Parliament or Members of the Senedd shall be at the discretion of their direct line-manager(s);
- f. Must ensure that their actions, and those of their supporters, comply with the Candidates' Code of Conduct;
- g. May continue with their normal Party activities and campaigning during the selection process; and
- h. Must preserve all campaign material and communication until the selection has been completed and the result formally announced and accepted.

### **Postal Votes**

60. All voting members may apply for a postal vote. They should apply to the Returning Officer and may use the form supplied within the members' mailing for this purpose. Applications not on the supplied form shall only be accepted by the Returning Officer if they are satisfied that the application is genuine.

61. The Returning Officer shall produce and issue ballot papers for postal votes in accordance with these rules. The Returning Office shall state clearly the last time at which ballot papers can arrive before the members' meeting where the count is taking place. Ballot papers not sent in advance may be hand delivered to the members' meeting by the postal voter. In no circumstance shall a candidate bring any postal vote, other than their own, to the members' meeting.





## **Stage Four: The Members' Meeting(s), the Vote, the Count, the Declaration of a Result, Special Provisions and Incumbency Period**

### **The Members' Meeting**

62. The Selection Panel must arrange at least one formal members' meeting. All details shall be agreed in advance and approved by the Returning Officer who shall ensure that these are made available to all candidates in advance of the meeting(s). At the formal members' meeting(s) all candidates will be invited to:

- Meet members;
- Speak; and
- Answer questions.

63. If there is more than one formal members' meeting, the final meeting shall be the one at which the counting of votes will take place. Members' not able to attend the final members' meeting and have already requested a postal vote, may give their ballot paper to the Returning Officer at any other members' meeting that has been organised. Members attending a members' meeting that is not the final members' meeting may request a ballot paper from the Returning Officer in accordance with the rules below and submit it to the Returning Officer before the close of the meeting in question.

64. Any formal members meeting(s) shall be chaired by an impartial member and attended by the Returning Officer or a Deputy Returning Officer.

65. At the formal members meeting(s), candidates:

- a. Must remain in a candidates' waiting room whilst other candidates are speaking or answering individual questions.
- b. May bring a nominated supporter to the meeting(s) who shall remain with the candidate at all times. All other supporters must remain in the hall throughout the meeting(s). Mobile phones must be switched off for the duration of the members' meeting(s).
- c. Should at all times abide by these rules and the Candidates' Code of Conduct.
- d. Should not bring postal ballot papers (other than their own) to the meeting(s).

66. Following the candidates' speeches, the Returning Officer may give permission for the candidates to be questioned by members in other ways (eg a 'Question Time' panel or informal mingling) as long as the principles underlying these rules are maintained.

67. The Returning Officer, or their appointed Deputy, is responsible for overseeing the proper conduct of the meeting(s) may intervene if it is deemed necessary. The Returning Officer may appoint aides to assist at the meeting(s).

68. Non-voting members of the Party may attend the members' meeting(s) as observers.



## **The Vote and Count**

69. Where there is more than one members' meeting this element of the process shall take place at the final members' meeting.

70. The vote will be conducted by the Alternative Vote method (ie STV for single candidate elections) in accordance with the currently published rules of the Electoral Reform Society where there are three or more short-listed candidates and by a simple majority where there are two.

71. The Ballot paper will require voting members to rank candidates according to preference and will include the option to re-open nominations (RON) where there are fewer than three candidates.

72. Ballot papers (including all postal ballot papers) will be numbered and the numbers recorded on the selection register.

73. The Returning Officer must be satisfied, when issuing ballot papers, that members are eligible to vote. If there is any doubt, a tendered ballot paper (marked T) shall be issued.

74. Eligible members may request a ballot paper, and vote, at any time during the formal members' meeting(s).

75. The votes will be counted by the Returning Officer at the end of the meeting. A representative of the Local Party, all candidates and a nominated supporter may attend the counting of votes.

76. Tendered ballot papers shall be considered at the end of each stage to determine if their inclusion would alter the result. If this is the case, the count shall be suspended and will not proceed until the Returning Officer has decided whether the tendered papers are eligible.

77. At the end of the count the Returning Officer will notify all candidates of the result and ask them to sign a copy of the result sheet to say that they accept the result.

78. In the event that one or more candidates do not accept the result, the result will not be declared immediately. Candidates will have seven days to submit an appeal to the Chair of the CCC in accordance with the Procedural Rules of the Welsh Appeals Panel. The result will then be declared once the deadline for receipt of appeals has passed or once any appeal has been determined.

79. In the event that all candidates accept the result, the Returning Officer will immediately declare the result.

## **Special Provisions and Incumbency Period**



80. For the purposes of Senedd Elections, any selected Constituency Candidate shall be automatically added to the list of names put to the regional membership that the constituency forms a part of for ordering unless s/he has opted out. Opting out must be in writing to the Chair of the CCC, prior to the commencement of the relevant list selection process.

81. There shall be a limited duality of candidature for those candidates who wish to be considered for the same constituency in a Westminster Parliament Election and a Senedd Election. This duality shall not be permitted if the Westminster Constituency is part of the Strategic Seats Programme.

82. In the event that a subsequent General Election takes place within six months of a General Election, a Local Party may choose to re-select the same candidate by a simple majority vote of a properly constituted Local Party General Meeting.

83. A selected candidate shall remain as such until the end of the calendar year in which the General Election for which they were selected has taken place subject to the provisions in Rule 80, above, and any provisions laid out in the Welsh Party's Rule for the selection of Parliamentary or Senedd By-Election Candidates.



## **Trouble-Shooting: Applicant or Candidate Withdrawal and Breaches of the Rules**

### **Applicant or Candidate Withdrawal**

84. Before the announcement of the shortlist:
- a. Potential target seats may only proceed if more than three applicants remain and if the diversity requirements are met. In other cases the Returning Officer should consult the Chair of the CCC to consider whether the selection should go ahead with a non-standard shortlist.
  - b. For non-target seats no action is required as long as one applicant remains. However, the Selection Panel may decide not to proceed if fewer than two applicants remain.
85. If a candidate withdraws at any time between the announcement of the shortlist and the members' meeting(s), all other candidates must be notified, and:
- a. If the diversity requirements for potential target seats are not maintained the Chair of the CCC should be consulted.
  - b. If the members' mailing has not yet been sent then it should be altered to reflect the new shortlist.
  - c. If the members' mailing has been sent out and ballot papers have been issued then no action need be taken.
  - d. If some ballot papers have been issued, then new ballot papers should be drawn up (including RON if necessary). At the count, for ballot papers reflecting the original shortlist, preferences for any withdrawn candidate(s) shall be transferred when counting.
86. If a candidate withdraws at a members' meeting, existing ballot papers will be used and an explanation given to the members with instructions to delete any withdrawn candidate(s).
87. If a winning candidate withdraws before they have signed their acceptance of the result then there will be a recount.

### **Breaches of the Rules**

88. If applicants/candidates or members of the Local Party believe that a selection rule has been breached, they should:
- Put their concerns in writing to the Returning Officer;
  - Identify the rule they believe has been breached;
  - Provide details of the circumstance(s) of the breach; and
  - Explain the effect of the breach



89. Once they have been notified of any alleged breach(es) of the selection rules, the Returning Officer shall:

- Investigate the situation; and
- Make a formal ruling, notifying the complainant, all applicants/candidates and the Selection Panel of the details of the ruling.

90. If it is alleged that any candidate has behaved in a way that is contrary to the Candidates' Code of Conduct, the Returning Officer shall inform the Chair of the CCC who shall investigate the allegation.

91. Anyone wishing to appeal a Returning Officer's ruling may do so in writing to the Chair of the CCC within seven days of the publication of the ruling.

92. If an appeal is lodged, the Returning Officer shall immediately suspend the selection and inform the Chair of the CCC, all applicants/candidates, the Selection Panel, the Welsh Party Manager and the Candidates' Office in London.



## **Shortened Rules for Selection of Constituency Candidates for Westminster and Senedd Constituencies for Tier 2, 3 and 4 Non-Target seats**

### **Overview of the process**

In order to ensure that all constituencies have an appropriately approved and democratically selected candidate for a General Election Article 19 of the Federal Constitution specifies that all states shall agree a fair selection process. These rules govern that process and must be used by all local parties in Wales for the purpose of selecting candidates in non-target seats. The use of this shortened version of the Rules must be authorised by the Welsh State Chair of Candidates (WSCC).

Constituencies starting the process of selection must ask their Welsh State Chair of Candidates' (WSCC) to appoint an independent Returning Officer (RO) from outside the constituency. The Returning Officer will then work with the local party officers to ensure that the selection process is completed satisfactorily in accordance with these rules.

### **The principles underlying these rules**

The selection process shall be conducted in accordance with the principles of Liberal Democracy. Everyone involved in the selection must act in such a way as to ensure that the Party is not brought into disrepute. In particular, selections must be conducted in a manner that is:

- Democratic
- Accountable
- Inclusive
- Fair
- Robust
- Manageable

Candidates for selection must make sure that they abide by the Candidates' Code of Conduct, the Party's Data Protection Rules and PPERA. Where these rules are silent, the Returning Officer will proceed using these principles as a guide. In addition, the EO CCC or the WSCC led working group may from time to time issue guidance and clarifications to these rules, which must also be derived from these principles.

In these rules, the words, "must", "shall" and "will" refer to mandatory actions. The words "may", "could" and "should" refer to optional actions.



## Stage One: From Deciding to Select to the Close of Applications

### A. Returning Officers

1. A local party deciding to start the selection process must resolve to do so at a meeting of the local party executive. They must then ask their Welsh State Chair of Candidates (WSCC) for permission to proceed and for an independent, accredited Returning Officer to be appointed. They must provide the name of a contact from the local party with whom the WSCC can liaise. Where the area covered by a parliamentary constituency includes all or parts of more than one local party, the relevant local party executives shall co-operate in making joint arrangements for the selection to proceed, in accordance with section 9 of the Model Constitution for Local Parties. The term 'local party' includes the area of the constituency, and 'local party executive' describes a joint committee the co-operating local parties may establish for this purpose. The Responsible Committee is then the body which 'owns' the selection. Depending on the type of seat this may be a local party executive, a sub-group of that executive, or a joint committee of multiple local parties.

When the local party executive agrees to ask the WSCC to appoint a Returning Officer they must have:

- Taken sustained steps to increase the number of members from under-represented groups in the local party.
- Evidence in the form of minutes that either or both of the motions in paragraph 7 below have been put to the executive committee, and the result recorded.

2. The WSCC will appoint a Returning Officer from the list of accredited Returning Officers held by the WSCC and the Campaigns and Candidates' Committee. The Returning Officer shall not be a member of the local party to which they are appointed, nor shall they have any personal interest in the selection.

3. The Returning Officer will:

- Support the local party officers through the selection process
- Protect the interests of members
- Ensure the fair and equal treatment of applicants
- Ensure that the selection rules are followed

To comply with government guidelines, safety precautions or at the request of the Local Party the Returning Officer may decide that some or all meetings, including the members' meeting, may take place virtually.

The EO CCC or the WSCC may mandate that all ballots for selection shall take place online (with a postal ballot and/or a link to vote online posted to any eligible voting member who has not provided an email address). If such a mandate is not in place the local party may decide whether the vote will be conducted by a traditional paper ballot or by electronic voting or by a hybrid system.



4. Returning Officers may claim reasonable expenses incurred while carrying out their duties. They must claim these as soon as possible after the selection. Claims should be in line with the expense rules in the Returning Officers' Guidance.

5. The Returning Officer must brief the local party executive or selection panel on the selection process before commencing the selection. They must agree on the selection method (all postal, all online or hybrid), agree candidate spending limits and the number of mass candidate communications allowed to voters.

6. The WSCC may appoint a replacement Returning Officer, or a substitute Returning Officer, or Deputy Returning Officer(s) for any part of the selection, if this becomes necessary at any time.

7. Any local party may choose either:

- an all-disabled shortlist, or:
- to reserve a space on the shortlist for a candidate with a disability provided that they meet the selection criteria.
- Non-target (tiers 2, 3, 4) must decide if they wish to have Selection Criteria and Scoring in order to shortlist candidates.

These options must have been considered, agreed and recorded by the executive committee of the local party and recorded in the minutes. WSCC or the appointed RO may advise and help with this

8. Before the Returning Officer starts the selection, the local Party executive must contact the following Party officers to notify them that the selection will be taking place, asking them to encourage approved candidates to apply:

- The Welsh Diversity Officer
- The Chair of the Welsh Young Liberals

The Returning Officer must be provided with satisfactory evidence that this has been done before the selection can proceed.

## **B. Advertisement**

9. Local party officers, with support from the Returning Officer, will agree a timetable for the selection, the contents of the advertisement for inclusion on the federal Party website, arrangements for the preparation of the members' mailing and the members' meeting(s).

10. The advertisement must include the following:

- The requirement for a personal CV/manifesto
- The opportunity for the applicant to declare any protected characteristics and any specific needs for which reasonable adjustments should be made during the





selection process. This information will be confidential to the Returning Officer except insofar as is necessary to allow reasonable adjustments to be made

- Name and contact details of an independent person who can provide details of the constituency
- A link to access the selection rules (i.e. these rules)
- Contact details of the RO
- A link Selection and Scoring criteria, if the local Party has implemented this under Rule 7 above.

11. The local party must advertise the selection on the federal Party website, including required standard wording (see Returning Officers' Guidance) and may also advertise more widely. All local parties must actively seek applications from as diverse a range of candidates as possible

12. The advertisement on the federal Party's website will be placed by the Returning Officer, with any costs being met by the local party. The closing date for applications shall not be less than two weeks from the date of the advertisement. Applications must be returned to the Returning Officer.

