



ELECTIONS TOOLKIT



#gaptc

This toolkit is interactive, you can click on many elements, it will take you to more information

Using this toolkit

Hyper local government is at an important point in its evolution with increasing responsibilities to meet the changing needs of their communities. The present focus is on increased community engagement and local representation. One of the main indicators of local involvement is people standing for election and voter turnout.

Surveys show that people wish to become involved in their communities, but many don't know how to. This toolkit contains detailed information on everything a Council will require to inform and encourage its residents to get involved at election time, and is designed to assist Parish/

Town Councils to run a local campaign and raise awareness of:

- **The need for people to become local Councillors**
- **How to navigate the election process**
- **How to advise on what is required from someone who is thinking of becoming a Councillor**

Use this toolkit to promote the role of Parish/ Town Councils in the community, to highlight the importance of voting and to encourage many to stand as future Councillors.



Take me to the Toolkit ...



Councils

Budgeting for Elections

What Councils should do

Pre-Election Awareness Campaign

Purdah



Roles and Responsibilities

Council Powers

Role of the Councillor

Role of the Chairman/Mayor



Elections, the Detail

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Contested vs Uncontested Elections



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Co-option



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**Standing for
Council
Elections**



Engagement



**Understanding
and
Interest**



Awareness



**No awareness
of council's
role and work**



Budgeting for Elections

Cotswold

Ordinary elections
May 2023 50% of costs
May 2027 100% of costs

By-elections
From 1 April 2024 50% of costs
From 1 April 2025 75% of costs
From 1 April 2026 100% of costs

Costs include:

- Printing and postage costs e.g. poll cards, postal vote packs
- Staff costs: postal vote issue and opening, polling station staff, count staff
- Polling station costs: hire, delivery and collection of equipment, provision of equipment
- Equipment costs: including all polling station paperwork, postal vote and count equipment
- General administration costs: overall management of the process, recruitment of staff etc
- No charge for uncontested elections
- Invoices will be raised after the May elections
- Usual District Council terms will apply

Estimates have been sent to all Parish and Town Council Clerks.

Forest of Dean

Ordinary elections: If elections are contested some costs will be shared with the district, like the hire of polling stations, while other costs will be borne entirely by the Parish/Town Council, like ballot papers. Costs incurred are the same as those listed above for the Cotswold District, the only difference being that a small cost is incurred for uncontested elections. Invoices will be raised after the May elections.

By-elections: No charge for by-elections unless the Parish/Town Council's precept is more than £100,000.00.

Tewkesbury

No charge for ordinary elections, only by-elections and these are based on the individual electorates of the Parish/Town holding by-elections.





What Councils should do

The role of the Clerk

- Publish notices as requested by the Returning Officer
- Encourage local residents to be involved in the election process
- Assist prospective candidates with any queries about the election process or give election office contact details
- After the elections: Ensure that new Councillors complete a Declaration of Acceptance of Office and a Register of Interest form

The role of the Council

- Agree to actively raise awareness of the upcoming elections and agree how that will happen
- Promote the work and role of the Council
- Encourage residents to vote





Pre-Election Awareness Campaign

What Councils should do to raise awareness of elections to recruit Councillors

This Step-by-Step Programme of Events will enable Councils to raise awareness of upcoming elections and recruit Councillors.



PLACE articles in local/community newspapers, in newsletters, on Council websites, social media and noticeboards to highlight what local Councils do, why people should vote and who should stand for election (See Resources)



DISPLAY posters raising awareness of upcoming elections (suggested places: colleges, doctors' surgeries, pubs, shops) (See Resources)



ENCOURAGE existing Councillors to do radio and television interviews. Please read the section on **PURDAH** carefully to ensure your Council is working within the law. (See Resources).



DISTRIBUTE flyers raising awareness of upcoming elections, urging to stand for elections and highlighting the importance of voting (See Resources)



HOST an awareness-raising meeting for the public and possible candidates (See Suggested agenda):
CONSIDER
Encouraging potential candidates to attend Council meetings

AND

HOLD an open day/presentation. A good opportunity to encourage people to stand for election and for those less sure to ask questions. (Remember to provide refreshments)



PLACE more articles in local/community newspapers and on Council media to advise on how and where to get nomination forms, encourage residents to take part in their local elections (See Resources).