13. The local Party officers, with advice from the Returning Officer, shall decide whether or not they wish to consider applicants who are not on the Party's approved candidates list but who have submitted an application for approval to the Candidates' Office. If they do wish to consider unapproved applicants, they may wait for applicants to gain approval, but no applicant can proceed to the shortlist unless they are approved.

14. The Returning office must appoint a Ballot Administrator if the selection process so requires. The Ballot Administrator is a trained person who sets up and runs the e-ballot software and liaises with the Returning Officer. This may be an employee of the professional organisation running the ballot, a member of party staff or a volunteer who has received the necessary training in use of the software and GDPR compliance. The WSCC holds a list of trained Ballot Administrator for selections.

### **C. Who may vote in the selection**

15. The Returning Officer will obtain a list of members, which will be available before the date of publication of the shortlist, from Lighthouse. This selection register will contain (where available) each member's name, address, telephone number, email and date of expiry of membership. The use of data in the selection register is subject to the Party's Data Protection Rules. Returning Officers will use the data to identify those eligible to vote in the selection. The cut-off date for inclusion on the selection register shall be the date of publication of the advertisement on the Party website, unless there is a delay in selection of more than six months, when the Returning Officer shall determine and publish a new cut-off date. If the RO has any concerns about unusual membership activity, they must immediately



suspend the selection and inform the WSCC, who will inform Compliance where appropriate. The WSCC is responsible for taking the decision to restart the selection.

16. Only members who have paid their subscription before the cut-off date for inclusion and have reached the age of at least 10 years will be eligible to vote. Eligible members whose subscriptions are no more than three months overdue shall be entitled to attend any members' meeting but shall only be eligible to vote if they pay their overdue subscription before the members' meeting. In the case of electronic balloting shall only be eligible to vote if they pay their overdue subscription and notify the Returning Officer in writing that they have done so at least two days before the date on which the Returning Officer intends to send the list of eligible voting members to the Ballot Administrator.

17. In the case of a local Party containing more than one constituency, then the local Party constitution must be consulted to determine whether the whole local Party or only members in the relevant constituency shall vote in the selection. If the local Party constitution is silent then only members in the relevant constituency may vote as long as there are at least 30 members in the constituency.

18. The Returning Officer will provide the selection register to the relevant local Party Elections Officer(s) to identify any errors or omissions in the selection register. These should be resolved by the date of publication of the shortlist, so that the register can be passed to applicants promptly at this date. Any further changes should be notified promptly to applicants and the shortlisting committee. Membership Services will warn Elections Officers that they must advise Membership Services of any discrepancies in their local Party's list and encourage their members to pay any overdue subscriptions before the date of close of applications, as the list at that date will be used to decide who will be eligible to vote in the selection.

19. The selection register must be used for:

- Deciding who may vote in the selection
- Issuing ballot papers
- Sending out the mailing to members
- Any campaigning by applicants or their supporters, who must not use it for any purpose other than the selection

#### **D. Deciding in a shortlist for the selection**

20. All applicants who are on the Party's list of approved candidates and have provided a CV/manifesto as required in the advertisement shall be included on the shortlist, subject to the shortlist being consistent with any special requirement agreed by the local Party (see Rule 7). If Selection and Scoring Criteria has been implemented under Rule 7, the responsible committee must then convene a meeting to access the applications against the



Selection Criteria. Only candidates who meet the minimum scoring criteria will be shortlisted. Non-target seats may normally proceed to selection with only one Applicant, after two advertisements have been placed.

21. Under the Equality Act 2010, political parties are entitled to adopt Selection Arrangements to address an under-representation of groups that share what the Equality Act refers to as a particular “protected characteristic”. Such Selection Arrangements may involve reserving places on a shortlist for people from such groups.

22. No applicant is to be shortlisted unless they have undertaken in writing:

- In the event of their selection, to take all reasonable steps to negotiate an agreed Compact between them and the relevant local Party setting out a commitment from each as to the level and nature of campaigning activity to be undertaken before the election and, if they are elected, for the term of their election
- In the event of their election, to make a reasonable contribution towards ongoing Party activity, the exact level to be determined following the election by agreement between the candidate and the relevant local Party and by reference to any relevant guidance then in force. Normally this should be at least 5% and preferably 10% of their base salary after tax as personal circumstances permit.

23. All applicants included on the shortlist will be notified of that outcome at the time of closure of applications. Details of shortlisting decisions will be confidential to the selection committee, the RO, the WSCC and the EO CCC.

24. Shortlisted applicants will be told of the location, date and time at which the count will take place which can be in person or remotely via a zoon type link.



## Stage Two: The candidates' campaign and mailing to members

### A. The members' mailing

25. A members' mailing shall be produced by the local party officers and approved by the Returning Officer. It must be sent to all members entitled to vote in the selection, all candidates in the selection and the Returning Officer. The local Party officers may also decide to send the members' mailing to non-voting members.

26. The purpose of a members' mailing is to inform members of the selection and how they can vote. The members' mailing shall be produced by the Responsible Committee, and approved by the Returning Officer.

The members' mailing for electronic or hybrid voting system will contain the following elements:

- An introductory statement produced by the Responsible Committee, giving information on the selection and explaining the electoral system being used
- The candidate(s)' manifestos or c.v.
- Details of the Members' Meeting(s) and how to get there and/pr log in information
- Information on how and when members will be able to vote, including postal voting
- The date by which a lapsed member must pay their overdue subscription and notify the Returning Officer, in order to be eligible to vote
- Information on how members may access a copy of the rules, and a reminder to members of the need to abide by them.

A postal ballot in person only selection mailing should also contain:

- A postal vote application form for each voting member

The Members' Mailing must be sent to every eligible member. It must be posted or delivered by hand to members who cannot be emailed. For everybody else, emailing the Members' Mailing is also an option. It is also permissible, in both posted and emailed Members' Mailings, to provide links to download documents, rather than to include them all as printed copies or attachments.

27: All candidates must be given the opportunity to include a personal manifesto. IF no manifesto is provided to the RO then the c.v. supplied in the application is used instead of a candidates manifesto. The specification (e.g. paper size, file type and maximum file size etc) for this must be agreed in advance by the Responsible Committee and approved by the Returning Officer. It must be the same for all candidates. Candidates should be given the opportunity to provide both a colour and black-and-white version, with otherwise identical content, if the local party plans to use both types (e.g. colour for emailed or downloadable manifestos, black-and-white for posted ones).



Candidates should be given the opportunity to provide both an English and Welsh language version of their manifesto with identical content of the same size. This bi-lingual option applies to all documents provided throughout a candidates campaign.

The Returning Officer shall notify candidates of the deadline for receipt of their manifestos. Manifestos not received by the deadline will not be guaranteed to be included in the Members' Mailing, though may still be included alongside the distribution of any electronic ballot papers.

28. The distribution of the Members' Mailing will be undertaken by the Responsible Committee, or by the Ballot Administrator. The Responsible Committee will pay the costs for the Members' Mailing.

## **B. The candidates campaign**

29. The Returning Officers shall give candidates access to the Selection Register which includes the following information:

- Name
- Address
- Telephone
- Mobile
- Membership Number
- Eligibility to vote
- Opt-In/Out status to Electronic comms

30. In addition to the members' mailing candidates may use any means (other than direct email and SMS) to communicate with members or publicise the campaign except that they (and their supporters) may not comment to the press on what is an internal party selection. All such communications must comply with these rules. Candidates will provide copy or electronic links to the Returning Officer so that all material can be scrutinised if necessary.

31. The amount of money that candidates can spend on their campaign will be limited by an expenditure cap agreed in advance by the shortlisting committee, who will use the suggested limits contained in Returning Officers' Guidance to assist them. Candidates must keep a record of all expenses and receipts, and submit this to the Returning Officer at the conclusion of the selection process. These records must be available for inspection by the other candidates, who may ask the Returning Officer to investigate if they think the limit has been exceeded.

32. The number of direct communications with members (emails, messages or delivered materials) shall be restricted to a manageable (and affordable) number agreed in advance by the shortlisting committee.



33. The Returning Officer will arrange for however many bulk unsolicited emails (as agreed in rule 30 above) on behalf of the candidates. Bulk email to be sent by the local party via its Data Protection Act 2018 compliant bulk mail solution to members who have not opted out of receiving unsolicited email. If the local party can not do this securely, then the Welsh Party may send them for an agreed cost to be paid by the Local Party. One-to-one email communications will be permitted but candidates cannot email members directly unless first contacted by that member.

34. Unsolicited SMS messages are not permitted.

35. Candidates must not upload mobile and telephone numbers to any third-party platform, including social media websites.

36. Candidates and anyone acting on their behalf:

- Must comply with data protection laws, the Party's Data Protection Rules and with PPERA legislation at all times (e.g. candidates must not send group emails which reveal the email addresses of the recipients)
- Must not use their campaign to denigrate others
- Must not use written endorsements of their candidature, whether in print or on any form of social media
- May use photographs (including photographs with prominent local or national party figures) as they wish, as long as they do not contain and are not accompanied by any written endorsement, and both the copyright holder and the subject(s) of the photographs have given their permission
- Must ensure that if using video footage on social media this does not contain any endorsement, spoken or written, by prominent figures in the local or national Party
- May allow any supporters to campaign on their behalf but must ensure that all such people comply with these rules
- Must ensure that their actions, and those of their supporters, comply with the Candidates' Code of Conduct
- May continue with their normal party activities and campaigning during the selection
- Must preserve all campaign material and communication until the selection is complete and the result formally announced and accepted.

### **C. Postal votes**

37. All voting members who want one may apply for a postal vote. They should apply to the Returning Officer and may use the form supplied with the members' mailing for this purpose. Applications not on the supplied form are acceptable as long as the Returning Officer is satisfied that these are genuine.

38. The Returning Officer will produce and issue ballot papers for postal votes in accordance with these rules (see Returning Officers' Guidance). He/she/they shall state clearly the last time at which ballot papers can arrive before the members' meeting. Ballot papers not sent



in advance may be delivered by hand to a members' meeting if an in-person/ postal only selection is being used.

#### **D. Electronic voting and postal ballot papers**

39. All voting members who want one may apply for a postal vote. They should apply to the Returning Officer and may use the form supplied with the members' mailing for this purpose. Applications not on the supplied form are acceptable as long as the Returning Officer is satisfied that these are genuine.

40. When electronic voting is used, the Returning Officer will contact the Regional Candidates' Chair to request the nomination of a Ballot Administrator. The Responsible Committee will accept the cost in advance of the ballot happening and pay any fee levied by said organisation or software provider to provide and administer the ballot and run the count.

41. Electronic ballots will be emailed by the Ballot Administrator to members, alongside a downloadable copy of the candidates' manifestos or c.v. but no other materials. The counting software must be set to be able to receive votes only after the conclusion of the Members' Meeting, or the final Members' Meeting if there is more than one. This email may be sent more than once, but only to people who have not yet voted. Members who have received an electronic ballot paper will exercise their vote by following the instructions online.

42. Because not everyone can or is willing to receive emails a different system must be used for:

- Members who do not have an email address registered with the party
- Members who have opted out of email communications
- Members who share an email address with others (e.g. if a family of members share one email address, then each person must use a separate postal ballot)
- Members whose email addresses are from Government (.gov) accounts. These members will instead have to request a postal ballot, whereupon the Returning Officer will send them a paper ballot, which has a unique link. They can exercise their vote either by using the link to vote online, or by posting the ballot paper to the Ballot Administrator or the Returning Officer. The method and deadline for doing so must be provided alongside the unique link.

The link will be made live at the same time as electronic voting opens. Paper ballot papers will not be issued until after the final Members' Meeting.

43. If when the Ballot Administrator or Returning Officer finds that a link sent with a postal ballot paper has already been used and the vote cast varies from that on the posted ballot paper, then this vote shall be treated as 'tendered'. It will not be input to the counting



system but shall instead be passed to the Returning Officer, who may contact the voter for clarification or rule the vote as void, as the Returning Officer sees fit.

44. The deadline for the return of all completed ballots, both electronic and postal, will be clearly provided on the instructions that accompany them, and will be at least 14 days after the electronic voting system goes live, which will be after the final Members' Meeting.





## **Stage Three: The members' meeting(s), vote and count.**

### **A. The members' meeting**

45. The local Party officers must arrange at least one members' meeting. All details will be agreed in advance and approved by the Returning Officer who will ensure these are available to applicants in advance of the meeting. These meetings may be virtual or in person or both. At the members' meeting(s) applicants will be invited to:

- Meet members
- Speak
- Answer questions

46. The members' meeting(s) shall be chaired by an impartial member appointed by the responsible committee and attended and regulated as agreed by the Returning Officer.

47. At an in person members' meeting, candidates:

- Must remain in a candidates' waiting room whilst other candidates are speaking (or answering individual questions)
- May bring a nominated supporter to the members' meeting(s) who must remain with the candidate at all times. All other supporters must remain in the hall throughout the meeting(s). Mobile phones must be switched off for the duration of the members' meeting(s)
- Should at all times abide by these rules and by the Candidates' Code of Conduct
- Should not bring postal ballot papers (other than their own) to the meeting

48. Following the candidates' speeches the Returning Officer may give permission for the candidates to be questioned by the members in other ways (e.g. a "Question Time" panel or informal mingling) as long as the principles underlying these rules are maintained. For a virtual or hybrid meeting, the processes should be as similar as the technology allows. A recorded copy of the online meeting may be linked and shared with all voters members if agreed by the Local Party in advance.

49. The Returning Officer is responsible for overseeing the proper conduct of the meeting(s) and may intervene if he/she/they considers it necessary. He/she/they may appoint aides to assist at the meeting(s).

50. Non-voting members of the local Party may attend the members' meeting(s) as observers.

### **B. The vote and count**

51. The vote will be conducted by the alternative vote method (i.e. STV for single candidate elections) according to the standard method as laid out in the Returning Officers guide for selections.



52. The ballot paper will require voting members to rank candidates according to preference (sample ballot paper in Returning Officers' Guidance) and will include the option to re-open nominations (RON) where there are fewer than three candidates if this was agreed at the shortlisting meeting by the responsible committee.

53. Ballot papers (including all postal ballot papers) will be numbered and the numbers recorded on the selection register.

#### **B. i. In Person/Postal Balloting**

54. The Returning Officer must be satisfied when issuing ballot papers that members are eligible to vote. If there is any doubt a tendered ballot paper (marked T) will be issued.

55. Eligible members may request a ballot paper, and vote, at any time during the members' meeting if an in person/postal only selection system is being used.

56. The votes will be counted by the Returning Officer at the end of the meeting. A representative of the local party, all candidates and their nominated supporter may attend.

57. Tendered ballot papers shall be considered at the end of each stage to determine if their inclusion would alter the result. If this is the case the count shall be suspended and will not proceed until it has been decided, by the Returning Officer, whether the tendered papers are eligible.

#### **B. ii. On-Line Balloting**

58. The Ballot Administrator will conduct counting of the electronic ballot papers, as well as any postal votes which have been returned to them.

59. The Ballot Administrator or Returning Officer may open envelopes with returned paper ballots before the close of poll, in order to input the postal votes cast to the master computer program for the count. After that has been done the ballot papers and the envelopes in which they were posted will be held securely until all candidates have signed to accept the result or exhausted their right of appeal. No information will be disclosed as to the votes cast on returned ballot papers before the close of poll.

60. The votes will be counted as soon as practicable after the deadline for the return of ballot papers. Each candidate will be given the opportunity to be present at the count (in person, or by video link) or to be represented, and may be joined by one additional person to support them.

#### **C. The declaration**



51. At the end of the count, the Returning Officer will notify all candidates of the result and ask any candidates physically present at the count to sign a copy of the results sheet to say they accept the result. If the candidates are not present, then they may send an email or written message via a mobile device, to the Returning Officer to indicate their acceptance. Verbal acceptance will not be valid; it must be in writing.

52. In the event that all candidates accept the result, the Returning Officer will immediately declare it and will provide a statement of the turnout and the name of the successful candidate which the Responsible Committee can email to its members.

53. In the event that one or more candidates do not accept the result, the result will not be declared immediately. Candidates will have seven days to accept the result, to formally withdraw from the selection, or to submit an appeal in accordance with the current appeals protocol. Any candidate (including the winning candidate) who neither accepts the result, nor withdraws, nor submits an appeal within seven days, is deemed to have withdrawn from the selection. The result will be declared once all candidates accept the result, or the seven-day deadline has passed without appeal, or once any appeal has been decided.

54. If a winning candidate withdraws from the selection, or does not accept the result within the seven-day period and is hence deemed to have withdrawn, the ballots will be counted again, with the second preference votes of the withdrawn candidate(s) being redistributed.

55. If a candidate who is in a politically-restricted occupation signs to accept that they have won the selection, they must within seven days of the date of selection agree a resignation date from that occupation with the local party. Failure to do so, or then to resign on that date, will result in automatic deselection. The vote will then be recounted to select a new candidate.

56. At the conclusion of the selection the Returning Officer shall provide the WSCC with a summary report showing the number of initial applicants with protected characteristics who applied, the number shortlisted, and the votes cast for each candidate at the members' meeting. They shall also report any evidence of overt discrimination (for example in questions posed to applicants at shortlisting interview or at the members' meeting.)



## **Four: Trouble-shooting.**

### **A. Applicant or candidate withdrawal**

57. Before the announcement of the shortlist: For non-target seats no action is required as long as one applicant remains. However the local party officers in consultation with the Returning Officer may decide not to proceed if fewer than two applicants remain.

58. If a candidate withdraws at any time between the announcement of the shortlist and the members' meeting, all other candidates must be notified.

- If the members' mailing has not yet been sent then it should be altered to reflect the new shortlist
- If the members' mailing has been sent and no ballot papers issued then no action need be taken
- If some ballot papers have been issued then new ballot papers should be drawn up (including RON if necessary). At the count, for ballot papers reflecting the original shortlist, preferences for withdrawn candidate(s) shall be transferred when counting

59. If a candidate withdraws at the members' meeting existing ballot papers will be used and an explanation given to members with instructions to delete the withdrawn candidate.

60. If a winning candidate withdraws before they have signed their acceptance of the result then there will be a recount.

### **B. Breaches of the rules**

61. If applicants/candidates or members of the local party believe a selection rule has been breached they should:

- Put their concerns in writing to the Returning Officer
- Identify the rule they believe has been breached
- Provide details of the circumstances of the breach
- Explain the effect of the breach

62. Once they have been notified of alleged breaches of the rules (rule 61, above) the Returning Officer will:

- Investigate the situation
- Make a formal ruling, notifying the complainant and all applicants/candidates of the details of this.

63. If it is alleged that any candidate has behaved in a way that is contrary to the Candidates' Code of Conduct the Returning Officer shall consult the WSCC who shall investigate the allegation.



64. Anyone wishing to appeal a Returning Officer's ruling shall do so using the process laid down in Rules for the Conduct of Appeals. If an appeal is lodged, the Returning Officer shall immediately suspend the selection and inform the WSCC, all applicants/candidates, and the EO CCC."



## **RULES FOR THE SELECTION OF CONSTITUENCY BY-ELECTION CANDIDATES (WESTMINSTER & SENEDD)**

These are the separate rules which govern the selection of candidates for by-elections to the Westminster Parliament or the Senedd as specified in Clause J.9 of the Welsh Liberal Democrat Constitution, and provided for under the special provisions specified in Article 11.6 and Article 11.8 of the Federal Constitution of the Liberal Democrats.

1. The decision to proceed with a by-election selection shall be made by the Chair of the Welsh Campaigns and Communications Committee (WCCC) in conjunction with the Chair of the Federal Campaigns and Communications Committee (FCCC). Either of these office holders may delegate the responsibility for making this decision as required.
2. The Chair of the WCCC shall appoint a suitably experienced Returning Officer from outside the Local Party concerned. The Returning Officer is responsible for the running of the by-election selection process, in conjunction with the Office of the Chief Executive of the Welsh Liberal Democrats and the Candidates' Office in London, and shall report regularly to the Chair of the WCCC on the progress of the selection.
3. If there is a sitting Prospective Parliamentary Candidate or Prospective Senedd Candidate, they should be contacted to remind them of the special provisions governing by-elections.
4. The Local Party Chair, or their agreed nominee, shall be contacted regarding the format and content of the Local Party profile to be included with the application pack, and the composition of the Local Selection Panel, both of which shall be agreed by the Returning Officer.
5. The Returning Officer shall agree a timetable and rules for the selection process for the specific by-election in question with reference to clause 11.8 of the Federal Constitution.
6. All fully approved Westminster and Senedd candidates shall be notified by e-mail that the selection is taking place and that all applications must be sent to the Returning Officer by a set closing date. This email should include the timetable (if agreed) and the rules. If a candidate does not have e-mail, there is no duty to contact. The day the email is dispatched shall constitute the cut-off point for members to be eligible to vote in the selection.
7. If there is a sitting Prospective Parliamentary or Senedd Candidate (this shall be dependent on the body for which the by-election has been called) before the by-election selection process came into effect in the constituency in question, and they have submitted an application for the by-election selection, then their name shall be automatically added to the list of candidates that is put before the By-Election Panel.
8. The Local Selection Panel shall meet with the Returning Officer to draw up a list of candidates to go before the By-Election Panel. The Returning Officer shall carry out any



necessary training at this meeting, and shall ensure that the selection committee make their decision based upon the by-election selection criteria.

9. The short-listed candidates are then interviewed by a By-Election Panel at the Welsh Liberal Democrat Party HQ or an appropriate alternative agreed with the Returning Officer.

The panel shall consist of:

- The Chair of the WCCC (or their nominee);
- An Member of the Senedd or Member of Parliament (preferably one who has fought a by-election or similar type of seat);
- The Chief Executive of the Welsh Liberal Democrats (or their nominee);
- The Federal Director of Campaigns (or their nominee).

10. The By-Election Panel shall be conducted according to the guidance issued by the WCCC and shall normally be chaired by either the Chair of the WCCC or the MP/MS. All members of the panel shall vote, with the Chair having an additional, casting, vote in the event of a tie. The Office of the Chief Executive of the Welsh Liberal Democrats shall make the necessary arrangements for interviews, booking rooms, contacting panel members and contacting the interviewees in conjunction with the Candidates' Office in London

11. The By-Election Panel will produce the final list from which the local members will select their candidate. They have the discretion to reduce the number of applicants put forward by the Local Party Selection Panel, and should give due regard to providing members with a choice.

12. The final selection will take place at a members' meeting. There will be no provision for postal or proxy votes, and no option to re-open nominations. There shall be no campaigning by candidates, or any supporters, in advance of the members' meeting. However, in arranging the members' meeting, due regard shall be given to allowing sufficient time for applicants to meet and talk to members at the meeting.

13. There is no right of appeal against the outcome.

14. If the seat is not won at the by-election, and the by-election candidate and/or the person who was the sitting PPC before the by-election selection process came into effect (if different) indicate(s) to the Local Party Chair that they want to stand again, there shall be a vote of the Local Party Executive as to whether to invoke the use of Article 11.5 (f) of the Federal Constitution.



## RULES FOR SELECTION OF SENEDD CANDIDATES

### Overview

### Introduction

This document provides the relevant rules and principles (Rules) which govern the selection of candidates for the Senedd elections (Candidates). The Rules must be followed when Local Parties (the local party or local parties in the area covered by a Senedd constituency (constituency)) are selecting their Candidates.

The Local Parties shall conduct the selection in accordance with the values set out in the constitution of the Liberal Democrats (the Party). Everyone involved in the selection must act to ensure that the Party is not brought into disrepute, and selections must be conducted in a manner that is:

- Democratic
- Accountable
- Inclusive
- Fair
- Robust
- Manageable

Applicants for selection, and those short-listed (Prospective Candidates), and their supporters must abide by the Candidates' Code of Conduct published by the Party the Party's Data Protection Code. and the Political Parties, Elections and Referendums Act 2000. Where the Rules are silent, the RO will use the principles contained in them as a guide. In addition, the Welsh State Chair of Candidates (WSCC) may, from time to time, issue guidance and clarifications to the Rules, which must also be derived from such principles. Applicants and Prospective Candidates may provide all documents referred to in the Rules in English or Welsh or both, with identical content.

In the Rules, the words, "must", "shall" and "will" refer to mandatory actions. The words "may", "could" and "should" refer to discretionary actions. Terms in brackets are, where the context allows, defined terms and shall have the same meaning wherever used in the Rules. The singular shall include the plural and the plural the singular, except where the context does not allow.

The Rules replace all previous rules for selection of Candidates previously published by the Welsh Liberal Democrats (the Welsh Party) and nothing contained in them is intended to override any of the powers of the Campaigns and Communications Committee (CCC), Welsh Candidates Sub Committee (WCSC), WSCC or the terms of the constitutions of the Welsh Party or the Party or the Equalities Act 2010.

No-one seeking selection, either themselves, or through any third party, may publicise that intention through any website or publication before the selection begins. Evidence of such campaigning shall be a breach of the Rules.





## 1. Getting Started

- a. Local Parties who want to start selection of Candidates for a constituency must apply to the WSCC for permission to select and, in determining whether to give such permission, the WSCC shall take into consideration if there is a sitting MP or MS, the cycle of elections, and the timetable outlined in the Rules. In providing such permission, the WSCC shall appoint an independent returning officer (RO) from outside the constituency and from the approved list of ROs held by the Welsh Party.
- b. Once the WSCC has given permission, the Local Parties shall form a Selection Panel to oversee the selection.
- c. Where Local Parties have not selected three years before a scheduled Senedd election, the CCC may ask the WCSC and the Local Parties, to start the selection of Candidates. Where the Board (Board) of the Welsh Party has not elected or appointed a WCSC, then the Board may delegate its functions as the Board sees fit until such times as it elects or appoints a WCSC.
- d. Where Local Parties have not selected eighteen months before a scheduled Senedd election, the WCSC may start the selection of Candidates.
- e. Where Local Parties have not selected twelve months before a scheduled Senedd election, or where a selection panel (Selection Panel) and RO have advertised a vacancy and received no applications, or where there are an insufficient number of applications to complete the list of Candidates to be submitted by the Welsh Party for the constituency (the List), the WSCC may appoint Candidates, whether or not from the list of approved candidates (Approved Candidate) maintained by the Welsh Party. Any person added to the List by the WSCC shall not be placed higher than any Candidate who has already been selected by members. Any Candidates added to a List by the WSCC must be either Approved Candidates or have undergone the vetting processes agreed by the WSCC and shall be bound by the Candidates' Code of Conduct, and the Rules as they relate to Candidate compacts. Any such Candidate may not, without the consent of the WSCC, be considered for selection at a subsequent Senedd or United Kingdom General Election unless they are then on the list of Approved Candidates.

## 2. Members of the Senedd

- a. MSs must tell their Local Parties not later than 24 months before a scheduled Senedd election if they intend to seek re-selection.
- b. The chairs of the Local Parties may (but, other than where they deem there is the serious possibility of an earlier election, not earlier than three years before a scheduled Senedd election) require an MS to tell the chairs in writing, within one month of the requisition, if they intend to seek re-selection.
- c. If the Leader of the Welsh Party and/or the Leader of the Liberal Democrats in the Senedd, or if an MS any part of whose current constituency comprises any part of the constituency, seeks selection, the RO will place them first on the List to which



they are seeking selection. If either Leader and an MS both or all apply for selection to the same List, then the RO will order such of them as have applied as follows:-

First- Leader of the Welsh Party

Second- Leader of the Liberal Democrats in the Senedd

Third- any other MSs in the order determined by the Rules.