Example of an agenda for an awareness-raising meeting





Councils

What Councils should do after elections



WELCOME all newly elected Councillors and as a priority get them to sign the Acceptance of Office form as they cannot act as a Councillor until they have done so (See Induction)



BOOK training. Gain authorization from the Council, then go to www.gaptc.org.uk to book Councillor training courses via your Clerk



BUILD a team. Arrange a day for the Council and officers to get to know each other and do some strategic thinking. (See Resources)

CONSIDER

- Asking candidates to save a date in their diary for a get together, where the Council meets after the election and before the annual meeting of the Council to get to know each other
- Parish Tour
- Discuss feedback candidates have received during their campaigns to pin-point issues that concern residents



Visit the GAPTC website at

www.gaptc.org.uk

and find our training calendar

GAPTC provides training for all Councillors,
new and re-elected.



Purdah

The term 'purdah' describes the six weeks immediately before an election, up to and including the election day.



- Individual Councillors can generate their own publicity during this period but should not use Council events to publicise their election campaign
- Councillors can attend events organised by other organisations but mustn't use them to publicise their election campaign
- The work of the Council can go on, Councillors can attend events, but Council cannot give publicity to any Councillor's campaign
- Council staff must always be careful not to give the impression of supporting any political party or candidate
- No election materials, political posters or leaflets must be displayed on any Council premises or property including noticeboards. No Councillor is allowed to circulate any such materials before, during, or after, any meeting of the Council during this period
- Council newsletters can be circulated as normal provided it is purely about local issues and remains a-political
- Councils should not publish anything on controversial issues or report views in a way that may identify the Council with an individual candidate or group
- Councils should not publish any material relating, in any way, to a candidate
- Do not publish anything which may seek to influence voters

The first date that the Annual Meeting of the Council can be held, according to the National Association of Local Councils, is Tuesday 9th May 2023.

Pre-election
period: all you
need to know



A short guide to
publicity during
the pre-election
period





Roles and Responsibilities

Council Powers

Statutory functions are conferred on local Councils, meaning they are given to the full Council. Thus formal decisions (resolutions) about the discharge of those functions and their related responsibilities must be decided at a full Council meeting. Since it can be impractical for the full Council to meet each time a decision must be made, Councils are allowed to delegate the performance of these functions to a committee, a sub-committee or an officer of the Council. There are exceptions to this however as a Council cannot delegate certain functions, like:

- levying or issuing a precept
- borrowing money
- adopting or revising the Council's Code of Conduct
- approving the Council's annual accounts
- considering an auditor's report made in the public interest
- confirming (by resolution) that it has satisfied the statutory criteria to exercise the general power of competence



View an extensive list of Council powers



Read these Legal Topic notes for more information on this.



A Council has the power to provide allotments, and has a duty to do so if demand is unsatisfied and it is reasonable to do so, under the Small Holding & Allotments Act 1908, s.23



Roles and Responsibilities

... Council Powers continued

FIRST RESORT

Power of First Resort/General Power of Competence (GPC)

GPC, unless prohibited by other legislation or statutory obligations, gives Councils authority to do 'anything that individuals generally may do', removing the need to search for specific powers before it can act.

Eligibility to adopt the GPC depends on the Council having:

- two-thirds of its members elected (not co-opted) and
- the Clerk attaining either CiLCA or a sector-recognized level 4 qualification.

A full meeting of the Council must resolve and minute its eligibility to adopt the GPC, which is then reaffirmed at every annual meeting of the Council following an ordinary election.

When Councils qualify for the GPC, use of Section 137 of the Local Government Act 1972 (S.137) is supplanted.

If a Council ceases to qualify to use the GPC, any activities already underway can be completed using the power, but otherwise it reverts to relying on specific powers or S.137. More details on this power can be read [HERE](#)

LAST RESORT

Power of Last Resort/Section 137

This power allows Councils to incur limited expenditure for purposes that are in the interests of the whole community, where no other statute exists to authorise it. The expenditure must be commensurate with the benefit. Restrictions to the use of this power can be fully investigated [HERE](#)

Once satisfied that incurring expenditure using S.137 is legal, will benefit the whole community, and that the Council is receiving appropriate value for its money, it may spend some or all of its S.137 money. The Department for Levelling Up, Housing and Communities allocated £8.82 per elector in the 2022/23 financial year for the purposes of this power.

Section 137 cannot be used to evade restrictions; it must be authorised in advance and reflected in a separate column in the Council's accounts. A Council with the General Power of Competence may not use S. 137 except to donate money to certain charities and appeals.