The Selection Panel will advise the members of the Local Parties who, at the date of the advertisement of the vacancy are 10 years old or older (eligible members) of this when proceeding with any further selection.

- d. If one or more MS, other than the Leader of the Welsh Party Leader or the Leader of the Liberal Democrats in the Senedd, seeks re-selection:-
  - i. the Local Parties shall hold a General Meeting of those who are members, 10 years old or older (re-selecting members), as at the date the Local Parties call the General Meeting, to consider the reselection. If a majority of re-selecting members present and voting by secret ballot approve the re-selection, the RO shall order the List as set out above.
  - ii. If there is no such majority, the MS may, within 7 days of the General Meeting request that the re-selection be determined by a ballot of all re-selecting members. The RO will conduct the ballot as they see fit, with a minimum voting period of 21 days. The chair of the Local Parties may designate one member as the lead person opposing the re-selection (Opponent) and provide them with a list of re-selecting members for the purpose of opposing the re-selection. The MS and the Opponent and their supporters may communicate individually with re-selecting members face to face, by phone or through social media. They and their supporters may not comment to the press. All such communications must comply with the Rules. The MS and the Opponent will provide copies or electronic links to such communications to the RO if requested by the RO. They may also send one email (bulk communication) to each re-selecting member. The RO will arrange to email the bulk communication. If an MS or Opponent does not accept the result, the RO will not declare the result. The RO will advise the MS and the Opponent that they have seven days to accept the result, to withdraw from the selection, or to submit an appeal in accordance with the Welsh Party's current appeals protocol. If an MS or Opponent does not accept the result, or submit an appeal within seven days, the RO will deem them to have accepted the result. The RO will declare the result once the MS and Opponent have accepted the result, the seven days have passed without the MS or Opponent submitting an appeal, or once any appeal has been determined.
- e. If the MS is not re-selected, they may apply for selection on the same terms as any other applicant.
- f. The Local Parties must complete the re-selection before advertising any vacancy.
- g. If more than one MS (other than the Leader of the Welsh Party Leader or the Leader of the Liberal Democrats in the Senedd) is re-selected for the same constituency, the RO shall organise a ballot to determine their respective positions on the List.



### **3. Forming a Selection Panel**

- a. The Selection Panel shall act as a shortlisting committee and shall work with the RO to ensure that the selection is conducted in accordance with the Rules.
- b. The Selection Panel shall consist of 7 members, appointed by the Local Parties in the same proportion as Party membership in each Local Party area bears to the total Party membership in the constituency. The Local Parties may, with the agreement of the WCSC, reduce the number of members on the Selection Panel to no fewer than 3.
- c. If a Local Party refuses or delays to appoint a Selection Panel, the WCSC may, on the request of another Local Party, appoint one in its or their place.
- d. The Selection Panel shall not include any member with an interest in the selection beyond that of any ordinary member.
- e. The Selection Panel must ask the WSCC for permission to proceed.

### **4. Returning Officer**

- a. The RO shall not have a personal interest in the selection.
- b. The RO shall:
  - i. support the Selection Panel through the selection;
  - ii. protect the interests of members;
  - iii. ensure the fair and equal treatment of applicants;
  - iv. ensure that the Rules are followed.
- c. ROs may claim expenses reasonably and properly incurred while carrying out their duties and should do so as soon as possible after the selection. Claims should be in line with the expenses rules in the ROs' guidance.
- d. The RO must ensure that the Selection Panel has been trained in the selection process before it commences the selection.
- e. The WCSC may, at its discretion, appoint a replacement RO, or Deputy RO for any part of the selection.

### **5. Duties of the Selection Panel**

- a. The Selection Panel shall act in an unbiased way. They must keep the details of the applications, and their assessments of applicants, confidential.
- b. The Selection Panel shall determine:
  - i. the timetable for the selection;
  - ii. spending limits for Prospective Candidates;
  - iii. the arrangements for and allowable number of bulk communications;
  - iv. the organisation and number of Hustings, which may take place virtually, hybrid or in person.



- c. The Selection Panel shall produce:
  - i. a profile of the constituency;
  - ii. criteria and/or competencies sought for Candidates (selection criteria), which may include their priorities for the coming election campaign and the Candidates' intended role in delivering those priorities;
  - iii. an outline Candidate compact, which shall include an undertaking to make, once elected, an appropriate financial contribution to the costs of the Local Parties;
  - iv. an application form based on the above;
  - v. any other documentation required by the RO.
- d. The Selection Panel shall agree the minimum acceptable standard for each of the selection criteria, and shall develop questions, based on the selection criteria, for short-listing interviews.
- e. Local Parties may, at the discretion of the Selection Panel, include the selection criteria in any mailing to members (members' mailing), the contents approved by the RO.

## 6. Advertisement

- a. The Selection Panel shall create an application pack, and it must include:
  - i. the constituency profile and selection criteria;
  - ii. an application form;
  - iii. an outline Candidates' compact, and a form undertaking to negotiate and agree, within 3 months of selection, a compact based on the outline;
  - iv. a form where the applicant may declare any protected characteristics they have and any specific needs for which the Selection Panel should make reasonable adjustments during the selection;
  - v. a link to the Rules;
  - vi. contact details of the RO;
  - vii. the timetable for selection, including location and dates and other details of Hustings, and dates for members' mailings.
- b. The RO shall arrange the advertisement of the vacancy on the Party website. The Local Parties may, at their own expense, advertise elsewhere. The Selection Panel must seek applications from as diverse a range of applicants as possible.
- c. Members of the Selection Panel should encourage Approved Candidates to apply.
- d. The RO shall arrange for the Application Pack to be sent to any member expressing an interest in applying.
- e. The closing date for applications shall not be less than two weeks after the first date of advertisement and applicants shall submit them to the RO.
- f. The timetable for the selection process is below. If the Selection Panel and the RO agree, they may extend the intervals between elements of the process, but they may not reduce them, unless agreed by the WSCC:

Publication of advert	A
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Closing date for applications	A+14 days
Members' mailing with details of shortlist, Hustings and ballot arrangements	A+35 days (B)
(First) Hustings If >1 Hustings final Hustings	B+21 days B+22 to B+28 days (C)
Return date for ballots of noon, twenty-one full days later.	C+21

## 7. Deciding Who Can Vote in the Selection

- a. Only eligible members may vote.
- b. Members whose subscriptions are no more than three months overdue shall be entitled to attend any Hustings but shall only be eligible to vote if they pay their overdue subscription and notify the RO in writing that they have done so at least two days before the date on which the RO sends out the ballots (final payment date). The list of eligible members shall form the Selection Register.
- c. If the RO has any concerns about unusual membership activity in the period before the date of advertisement, they may suspend the selection and shall inform the WSCC. The WSCC will decide when to restart the selection.

## 8. Deciding if the Selection can go ahead

- a. After the closing date for applications, the RO shall pass all applications to the Selection Panel. The Selection Panel will reject any that do not meet the selection criteria.
- b. The RO shall not treat the Leader of the Welsh Party and/or the Leader of the Liberal Democrats in the Senedd and any reselected MS as applicants.
- c. If fewer than three applicants apply, the RO shall arrange to re-advertise the vacancy. If, after re-advertising, there are still fewer than three applications, the Selection Panel may, if the RO is satisfied that the Selection Panel has tried to encourage Approved Candidates to apply, ask the WSCC for permission to proceed with fewer than three applicants. If the WSCC permits the selection to proceed with a single applicant there shall be a Hustings, and the RO shall conduct a ballot with an option to re-open nominations.
- d. Where there is a ballot between two or more MSs to determine their position on a List, the RO shall conduct a second ballot and the Rules, and the timetable above shall apply to them.

## 9. Short-listing and Interviews



- a. The Selection Panel shall interview all applicants who meet the selection criteria. They shall agree with the RO in advance the format of the interviews, including any tasks the applicants must perform by the applicants and any scoring schemes.
- b. The RO shall advise interviewees of procedures and tasks, but not necessarily the nature of those tasks.
- c. The Selection Panel must not seek references or endorsements for any applicant or any financial contributions.
- d. The RO will notify interviewees of the composition of the shortlist as soon as practicable after the Selection Panel has agreed it.
- e. Interviewees may seek feedback from members of the Selection Panel identified for the purpose.
- f. Details of consideration of the applications shall be confidential to the Selection Panel, the RO, the WSCC, the Party's Candidates' Office, and any appeal panel reconsidering the shortlisting.
- g. Any applicant seeking to appeal the short-listing decision must submit an appeal within seven days of the notification of the shortlist to the applicants. The appeal will be conducted in accordance with the Welsh Party's current appeals protocol. The shortlist shall remain confidential until any such appeal is determined.

## **10. The members' mailing**

- a. Prospective Candidates may provide to the Selection Panel a first personal manifesto in colour or black and white in accordance with a specification approved by and by a deadline set and notified to them by the RO. The Local Party may not include manifestos in the members' mailing if Prospective Candidates provide them after the deadline, although they may, at the discretion of the Selection Panel, included them with the ballots.
- b. Local parties shall, at their cost, send by email, post or hand delivery any members' mailing to all eligible members, all Prospective Candidates, and to the RO.
- c. The members' mailing will contain in hard copy, attachment or through electronic links:
  - i. an introductory statement produced by the Selection Panel, giving information on the selection, and explaining the electoral system the Local Parties are using;
  - ii. the Prospective Candidates' manifestos;
  - iii. details of the Hustings;
  - iv. the final payment date;
  - v. a form for completion by those seeking postal ballot papers,
  - vi. the Rules.
- d. Eligible members who want a postal ballot paper should apply to the RO using the form in the members' mailing. The RO may, at their discretion, accept applications not on the supplied form.



## 11. The Prospective Candidates' campaigns

- a. Prospective Candidates and their supporters shall not start campaigning before the dispatch of the members' mailing. Evidence of such campaigning shall be a breach of the Rules.
- b. The RO shall give candidates access to the Selection Register, which shall include the following information about eligible members:
  - i. name;
  - ii. address;
  - iii. telephone number;
  - iv. mobile or other phone number;
  - v. membership number;
  - vi. opt-in/out status in respect of electronic communications.
- c. Prospective Candidates and their supporters may contact those on the Selection Register for no other purpose than that of campaigning for selection.
- d. The RO will advise the Prospective Candidates of the spending limit. Prospective Candidates must keep records and receipts of all expenses and submit them to the RO at the conclusion of the selection. The RO shall make these records available for inspection by the other Prospective Candidates, who may ask the RO to investigate if they think any other Prospective Candidate has exceeded the spending limit.
- e. The RO will advise the Prospective Candidates of the arrangements for and allowable number of bulk communications.
- f. The RO will arrange to email the bulk communication prepared by the Prospective Candidates. The Prospective Candidates may send to eligible members who do not receive electronic communications, a paper version, by post or hand delivery.
- g. Other than the bulk communications, Prospective Candidates may use any means (other than direct email and SMS) to communicate individually with eligible members, except that they and their supporters may not comment to the press. All such communications must comply with the Rules. Prospective Candidates will provide copies or electronic links to such communications to the RO if requested by the RO.
- h. If Local Parties hold any political or social events during the period between shortlisting and the close of poll, they shall encourage all Prospective Candidates, without obligation, to attend.
- i. Prospective Candidates and their supporters:
  - i. must not denigrate other Prospective Candidates;
  - ii. must not use any form of endorsements of their candidature, other than that they may use photographs (including photographs with prominent local or national party figures) as they wish, as long as the photographs do not contain and are not accompanied by any written endorsement, and both the copyright holder and the subject of the photographs have given their permission;
  - iii. may allow any supporters to campaign on their behalf but must ensure that those supporters comply with the Rules;



- iv. may continue with their normal party activities and campaigning during the selection;
- v. must preserve all selection campaign material and communications until the selection is complete and the result formally announced and accepted, and must produce them to the RO if requested by the RO.
- j. Prospective Candidates may provide to the Selection Panel a second personal manifesto in colour or black and white in accordance with a specification approved by and by a deadline set and notified to them by the RO.

## 12. The Hustings

- a. The Selection Panel must arrange at least one Hustings, the details approved by the RO, and, if held in person, should give consideration to holding one in the area of each Local Party.
- b. The Hustings shall be chaired by a member appointed by the Selection Panel and not associated with any Prospective Candidate's campaign.
- c. At the Hustings, the chair will invite Prospective Candidates to:
  - i. meet members;
  - ii. speak;
  - iii. answer questions
- d. At any Hustings, Prospective Candidates:
  - i. should stay out of the meeting whilst other Prospective Candidates are giving speeches or answering questions asked in response;
  - ii. may bring a supporter, who shall remain with the Prospective Candidate. No-one in the Hustings should communicate with the Prospective Candidates before they have finished their speeches and answering any questions asked in response;
  - iii. other than when giving speeches, should switch off their mobile phones.
- e. For a virtual or hybrid meeting, the processes should be as similar to the processes for an in-person meeting as the technology allows. The Selection Panel may share a recorded copy of any virtual or hybrid meeting with all eligible members.
- f. The RO shall oversee the conduct of the Hustings and may intervene. They may appoint aides to assist them at the Hustings.
- g. Members of the Party who are not eligible members may attend any of the Hustings as observers.

## 13. Electronic ballots

The RO shall arrange for electronic ballots to be emailed to all eligible members who have not requested a postal ballot paper, as soon as practicable after the final Hustings, together with an electronic copy of the second personal manifestos of the Prospective Candidates, but no other materials. The RO may arrange for electronic ballots to be sent more than once, but only to those who have not yet cast their ballot.





## 14. Postal ballots

- a. The RO shall arrange, as soon as practicable after the final Hustings, for postal ballot papers to be sent to those who have requested them at their address registered with the Party, together with an explanation of how to use the postal ballot paper.
- b. The RO will also give them a unique electronic link. Such members can exercise their vote either by using the link to vote online, or by posting the postal ballot paper to the RO at the address provided.
- c. If the RO finds that a unique link has been used, and a postal ballot paper from the same eligible member is subsequently received, the electronic ballot shall be used.
- d. All ballots shall require eligible members to rank the Prospective Candidates in order of preference.

## 15. Balloting

- a. The RO will arrange to number the ballots and shall record the numbers on the Selection Register.
- b. The RO may open envelopes with returned postal ballot papers before the close of poll, for the purpose of adding the votes cast to the final electronic tally. The RO will retain the postal ballot papers until all Prospective Candidates have accepted the result of the selection or exhausted their right of appeal. The RO shall keep strictly confidential all information relative to votes cast until the close of poll.
- c. The RO will arrange that the ballots are counted as soon as possible after the close of poll. The RO will conduct the vote by the single transferable vote method for forming an ordered list in accordance with the currently published handbook of the Electoral Reform Society where there are three or more short-listed candidates, and by a simple majority where there are two.

## 16. The Declaration

- a. The RO will notify all Prospective Candidates of the result and ask all Prospective Candidates to confirm, in writing, that they accept it.
- b. If all Prospective Candidates accept the result, the RO will declare it and will provide to the Selection Panel a statement of the turnout and the name of the Candidate, and the Selection Panel shall send the information to all members of the Local Parties.
- c. If one or more Prospective Candidates do not accept the result, the RO will not declare the result. The RO will advise Prospective Candidates that they have seven days to accept the result, to withdraw from the selection, or to submit an appeal in accordance with the Welsh Party's current appeals protocol. If any Prospective Candidate (including those successful) does not accept the result, withdraw, or submit an appeal within seven days, The RO will deem them to have withdrawn from



the selection. The RO will declare the result once all Prospective Candidates accept the result or have withdrawn, or once any appeal has been determined.

- d. At the conclusion of the selection the RO shall provide the WCSC with a summary, showing the number of applicants and their declared protected characteristics, the number of Prospective Candidates, and the votes cast for each.

## **17. Special Provisions and Incumbency Period**

- a. The Welsh Party may constrain the makeup and ordering of a List to accommodate diversity requirements as specified by rules which have been approved by the conference of the Welsh Party.
- b. If a Senedd election takes place within six months after a Senedd election, the WSCC may determine to reselect the same Candidates in the same order.
- c. After a Senedd election, Candidates selected for a List, provided that they a) retain continuous membership of the Party and b) if selected rather than added, remain Approved Candidates, shall, unless they inform the office of the Chief Executive of the Welsh Party in writing that they no longer wish to remain on the List, remain as such Candidates, in the order in which they were selected, until the next Senedd election. If no Candidates are elected from a List, that List will cease to exist following declaration of the results of the Senedd election.
- d. If a Candidate ceases to be on a List, the next Candidate on the List shall take their place. No Candidate can be added to a List after a Senedd election has taken place.

## **18. Candidate Withdrawals**

- a. If a Prospective Candidate withdraws between the notification of the shortlist and the count, The RO shall advise all other Prospective Candidates, and all the Local Parties shall alter all subsequent members' mailings, including ballots.
- b. If a Prospective Candidate withdraws before, at or in between Hustings, the RO shall advise members at that and any subsequent Hustings of the withdrawal and recommend that eligible members, if they have not yet voted, delete the withdrawn Prospective Candidate from their ballots.
- c. If a Prospective Candidate withdraws or the RO deems them to have withdrawn before they have confirmed their acceptance of the result, then the RO will arrange to have the votes recounted, redistributing the second preference votes for the withdrawn Prospective Candidate with a value of one.
- d. If a Candidate withdraws after selection the next Candidate on the List shall take their place and so on.

## **19. Breaches of the Rules**



- a. If any eligible member, applicant or Prospective Candidate (complainant) believes a Rule has been breached, they should write to the RO identifying the Rule they believe has been breached, providing details of the circumstances and explaining the effect of the breach.
- b. If a complainant notifies the RO of an alleged breach of the Rules, or if the RO, acting on their own initiative, believes a breach has occurred, the RO shall:
  - i. investigate the situation, using such methods as they see fit, and;
  - ii. make a formal ruling, notifying the complainant, the Selection Panel, the WSCC and all eligible members, of the details;
- c. If the RO determines that an applicant or Prospective Candidate is in breach of the Rules, the RO may choose to disqualify them or take such other appropriate action as they see fit.
- d. If the RO is alleged to have breached the Rules, then the complainant should write to the WSCC identifying the Rule they believe has been breached, providing details of the circumstances and explaining the effect of the breach , and the WSCC shall investigate and make a formal ruling, notifying the complainant, the Selection Panel, the RO and all eligible members of the details. If they determine that an RO is in breach of the Rules, the WSCC may choose to replace the RO or take such other appropriate action as they see fit.
- e. Anyone wishing to appeal an RO's ruling must do so within 7 days of the date of the ruling, in accordance with the Welsh Party's current appeals protocol. If an appeal is lodged, the RO shall suspend the selection and inform the WSCC, all eligible members, applicants and Prospective Candidates, and the Executive Officer for Campaigns and Communications. The WSCC will decide when to restart the selection.



## **RULES FOR THE SELECTION OF DIRECTLY-ELECTED MAYORAL CANDIDATES**

### **Introduction**

These rules provide the relevant rules and principles relating to the selection of candidates for the position of Directly-Elected Mayoral Candidates and as such must be followed when a Local Party or a grouping of Local Parties, are selecting their candidates.

The purpose of these rules is to provide a fair and level playing field for anyone who wishes to be considered for selection as a Mayoral Candidate (hereinafter referred to as a 'Prospective Candidate'). They allow flexibility in that they allow the applicants to demonstrate the skills required of such a candidate but also allow for fairness and equality amongst all applicants and for the avoidance of discrimination at any level or at any stage of the process.

Only those members of the Liberal Democrats (at a UK level) who appear on the approved list maintained by the Welsh Liberal Democrats shall be eligible to put themselves forward for selection as a prospective candidate.

No member shall be considered for selection if they have not first signed the Candidates' Code of Conduct.

These rules replace all arrangements for the selection of Directly-Elected Mayoral Candidates that have previously been published by the Welsh Party but nothing in these rules overrides any of the functions of the CCC or the Constitutions of the Welsh Liberal Democrats or the Federal Constitution and the Equalities Act 2010.

Unless otherwise agreed in writing by the Chair of the CCC and the Chair of the Finance and Management Committee, the costs of the selection process including the advertising of a vacancy for a candidate and any expenses incurred by the Returning Officer, shall be borne by the relevant Local Party or grouping of Local Parties.



## Stage One: From Deciding to Select to the Close of Applications

### A. Getting Started

1. Any Welsh Local Party, or grouping of Local Parties, wishing to select a Prospective Candidate must apply to the CCC for permission to select a candidate.

### Returning Officers and Selection Panels

2. One of the criteria for approval to proceed to be granted shall be that there is a Selection Panel in place. The Selection Panel shall be responsible for managing the selection process in a fair and unbiased manner. This Panel shall consist of a minimum of three and a maximum of seven members who shall reflect and represent the membership within the local authority at large and shall oversee the entire process. The Selection Panel shall not include the relatives or partners of any applicant nor any member whose position as regard to a particular candidate could be seen as making a difference to the decisions they would make in regard to the selection process.

3. Members of the Selection Panel shall not campaign for or against any applicant. They must also keep the details of the applications, and the assessments of applicants, confidential and shall behave in a fair and unbiased way towards all applicants.

4. The Selection Panel, and not the relevant Local Party Executive(s), is responsible for managing the selection. If a Local Party is concerned that the Selection Panel is failing in its duties then it should raise the matter with Returning Officer. Decisions of the Selection Panel must not be altered other than by the Returning Officer.

5. Once permission has been granted by the CCC to go ahead with the process, the Chair of the CCC shall appoint a qualified Returning Officer from the list of accredited Returning Officers held by the CCC who shall not be a member of the Local Party or Local Parties undergoing selection nor shall they have any personal interest in the selection.

6. The Returning Officer will:

- support the Selection Panel;
- protect the interests of Members;
- ensure the fair and equal treatment of applicants; and
- ensure that the selection rules are followed.

7. The Chair of the CCC may appoint a Replacement, Substitute or Deputy Returning Officer(s) for any part of the selection, if this becomes necessary at any time.

8. Returning Officers may claim reasonable expenses from the Local Party/Parties which have been incurred whilst carrying out their duties. Any expenses should be claimed within 30 days of the completion of the selection process.



9. Following their appointment, the Returning Officer shall meet with the Selection Panel to ensure that they are satisfied that the Panel is sufficiently trained in the purposes of short-listing and the Panel's responsibilities with regard to equality of opportunity and fairness to all applicants. Where necessary, and appropriate, the Returning Officer shall arrange for appropriate training to be given before the process can proceed further.

## **B. Preparing to Advertise**

### **The Kind of Candidate you are Looking for and the Timetable for Selection**

10. The Selection Panel, in conjunction with the Returning Officer, shall then meet to draw up a profile of the Local Authority and the criteria that they are looking for in their prospective Candidate. The profile and criteria shall be including in the application pack sent to prospective applicants following the publication of the advertisement.

11. The Executive(s) of the relevant Local Party(ies) must provide the Selection Panel with details of the priorities for the campaign and what they expect the candidate's role will be in achieving these. They may be supported in this by staff from the Welsh Party, the Federal Party's Department of Elections and Skills and/or the Chair of the CCC. They may also be supported in this by the candidate from the last election for a Directly-Elected Mayor (if there has been a prior election or candidate) but they must play no further part in the selection process except to help put together the Application Pack if asked by the Selection Panel and as an ordinary member of the Party.

12. The Selection Panel will use these priorities to identify criteria for selection. These selection criteria will form the basis of the application form and questions at any short-listing interview, and the Selection Panel shall decide the minimum acceptable standard for each criteria. The selection criteria will also be included in the members' mailing to assist members in making their decision.

13. The Application pack must include:

- the current political position, number of members and level of activity of the Local Party(ies);
- the name and contact details of at least one impartial member of the Local Party(ies) who can provide potential applicants with further information should they require it;
- a copy of the selection criteria;
- copy of the timetable for the selection process;
- a copy of these selection rules; and
- an application form.



14. Members of the Local Party, the candidate at the last Election for a Directly Elected Mayor (if there has been a prior election or candidate) and Local, Regional and/or Welsh Party employees may, at the Selection Panel's request, assist the Selection Panel in putting together the Application Pack, but the Selection Panel shall remain responsible for deciding its final composition. The Returning Officer shall send the final Application Pack to all applicants promptly.

15. The timetable for the selection process is given below. The Selection Panel, in conjunction with the Returning Officer may extend the length of intervals between elements of the process but they may not be reduced. The final timetable must be agreed by the Selection Panel prior to the advertisement being published.

Publication of advert = A

Closing Date for applications = A+14 days

Publication of shortlist = A+28 days

Mailing to members with details of shortlist, members' meetings and ballot arrangements = A+35 days

Date of Mailing to Members and commencement of campaigning by candidates = B

(First) Members' meeting = B+21 days

(The selection Panel may opt to hold a postal ballot of all members in the Local Authority. If so the ballot papers shall either be sent out at B+21 days (the day of the only members' meeting) with a return date of B+42 days at noon with the count on the same day or, if there is more than one members' meeting, the mailing ballot papers shall be sent out the day of the final members' meeting with a return date of twenty one days following their dispatch at noon and the count on the same day.)

16. Campaigning by Candidates, or their supporters, shall not start before the dispatch of the first mailing to members. Evidence of such campaigning shall constitute a breach of these rules and shall render the relevant candidate liable to disqualification or other appropriate action by the Returning Officer.

17. Once the Returning Officer is satisfied that an appropriate number of Selection Panel members have been trained the advert for a vacancy can be placed by the Returning Officer. This advertisement must be placed in Liberal Democrat News and also circulated to all members who have a registered email address via whatever mechanism the Welsh Party has in place for such mass email distribution.

18. Members of the Selection Panel, or their nominee(s), may contact approved candidates and invite them to apply. This must be done using a list of approved candidates issued for this purpose by the Candidates' Office in London to the Returning Officer, who must ensure that invitations to apply are made without undue bias. All Selection Panels must actively seek applications from as diverse a range of candidates as possible, with the help and guidance of the appropriate diversity bodies within the Party (guidance on who these bodies are is available from the Candidates' Office).



19. The advertisement shall give the name of the Local Authority for which the Mayoral Candidate is being selected, the name and postal address of the Returning Officer to whom applications shall be submitted and the deadline for receipt of applications - the Returning Officer will then forward applications to the Selection Panel at the close of applications.

20. The Selection Panel may decide to whether or not they wish to consider applicants who are not on the Party's approved list but who have submitted an application for approval to the Candidates' Office. If they do wish to consider unapproved applicants, they may wait for applicants to gain approval, but no applicant can proceed to short-listing unless they are on the approved list.

21. The date of the publication of the advertisement shall form the date of eligibility to be included on the selection register.

### **Deciding who can vote in the selection**

22. The Returning Officer shall obtain a list a list of members, which will be available before the date of publication of the shortlist, from the Welsh Party Manager, or, in their absence, Membership Services in London. This Selection Register will contain (where available) each member's name, address, telephone number, email address and date of expiry of membership. The use of data in the Selection Register is subject to the Party's data protection policies. The Returning Officer will use the data to identify those eligible to vote in the selection. The cut-off date for inclusion on the Selection Register shall be the date of the publication of the advertisement unless there is a delay in selection of more than six months, when the Returning Officer shall determine and publish a new cut off date.

23. Members entitled to vote in a selection shall be over the age of ten years and with a minimum of twelve months continuous membership and have renewed that membership for a further year, at the date the advertisement was published.

24. Members whose subscriptions are not more than three months overdue shall be entitled to attend any members' meeting but shall only be eligible to vote if they pay their overdue subscription before the date at which applications close.

25. The Returning Officer will provide the Selection Register to the relevant Local Party Membership Secretaries to identify any errors omissions in the Selection Register. These should be resolved by the date of the publication of the shortlist, so that the Register can be passed to applicants promptly at this date. Any further changes should be notified promptly to all short-listed applicants and the Selection Panel.

26. The Selection Register must only be used for:

- deciding who can vote in the selection;
- issuing Ballot Papers;





- sending out the mailing to Members; and
- any campaigning by short-listed applicants or their supporters, who must not use it for any purpose other than the selection.



## **Stage Two: Deciding on a Short-List for the Selection**

### **Deciding if the Selection can go Ahead**

27. At the close of applications the Returning Officer shall pass all applications to the Selection Panel at the close of applications, with any identifying information redacted in order to allow the Selection Panel to arrive at a decision in a robust and fair manner without any prejudice or bias towards individual applicants. The Selection Panel will then sift applications and reject any that do not meet the selection criteria or reach the minimum standard previously agreed by the Selection Panel. The Returning Officer must be satisfied that the decisions have been arrived at robustly, fairly and on the basis of the evidence contained in the applications before them.

28. If fewer than three applications have been received, the Chair of the Selection Panel may, following consultation with the Returning Officer, apply to the Chair of the CCC to proceed with one or two applicants.

29. For a selection to proceed with less than three applicants the Chair of the CCC must be satisfied that every effort has been made to allow people to come forward for selection.

30. If there are fewer than three applicants, the Chair of the CCC may direct either that the vacancy be re-advertised or that the selection may proceed. If there is a re- advertisement, the date of that advert shall become the date for the Selection Register.

31. If the Chair of the CCC agrees for a selection to proceed with a single applicant there shall be no requirement for a members' meeting but there shall be a postal ballot of all eligible members against Re-Open Nominations, which shall be conducted under guidance of the Returning Officer.

32. If the Chair of the CCC agrees for a selection to proceed with two applicants, the process shall continue on the same basis as though there were three or more applicants.

33. The Selection Panel shall then consider the diversity of applicants. In the event that the appropriate criteria are not met, the Selection Panel shall extend the application deadline in order to meet the criteria. This extension must be publicised widely within the Party and may be advertised in Liberal Democrat News. Any such extension shall not affect the composition of the Selection Register.

34. If the final shortlist diverges significantly from the diversity of the original applicants, the Selection Panel must demonstrate to the Returning Officer how the unsuccessful applicants did not meet the minimum selection criteria.

### **Short-Listing Interviews**



35. The Selection Panel shall interview all applicants who meet the minimum selection criteria and shall agree the details of the interviews, including scoring procedure and any tasks, with the Returning Officer in advance.

36. The following rules shall apply to all short-listing interviews:

- a. Questions and tasks shall adhere to the principles underlying these rules and must be agreed in advance with the Returning Officer and be based on the agreed selection criteria;
- b. Marking schemes must be agreed in advance with the Returning Officer and shared with all applicants;
- c. Applicants shall not be asked if they will contribute financially to the campaign and must not offer to do so;
- d. The Selection Panel must not ask applicants for references nor may applicants offer any references or endorsements of their candidature; and
- e. In producing a final shortlist, the Selection Panel shall take into account both their responsibility under Clause 11.5(g) of the Federal Constitution to show due regard to securing adequate representation of groups having protected characteristics within the meaning of the Equalities Act 2010 and the applicants' relative scores.

37. On agreeing the short-list:

- applicants will be notified of the outcome by the Returning Officer, if possible within the same 24 hour period;
- applicants will be entitled to feedback on their performance from a member of the Selection Panel;
- details of short-listing decisions shall be confidential to the Selection Panel, the Returning Officer, the Chair of the CCC and the Candidates' Office in London;
- the composition of the shortlist shall remain confidential until the deadline for appeals has passed. Any appeal must be made within seven days of the despatch of notification to the applicants of the shortlist; and
- short-listed applicants will be told the location, date and time of the members' meeting at which the count will take place.



## Stage Three: The Members' Mailing and the Candidates' Campaign

### The Members' Mailing

38. A members' mailing shall be produced by the Selection Panel and approved by the Returning Officer. It must be sent to all members who are entitled to vote in the selection, all candidates in the selection and the Returning Officer. The Selection Panel may also decide to send the members' mailing to non-voting members.

39. All candidates must be given the opportunity to include a personal manifesto with the members' mailing. The specification (eg paper size, colour etc) for the personal manifesto must be agreed in advance by the Selection Panel and approved by the Returning Officer and must be the same specification for all candidates.

40. Personal manifestos may be produced bilingually (English and Welsh) provided they meet the agreed specification and that each language shall only be a direct translation of the other language. Translations costs shall be at the candidate's own expense but guidance may be sought from the Selection Panel as to appropriate translators.

41. The Returning Officer shall notify candidates of the deadline for the mailing in order to allow to them to send manifestos for inclusion. This may include the provision for a manifesto to form part of the application process save that it shall not be used by the Selection Panel in determining the final shortlist. Manifestos not received by the agreed deadline will not be included in the members' mailing.

42. The mailing shall contain the following:

- a. a copy of the selection criteria and a description of the candidates' role (but not necessarily the priorities for the Local Authority if they are politically sensitive);
- b. a postal vote application form for each voting member;
- c. details of the date, time and venue of the members' meeting(s) and how to get there;
- d. details of how members can gain access to a copy of these rules; and
- e. copies of each manifesto provided by the candidates.

43. The members' mailing may also contain other communications from the Local Party or Local Parties, with the permission of the Returning Officer, provided that any reference to the selection shall remain strictly neutral.

44. The members' mailing shall be produced on behalf of the Selection Panel under their direction.

45. The members' mailing shall be posted at least fourteen days before the date of the (first) members' meeting and each member shall have their own mailing posted to them separately.



## The Candidates' Campaign

46. In addition to the members' mailing, candidates may use any means to communicate with members or publicise the campaign except that they (and their supporters) shall not comment to the press on what is an internal Party selection. All such communications should comply with these rules and Candidates shall provide copy or electronic links to the Returning Officer so that all material can be scrutinised if necessary. Failure to comply with this requirement may result in a candidates exclusion from the selection process.

47. It is not the role of the Returning Officer to approve communications from candidates. The Returning Officer shall however use the copies supplied to assist in any adjudication following a complaint about any alleged breach of these rules.

48. The amount of money that candidates shall be permitted to spend on their campaign will be limited by an expenditure cap agreed in advance by the Selection Panel, who will use the suggested limits contained in the guidance issued to Returning Officers to assist them. Candidates must keep records of all expenses and receipts, and submit this to the Returning Officer at the conclusion of the selection process. These records must be available to for inspection by other candidates, who can ask the Returning Officer to investigate if they think the limit has been breached. Failure to comply with this requirement may result in the exclusion of a candidate from the selection process or the result of the selection being overturned.

49. The number of direct communications with members (emails, messages or delivered materials) may be restricted to a manageable and affordable number agreed in advance by the Selection Panel.

50. However, the Selection Panel should agree extensive limits for direct communication with members to allow candidates to demonstrate their campaigning skills.

51. If a Local Party within the Local Authority holds any campaign action days, social events or other such activity during the selection period, all candidates shall be invited, and encouraged to attend, but there shall be no obligation for candidates to attend.

52. Candidates, and anyone acting on their behalf:

- a. must comply with data protection legislation, the Party's own data-protection policies and with PPERA legislation at all times (eg candidates must not send group emails which reveal the email addresses of recipients);
- b. must not use their campaign to denigrate others;
- c. may use photographs as they wish as long as they comply with these rules and both the copyright holder(s) and the subject(s) have given their written permission. Copies of written permission(s) shall be submitted to the Returning Officer in case of any complaint about any alleged breaches of these rules.



- d. must not use written endorsements of their candidature;
- e. may allow any supporters to campaign on their behalf but must ensure that all such people comply with these rules. Employees of the Local Party or Local Parties concerned must remain neutral in the selection at all times. The neutrality of employees of the Welsh Liberal Democrats, Members of Parliament or Members of the Senedd shall be at the discretion of their direct line manager(s);
- f. must ensure that their actions, and those of their supporters, comply with the Candidates' Code of Conduct;
- g. may continue with their normal Party activities and campaigning during the selection process; and
- h. must preserve all campaign material and communication until the selection has been completed and the result formally announced and accepted.

### **Postal Votes**

53. All voting members who want one may apply for a postal vote. They should apply to the Returning Officer and may use the form supplied within the members' mailing for this purpose. Applications not on the supplied form shall only be accepted by the Returning Officer if they are satisfied that the application is genuine.

54. The Returning Officer shall produce and issue ballot papers for postal votes in accordance with these rules. The Returning Office shall state clearly the last time at which ballot papers can arrive before the members' meeting where the count is taking place. Ballot papers not sent in advance may be hand delivered to the members' meeting by the postal voter. In no circumstance shall a candidate bring any postal vote, other than their own, to the members' meeting.



## **Stage Four: The Members Meeting(s), the Vote, the Count and the Declaration of a Result**

### **The Members' Meeting(s)**

55. The Selection Panel must arrange at least one formal members' meeting. All details shall be agreed in advance and approved by the Returning Officer who shall ensure that these are made available to all candidates in advance of the meeting(s). At the members' meeting(s) all candidates will be invited to:

- meet members;
- speak; and
- answer questions.

56. If there is more than one members' meeting, the final meeting shall be the one at which the counting of votes will take place. Members' not able to attend the final members' meeting and have already requested a postal vote, may give their ballot paper to the Returning Officer at any other members' meeting that has been organised. Members attending a members' meeting that is not the final members' meeting may request a ballot paper from the Returning Officer in accordance with the rules below and submit it to the Returning Officer before the close of the meeting in question.

57. Any members meeting(s) shall be chaired by an impartial member and attended by the Returning Officer or a Deputy Returning Officer.

58. At the members meeting(s), candidates:

- a. must remain in a candidates' waiting room whilst other candidates are speaking or answering individual questions;
- b. may bring a nominated supporter to the meeting(s) who shall remain with the candidate at all times. All other supporters must remain in the hall throughout the meeting(s). Mobile phones must be switched off for the duration of the members' meeting(s).
- c. should at all times abide by these rules and the Candidates' Code of Conduct; and
- d. should not bring postal ballot papers (other than their own) to the meeting(s).

59. Following the candidates' speeches, the Returning Officer may give permission for the candidates to be questioned by members in other ways (eg a 'Question Time' panel or informal mingling) as long as the principles underlying these rules are maintained.

60. The Returning Officer, or their appointed Deputy, is responsible for overseeing the proper conduct of the meeting(s) may intervene if it is deemed necessary. The Returning Officer may appoint aides to assist at the meeting(s).

61. Non-voting members of the Party may attend the members' meeting(s) as observers.



## The Vote and Count

62. Where there is more than one members' meeting this element of the process shall take place at the final members' meeting.

63. The vote will be conducted by the Alternative Vote method (ie STV for single candidate elections) in accordance with the the currently published rules of the Electoral Reform Society where there are three or more short-listed candidates and by a simple majority where there are two.

64. The Ballot paper will require voting members to rank candidates according to preference and will include the option to Re-Open Nominations (RON) where there are fewer than three candidates.

65. Ballot papers (including all postal ballot papers) will be numbered and the numbers recorded on the selection register.

66. The Returning Officer must be satisfied, when issuing ballot papers, that members are eligible to vote. If there is any doubt, a tendered ballot paper (marked T) shall be issued.

67. Eligible members may request a ballot paper, and vote, at any time during the members' meeting(s).

68. The votes will be counted by the Returning Officer at the end of the meeting. A representative of the Local Party(ies), all candidates and their nominated supporters may attend the counting of votes.

69. Tendered ballot papers shall be considered at the end of each stage to determine if their inclusion would alter the result. If this is the case, the count shall be suspended and will not proceed until the Returning Officer has decided whether the tendered papers are eligible.

70. At the end of the count the Returning Officer will notify all candidates of the result and ask them to sign a copy of the results sheet to say that they accept the result.

71. In the event that one or more candidates do not accept the result, the result will not be declared immediately. Candidates will have seven days to submit an appeal to the Chair of the CCC in accordance with the Procedural Rules of the Welsh Appeals Panel. The result will then be declared once the deadline for receipt of appeals has passed or once any appeal has been determined.

72. In the event that all candidates accept the result, the Returning Officer will immediately declare the result.





## **Trouble-Shooting: Applicant or Candidate Withdrawal and Breaches of the Rules**

### **Applicant or Candidate Withdrawal**

73. Before the announcement of the shortlist, a selection may only proceed if more than three applicants remain unless the Chair of the CCC agrees that the selection should go ahead with a non-standard shortlist. At this stage diversity considerations should be taken into account.

74. If a candidate withdraws at any time between the announcement of the shortlist and the members' meeting(s), all other candidates must be notified, and:

- a. the Chair of the CCC should be consulted;
- b. if the the members' mailing has not yet been sent then it should be altered to reflect the new shortlist;
- c. if the members's mailing has been sent out and no ballot papers have been issued then no action need be taken; and
- d) if some ballot papers have been issued, then new ballot papers should be drawn up (including RON if necessary). At the count, for ballot papers reflecting the original shortlist, preferences for any withdrawn candidate(s) shall be transferred when counting.

75. If a candidate withdraws at a members' meeting, existing ballot papers will be used and an explanation given to the members with instructions to delete any withdrawn candidate(s).

76. If a winning candidate withdraws before they have signed their acceptance of the result then there will be a recount.

### **Breaches of the Rules**

77. If applicants/candidates or members of the Local Party believe that a selection rule has been breached, they should:

- put their concerns in writing to the Returning Officer;
- identify the rule they believe has been breached;
- provide details of the circumstance(s) of the breach; and
- explain the effect of the breach

78. Once they have been notified of any alleged breach(es) of the selection rules, the Returning Officer shall:

- investigate the situation; and
- make a formal ruling, notifying the complainant, all applicants/candidates and the Selection Panel of the details of the ruling.



79. If it is alleged that any candidate has behaved in a way that is contrary to the Candidates' Code of Conduct, the Returning Officer shall inform the Chair of the CCC who shall investigate the allegation. 80. Anyone wishing to appeal a Returning Officer's ruling may do so in writing to the Chair of the CCC within seven days of the publication of the ruling. 81. If an appeal is lodged, the Returning Officer shall immediately suspend the selection and inform the Chair of the CCC, all applicants/candidates, the Selection Panel, the Welsh Party Manager and the Candidates' Office in London.



## RULES FOR THE SELECTION OF ELECTED POLICE & CRIME COMMISSIONERS

### Introduction

These rules provide the relevant rules and principles relating to the selection of candidates for the position of Elected Police and Crime Commissioners and as such must be followed when a grouping of Local or Regional Parties are selecting their candidates.

The purpose of these rules is to provide a fair and level playing field for anyone who wishes to be considered for selection as an Elected Police and Crime Commissioner Candidate (hereinafter referred to as a 'Prospective Candidate'). They allow flexibility in that they allow the applicants to demonstrate the skills required of such a candidate but also allow for fairness and equality amongst all applicants and for the avoidance of discrimination at any level or at any stage of the process.

There shall be no requirement for applicants to be on the Welsh Party's list of approved candidates nor shall any advantage be accorded to applicants who are approved Parliamentary or Senedd Candidates. All applicants however meet the minimum membership requirement of twelve consecutive months membership of the Liberal Democrats and have renewed that membership for a further year.

No member shall be considered for selection if they have not first signed the Candidates' Code of Conduct. Any applicant who has not signed the Candidates' Code of Conduct as part of a candidate approval process must submit a signed copy of the Candidates' Code of Conduct with their application.

These rules replace all arrangements for the selection of Police & Crime Commissioner Candidates that have previously been published by the Welsh Party but nothing in these rules overrides any of the functions of the CCC or the Constitutions of the Welsh Liberal Democrats or the Federal Constitution and the Equalities Act 2010.

Unless otherwise agreed in writing by the Chair of the CCC and the Chair of the Finance and Management Committee, the costs of the selection process including the advertising of a vacancy for a candidate and any expenses incurred by the Returning Officer shall initially be borne by Welsh Party and then re-charged back to the Local Parties within the relevant Police Force area based the proportion of members each Local Party has on the final Selection Register.



## Overview of the process

In order to ensure that all Police and Crime Commissioner Areas have an appropriately approved and democratically selected candidate for a Police and Crime Commissioner Election, the below rules govern the process of selecting candidates for Police and Crime Commissioner.

The Welsh Party, wishing to start the process of selection must instruct the Welsh State Chair of Candidates' (WSCC) to appoint an independent Returning Officer (RO) from outside the police area. The Returning Officer will then work with the Welsh party officers to ensure that the selection process is completed satisfactorily in accordance with these rules.

## The principles underlying these rules

The selection process shall be conducted in accordance with the principles of Liberal Democracy. Everyone involved in the selection must act in such a way as to ensure that the Party is not brought into disrepute. In particular, selections must be conducted in a manner that is:

- Democratic
- Accountable
- Inclusive
- Fair
- Robust
- Manageable

Candidates for selection must make sure that they abide by the Candidates' Code of Conduct, the Party's Data Protection Rules and PPERA. Where these rules are silent, the Returning Officer will proceed using these principles as a guide. In addition, the EO CCC or the WSCC led working group may from time-to-time issue guidance and clarifications to these rules, which must also be derived from these principles.

In these rules, the words, "must", "shall" and "will" refer to mandatory actions. The words "may", "could" and "should" refer to optional actions.



## Stage One: From Deciding to Select to the Close of Applications

### A. Returning Officers

1. The Welsh Party, deciding to start the selection process must resolve to do so at a meeting of the CCC or The Board. They must then instruct the Welsh State Chair of Candidates (WSCC) to proceed and for an independent, accredited Returning Officer to be appointed. Relevant local party executives, or parts there in, within the region shall co-operate in making joint arrangements for the selection to proceed, in accordance with this constitution. The term area is the area of the PCC region, and 'local party executive' describes a joint committee of the co-operating local parties established for this purpose. The Responsible Committee is then CCC.

When the Welsh Party agrees to instruct the WSCC to appoint a Returning Officer they must have:

- Taken sustained steps to increase the number of members from under-represented groups in the Welsh Party.
- Evidence in the form of minutes that either or both of the motions in paragraph 7 below have been put to the executive committee, and the result recorded.

2. The WSCC will appoint a Returning Officer from the list of accredited Returning Officers held by the WSCC and the Campaigns and Candidates' Committee. The Returning Officer shall not be a member of the area to which they are appointed, nor shall they have any personal interest in the selection.

3. The Returning Officer will:

- Support the local party officers through the selection process.
- Protect the interests of members.
- Ensure the fair and equal treatment of applicants.
- Ensure that the selection rules are followed.

To comply with government guidelines, safety precautions or at the request of the CCC the Returning Officer may decide that some or all meetings, including the members' meeting, may take place virtually.

The EO CCC or the WSCC may mandate that all ballots for selection shall take place online (with a postal ballot and/or a link to vote online posted to any eligible voting member who has not provided an email address). If such a mandate is not in place CCC may decide whether the vote will be conducted by a traditional paper ballot or by electronic voting or by a hybrid system.



4. Returning Officers may claim reasonable expenses incurred while carrying out their duties. They must claim these as soon as possible after the selection. Claims should be in line with the expense rules in the Returning Officers' Guidance.

5. The Returning Officer must brief CCC, the board and the selection panel on the selection process before commencing the selection. They must agree on the selection method (all postal, all online or hybrid), agree candidate spending limits and the number of mass candidate communications allowed to voters.

6. The WSCC may appoint a replacement Returning Officer, or a substitute Returning Officer, or Deputy Returning Officer(s) for any part of the selection, if this becomes necessary at any time.

7. CCC or The Board may choose either:

- An all-disabled shortlist, or:
- To reserve a space on the shortlist for a candidate with a disability provided that they meet the selection criteria,
- And must decide if they wish to have Selection Criteria and Scoring in order to shortlist candidates.

These options must have been considered, agreed and recorded by CCC or The Board and recorded in the minutes. WSCC or the appointed RO may advise and help with this.

8. Before the Returning Officer starts the selection, CCC or The Board must contact the following Welsh Party officers to notify them that the selection will be taking place, asking them to encourage approved candidates to apply:

- The Welsh Diversity Officer.
- The Chair of the Welsh Young Liberals.

The Returning Officer must be provided with satisfactory evidence that this has been done before the selection can proceed.

## **B. Advertisement**

9. CCC or The Board will agree a timetable for the selection, the contents of the advertisement for inclusion on the federal Party website, arrangements for the preparation of the members' mailing and the members' meeting(s).

10. The advertisement must include the following:

- The requirement for a personal CV/manifesto
- The opportunity for the applicant to declare any protected characteristics and any specific needs for which reasonable adjustments should be made during the



selection process. This information will be confidential to the Returning Officer except insofar as is necessary to allow reasonable adjustments to be made.

- Name and contact details of an independent person who can provide details of the constituency.
- A link to access the selection rules (i.e. these rules).
- Contact details of the RO.
- A link to Selection and Scoring criteria, if CCC or The Board has implemented this under Rule 7 above.

11. CCC or The Board must advertise the selection on the Federal Party website, including required standard wording (see Returning Officers' Guidance) and may also advertise more widely. All local parties within the region and CCC must actively seek applications from as diverse a range of candidates as possible.

12. The advertisement on the Federal Party's website will be placed by the Returning Officer, with any costs being met by the Welsh Party. The closing date for applications shall not be less than two weeks from the date of the advertisement. Applications must be returned to the Returning Officer.

13. CCC or The Board, with advice from the Returning Officer, shall decide whether or not they wish to consider applicants who are not on the Party's approved candidates list but who have submitted an application for approval to the Candidates' Office. If they do wish to consider unapproved applicants, they may wait for applicants to gain approval, but no applicant can proceed to the shortlist unless they are approved.

14. The Returning Officer must appoint a Ballot Administrator if the selection process so requires. The Ballot Administrator is a trained person who sets up and runs the e-ballot software and liaises with the Returning Officer. This may be an employee of the professional organisation running the ballot, a member of party staff or a volunteer who has received the necessary training in use of the software and GDPR compliance. The WSCC holds a list of trained Ballot Administrator for selections.

### **C. Who may vote in the selection**

15. The Returning Officer will obtain a list of members, which will be available before the date of publication of the shortlist, from Lighthouse. This Selection Register will contain (where available) each member's name, address, telephone number, email and date of expiry of membership. The use of data in the Selection Register is subject to the Party's Data Protection Rules. Returning Officers will use the data to identify those eligible to vote in the selection. The cut-off date for inclusion on the Selection Register shall be the date of publication of the advertisement on the Party website, unless there is a delay in selection of more than six months, when the Returning Officer shall determine and publish a new cut-off date. If the RO has any concerns about unusual membership activity, they must immediately



suspend the selection and inform the WSCC, who will inform Compliance where appropriate. The WSCC is responsible for taking the decision to restart the selection.

16. Only members who have paid their subscription before the cut-off date for inclusion and have reached the age of at least 10 years will be eligible to vote. Eligible members whose subscriptions are no more than three months overdue shall be entitled to attend any members' meeting but shall only be eligible to vote if they pay their overdue subscription before the members' meeting. In the case of electronic balloting they shall only be eligible to vote if they pay their overdue subscription and notify the Returning Officer in writing that they have done so at least two days before the date on which the Returning Officer intends to send the list of eligible voting members to the Ballot Administrator.

17. In the case of a local Party including more than one police area then the local Party constitution must be consulted to determine whether the whole local Party or only members in the relevant police area shall vote in the selection. If the local Party constitution is silent then only members in the relevant police area may vote as long as there are at least 30 members in the region.

18. The Returning Officer will provide the Selection Register to the Executive Officer for Membership Development to identify any errors or omissions in the Selection Register. These should be resolved by the date of publication of the shortlist, so that the register can be passed to applicants promptly at this date. Any further changes should be notified promptly to applicants and the shortlisting committee. Membership Services will warn Elections Officers that they must advise Membership Services of any discrepancies in their local Party's list and encourage their members to pay any overdue subscriptions before the date of close of applications, as the list at that date will be used to decide who will be eligible to vote in the selection.

19. The Selection Register must be used for:

- Deciding who may vote in the selection.
- Issuing ballot papers.
- Sending out the mailing to members.
- Any campaigning by applicants or their supporters, who must not use it for any purpose other than the selection.

#### **D. Deciding in a shortlist for the selection**

20. All applicants who are on the Party's list of approved candidates and have provided a CV/manifesto as required in the advertisement shall be included on the shortlist, subject to the shortlist being consistent with any special requirement agreed by CCC or The Board (see Rule 7). If Selection and Scoring Criteria has been implemented under Rule 7, the responsible committee must then convene a meeting to assess the applications against the Selection Criteria. Only candidates who meet the minimum scoring criteria will be





shortlisted. Police areas may normally proceed to selection with only one Applicant, after two advertisements have been placed.

21. Under the Equality Act 2010, political parties are entitled to adopt Selection Arrangements to address an under-representation of groups that share what the Equality Act refers to as a particular “protected characteristic”. Such Selection Arrangements may involve reserving places on a shortlist for people from such groups.

22. No applicant is to be shortlisted unless they have undertaken in writing:

- In the event of their selection, to take all reasonable steps to negotiate an agreed Compact between them and the relevant local Party setting out a commitment from each as to the level and nature of campaigning activity to be undertaken before the election and, if they are elected, for the term of their election
- In the event of their election, to make a reasonable contribution towards ongoing Party activity, the exact level to be determined following the election by agreement between the candidate and The Board and by reference to any relevant guidance then in force. Normally this should be at least 5% and preferably 10% of their base salary after tax as personal circumstances permit.

23. All applicants included on the shortlist will be notified of that outcome at the time of closure of applications. Details of shortlisting decisions will be confidential to the selection committee, the RO, the WSCC and the EO CCC.

24. Shortlisted applicants will be told of the location, date and time at which the count will take place which can be in person or remotely via a zoom type link.

## **Stage Two: The candidates' campaign and mailing to members**

### **A. The members' mailing**

25. A members' mailing shall be produced by CCC or party staff and approved by the Returning Officer. It must be sent to all members entitled to vote in the selection, all candidates in the selection and the Returning Officer. CCC may also decide to send the members' mailing to non-voting members.

26. The purpose of a members' mailing is to inform members of the selection and how they can vote. The members' mailing shall be produced by the Responsible Committee, and approved by the Returning Officer.

The members' mailing for electronic or hybrid voting system will contain the following elements:

- An introductory statement produced by the responsible committee, giving information on the selection and explaining the electoral system being used.
- The candidate(s)' manifestos or C.V.



- Details of the Members' Meeting(s) and how to get there and/or log in information.
- Information on how and when members will be able to vote, including postal voting.
- The date by which a lapsed member must pay their overdue subscription and notify the Returning Officer, in order to be eligible to vote.
- Information on how members may access a copy of the rules, and a reminder to members of the need to abide by them.

A postal ballot in person only selection mailing should also contain:

- A postal vote application form for each voting member.

The Members' Mailing must be sent to every eligible member. It must be posted or delivered by hand to members who cannot be emailed. For everybody else, emailing the Members' Mailing is also an option. It is also permissible, in both posted and emailed Members' Mailings, to provide links to download documents, rather than to include them all as printed copies or attachments.

27. All candidates must be given the opportunity to include a personal manifesto. If no manifesto is provided to the RO then the C.V. supplied in the application is used instead of a candidates manifesto. The specification (e.g. paper size, file type and maximum file size etc) for this must be agreed in advance by the Responsible Committee and approved by the Returning Officer. It must be the same for all candidates. Candidates should be given the opportunity to provide both a colour and black-and-white version, with otherwise identical content, if CCC plans to use both types (e.g. colour for emailed or downloadable manifestos, black-and-white for posted ones).

Candidates should be given the opportunity to provide both an English and Welsh language version of their manifesto with identical content of the same size. This bilingual option applies to all documents provided throughout a candidates campaign.

The Returning Officer shall notify candidates of the deadline for receipt of their manifestos. Manifestos not received by the deadline will not be guaranteed to be included in the Members' Mailing, though may still be included alongside the distribution of any electronic ballot papers.

28. The distribution of the Members' Mailing will be undertaken by the Responsible Committee, or by the Ballot Administrator. The Responsible Committee will pay the costs for the Members' Mailing.

## **B. The candidates campaign**

29. The Returning Officer shall give candidates access to the Selection Register which includes the following information:



- Name
- Address
- Telephone
- Mobile
- Membership Number
- Eligibility to vote
- Opt-In/Out status to Electronic comms

30. In addition to the members' mailing candidates may use any means (other than direct email and SMS) to communicate with members or publicise the campaign except that they (and their supporters) may not comment to the press on what is an internal party selection. All such communications must comply with these rules. Candidates will provide copy or electronic links to the Returning Officer so that all material can be scrutinised if necessary.

31. The amount of money that candidates can spend on their campaign will be limited by an expenditure cap agreed in advance by the shortlisting committee, who will use the suggested limits contained in Returning Officers' Guidance to assist them. Candidates must keep a record of all expenses and receipts, and submit this to the Returning Officer at the conclusion of the selection process. These records must be available for inspection by the other candidates, who may ask the Returning Officer to investigate if they think the limit has been exceeded.

32. The number of direct communications with members (emails, messages or delivered materials) shall be restricted to a manageable (and affordable) number agreed in advance by the shortlisting committee.

33. The Returning Officer will arrange for however many bulk unsolicited emails (as agreed in rule 30 above) on behalf of the candidates. Bulk email to be sent by the Welsh Party via its Data Protection Act 2018 compliant bulk mail solution to members who have not opted out of receiving unsolicited email. One-to-one email communications will be permitted but candidates cannot email members directly unless first contacted by that member.

34. Unsolicited SMS messages are not permitted.

35. Candidates must not upload mobile and telephone numbers to any third-party platform, including social media websites.

36. Candidates and anyone acting on their behalf:

- Must comply with data protection laws, the Party's Data Protection Rules and with PPERA legislation at all times (e.g. candidates must not send group emails which reveal the email addresses of the recipients).
- Must not use their campaign to denigrate others.



- Must not use written endorsements of their candidature, whether in print or on any form of social media.
- May use photographs (including photographs with prominent local or national party figures) as they wish, as long as they do not contain and are not accompanied by any written endorsement, and both the copyright holder and the subject(s) of the photographs have given their permission.
- Must ensure that if using video footage on social media this does not contain any endorsement, spoken or written, by prominent figures in the local or national Party.
- May allow any supporters to campaign on their behalf but must ensure that all such people comply with these rules.
- Must ensure that their actions, and those of their supporters, comply with the Candidates' Code of Conduct.
- May continue with their normal party activities and campaigning during the selection.
- Must preserve all campaign material and communication until the selection is complete and the result formally announced and accepted.

### **C. Postal votes**

37. All voting members who want one may apply for a postal vote. They should apply to the Returning Officer and may use the form supplied with the members' mailing for this purpose. Applications not on the supplied form are acceptable as long as the Returning Officer is satisfied that these are genuine.

38. The Returning Officer will produce and issue ballot papers for postal votes in accordance with these rules (see Returning Officers' Guidance). He/she/they shall state clearly the last time at which ballot papers can arrive before the members' meeting. Ballot papers not sent in advance may be delivered by hand to a members' meeting if an in-person/ postal only selection is being used.

### **D. Electronic voting and postal ballot papers**

39. All voting members who want one may apply for a postal vote. They should apply to the Returning Officer and may use the form supplied with the members' mailing for this purpose. Applications not on the supplied form are acceptable as long as the Returning Officer is satisfied that these are genuine.

40. When electronic voting is used, the Returning Officer will contact the Regional Candidates' Chair to request the nomination of a Ballot Administrator. The Responsible Committee will accept the cost in advance of the ballot happening and pay any fee levied by said organisation or software provider to provide and administer the ballot and run the count.



41. Electronic ballots will be emailed by the Ballot Administrator to members, alongside a downloadable copy of the candidates' manifestos or C.V. but no other materials. The counting software must be set to be able to receive votes only after the conclusion of the Members' Meeting, or the final Members' Meeting if there is more than one. This email may be sent more than once, but only to people who have not yet voted. Members who have received an electronic ballot paper will exercise their vote by following the instructions online.

42. Because not everyone can or is willing to receive emails a different system must be used for:

- Members who do not have an email address registered with the party.
- Members who have opted out of email communications.
- Members who share an email address with others (e.g. if a family of members share one email address, then each person must use a separate postal ballot).
- Members whose email addresses are from Government (.gov) accounts. These members will instead have to request a postal ballot, whereupon the Returning Officer will send them a paper ballot, which has a unique link. They can exercise their vote either by using the link to vote online, or by posting the ballot paper to the Ballot Administrator or the Returning Officer. The method and deadline for doing so must be provided alongside the unique link.

The link will be made live at the same time as electronic voting opens. Paper ballot papers will not be issued until after the final Members' Meeting.

43. If and when the Ballot Administrator or Returning Officer finds that a link sent with a postal ballot paper has already been used and the vote cast varies from that on the posted ballot paper, then this vote shall be treated as 'tendered'. It will not be input to the counting system but shall instead be passed to the Returning Officer, who may contact the voter for clarification or rule the vote as void, as the Returning Officer sees fit.

44. The deadline for the return of all completed ballots, both electronic and postal, will be clearly provided on the instructions that accompany them, and will be at least 14 days after the electronic voting system goes live, which will be after the final Members' Meeting.

### **Stage Three: The members' meeting(s), vote and count.**

#### **A. The members' meeting**

45. The Welsh Party must arrange at least one members' meeting. All details will be agreed in advance and approved by the Returning Officer who will ensure these are available to applicants in advance of the meeting. These meetings may be virtual or in person or both. At the members' meeting(s) applicants will be invited to:

- Meet members



- Speak
- Answer questions

46. The Members' Meeting(s) shall be chaired by an impartial member appointed by the responsible committee and attended and regulated as agreed by the Returning Officer.

47. At an in person members' meeting, candidates:

- Must remain in a candidates' waiting room whilst other candidates are speaking (or answering individual questions)
- May bring a nominated supporter to the Members' Meeting(s) who must remain with the candidate at all times. All other supporters must remain in the hall throughout the meeting(s). Mobile phones must be switched off for the duration of the Members' Meeting(s)
- Should at all times abide by these rules and by the Candidates' Code of Conduct
- Should not bring postal ballot papers (other than their own) to the meeting

48. Following the candidates' speeches the Returning Officer may give permission for the candidates to be questioned by the members in other ways (e.g. a "Question Time" panel or informal mingling) as long as the principles underlying these rules are maintained. For a virtual or hybrid meeting, the processes should be as similar as the technology allows. A recorded copy of the online meeting may be linked and shared with all voters members if agreed by the Local Party in advance.

49. The Returning Officer is responsible for overseeing the proper conduct of the meeting(s) and may intervene if he/she/they considers it necessary. He/she/they may appoint aides to assist at the meeting(s).

50. Non-voting members of the local Party may attend the Members' Meeting(s) as observers.

## **B. The vote and count**

51. The vote will be conducted by the alternative vote method (i.e. STV for single candidate elections) according to the standard method as laid out in the Returning Officers guide for selections.

52. The ballot paper will require voting members to rank candidates according to preference (sample ballot paper in Returning Officers' Guidance) and will include the option to re-open nominations (RON) where there are fewer than three candidates if this was agreed at the shortlisting meeting by the responsible committee.

53. Ballot papers (including all postal ballot papers) will be numbered and the numbers recorded on the Selection Register.



### **B. i. In Person/Postal Balloting**

54. The Returning Officer must be satisfied when issuing ballot papers that members are eligible to vote. If there is any doubt a tendered ballot paper (marked T) will be issued.

55. Eligible members may request a ballot paper, and vote, at any time during the members' meeting if an in person/postal only selection system is being used.

56. The votes will be counted by the Returning Officer at the end of the meeting. A representative of the local party, all candidates and their nominated supporter may attend.

57. Tendered ballot papers shall be considered at the end of each stage to determine if their inclusion would alter the result. If this is the case the count shall be suspended and will not proceed until it has been decided, by the Returning Officer, whether the tendered papers are eligible.

### **B. ii. Online Balloting**

58. The Ballot Administrator will conduct counting of the electronic ballot papers, as well as any postal votes which have been returned to them.

59. The Ballot Administrator or Returning Officer may open envelopes with returned paper ballots before the close of poll, in order to input the postal votes cast to the master computer program for the count. After that has been done the ballot papers and the envelopes in which they were posted will be held securely until all candidates have signed to accept the result or exhausted their right of appeal. No information will be disclosed as to the votes cast on returned ballot papers before the close of poll.

60. The votes will be counted as soon as practicable after the deadline for the return of ballot papers. Each candidate will be given the opportunity to be present at the count (in person, or by video link) or to be represented, and may be joined by one additional person to support them.

### **C. The declaration**

51. At the end of the count, the Returning Officer will notify all candidates of the result and ask any candidates physically present at the count to sign a copy of the results sheet to say they accept the result. If the candidates are not present, then they may send an email or written message via a mobile device, to the Returning Officer to indicate their acceptance. Verbal acceptance will not be valid; it must be in writing.



52. In the event that all candidates accept the result, the Returning Officer will immediately declare it and will provide a statement of the turnout and the name of the successful candidate which the Responsible Committee can email to its members.

53. In the event that one or more candidates do not accept the result, the result will not be declared immediately. Candidates will have seven days to accept the result, to formally withdraw from the selection, or to submit an appeal in accordance with the current appeals protocol. Any candidate (including the winning candidate) who neither accepts the result, nor withdraws, nor submits an appeal within seven days, is deemed to have withdrawn from the selection. The result will be declared once all candidates accept the result, or the seven-day deadline has passed without appeal, or once any appeal has been decided.

54. If a winning candidate withdraws from the selection, or does not accept the result within the seven-day period and is hence deemed to have withdrawn, the ballots will be counted again, with the second preference votes of the withdrawn candidate(s) being redistributed.

55. If a candidate who is in a politically-restricted occupation signs to accept that they have won the selection, they must within seven days of the date of selection agree a resignation date from that occupation with the Welsh party. Failure to do so, or then to resign on that date, will result in automatic deselection. The vote will then be recounted to select a new candidate.

56. At the conclusion of the selection the Returning Officer shall provide the WSCC with a summary report showing the number of initial applicants with protected characteristics who applied, the number shortlisted, and the votes cast for each candidate at the members' meeting. They shall also report any evidence of overt discrimination (for example in questions posed to applicants at shortlisting interview or at the Members' Meeting.)

#### **Stage Four: Trouble-shooting**

##### **A. Applicant or candidate withdrawal**

57. Before the announcement of the shortlist: For non-target seats no action is required as long as one applicant remains. However the local party officers in consultation with the Returning Officer may decide not to proceed if fewer than two applicants remain.

58. If a candidate withdraws at any time between the announcement of the shortlist and the Members' Meeting, all other candidates must be notified.

- If the members' mailing has not yet been sent then it should be altered to reflect the new shortlist
- If the members' mailing has been sent and no ballot papers issued then no action need be taken





- If some ballot papers have been issued then new ballot papers should be drawn up (including RON if necessary). At the count, for ballot papers reflecting the original shortlist, preferences for withdrawn candidate(s) shall be transferred when counting

59. If a candidate withdraws at the Members' Meeting existing ballot papers will be used and an explanation given to members with instructions to delete the withdrawn candidate.

60. If a winning candidate withdraws before they have signed their acceptance of the result then there will be a recount.

## **B. Breaches of the rules**

61. If applicants/candidates or members of the local party believe a selection rule has been breached they should:

- Put their concerns in writing to the Returning Officer
- Identify the rule they believe has been breached
- Provide details of the circumstances of the breach
- Explain the effect of the breach

62. Once they have been notified of alleged breaches of the rules (rule 61, above) the Returning Officer will:

- Investigate the situation
- Make a formal ruling, notifying the complainant and all applicants/candidates of the details of this.

63. If it is alleged that any candidate has behaved in a way that is contrary to the Candidates' Code of Conduct the Returning Officer shall consult the WSCC who shall investigate the allegation.

64. Anyone wishing to appeal a Returning Officer's ruling shall do so using the process laid down in Rules for the Conduct of Appeals. If an appeal is lodged, the Returning Officer shall immediately suspend the selection and inform the WSCC, all applicants/candidates, and the EO CCC."