Section 137 is calculated by multiplying the index-linked amount (£8.82) by the Town/Parish electorate. The index-linked amount is provided to Councils via GAPTC each year.



Roles and Responsibilities

Role of the Councillor

Councillors:

- participate constructively in the governance of the Parish/Town
- participate fully in the formation and scrutiny of the Council's policies, budgets, strategies and service delivery including the Parish/Town Plan
- ensure, with other Councillors, that the Council is properly managed
- keep up to date with developments affecting the Council at local, regional and national levels
- promote the economic, social and environmental well-being of the Parish/Town
- effectively represent the interests of the ward (if applicable) for which the Councillor is elected and attend to parishioners enquiries, representations and complaints
- represent the whole electorate, listen and represent the views of the community when discussing Council business and working with outside bodies
- play an active role in the Council's arrangements to build community involvement and promote measures that contribute to the Council's vision
- attend Council meetings
- prepare for meetings and are properly informed about the issues to be discussed
- take part in meetings and form sound judgements based on what is best for the community and then abide by majority decisions
- represent the Council on outside bodies and organisations to which the Councillor is appointed
- maintain proper standards of behaviour as an elected representative
- fulfil the statutory and locally determined requirements of an elected member of a Council, including compliance with all relevant codes of conduct and maintaining high ethical standards, (including not disclosing confidential information and not using Council resources for political purposes or for any other reason unless agreed by the Council)

No member of the Council may act alone, the Council acts as a body and ALL actions must first have the resolution of the Council



Roles and Responsibilities

Role of the Chairman/Mayor

Chairmen on their own have no power to make decisions; they must have the Resolution of the Council and should not involve themselves in the day-to-day administration of the Council, but can be a point of reference for officers *if* agreed by Council

The Chairman (interchangeably Mayor) is elected by the members of the Council at the Annual Council meeting and serves for twelve months. The Chairman's main role is to:

- run Council meetings
- ensure that effective and lawful decisions are taken at meetings of the Council
- guide Council activities by managing the meetings effectively (assisted by the Clerk)
- involve all Councillors in discussions
- ensure that Councillors keep to the point
- summarise the debate and facilitate the making of clear resolutions
- keep discussions moving so that the meeting is not too long
- use their casting vote; the first vote is a personal one as a member of the Council, if there is a tied vote the Chairman can have a second, casting vote
- manage the public participation element of the meetings

The Chairman will often be the public face of the Council and will represent the Council at official events and may be asked to speak on behalf of the Council; and in such circumstances he/she should only express the agreed views of the Council, not personal views.

Additional roles of the Chairman include:

- Planning the meeting with the Clerk. The Chairman cannot decide which items should appear on the agenda for meetings. The Clerk is responsible for the agenda, apart from Extraordinary Meetings. Normal practice would be for the Clerk to consult with the Chairman when drawing up the agenda to ensure that appropriate and necessary items are added and sufficient time allowed.
- Briefing themselves and preparing fully for meetings – studying all relevant information and anticipating the needs and interests of the members. They can then answer questions or deal with requests for information.
- Setting a good example by arriving early to check the arrangements and welcome members, the public and any visiting speakers.



Timetable of Events May 2023

13 MARCH

Notice of election is published and displayed (Tewkesbury)

14 MARCH

Nominations open (first day for submissions) (Tewkesbury)

17 MARCH

Notice of election published and displayed (Cotswold)

20 MARCH

Nominations open (Cotswold)
Notice of Election published and displayed & Nominations open (Forest of Dean)

22 MARCH

Councils enter **PURDAH**

4 APRIL

Nominations close 4pm (Cotswold, Tewkesbury & Forest of Dean)

5 APRIL

Formal Notice of Validity sent to candidates/ displayed by Councils 4pm

17 APRIL

Registration of electors

18 APRIL

Applications to vote by post close 5pm

25 APRIL

Applications to vote by Proxy close 5pm

4 MAY

ELECTION DAY (only if there are more candidates than seats)

8 MAY

BANK HOLIDAY
King's Coronation

9 MAY*

Existing Councillors retire from office
Newly elected candidates & uncontested election candidates take office

10 MAY*

First date that the Council can hold its Annual meeting

25 MAY*

Last date that the Council can hold its Annual meeting (14 days after the election)

* Guidance on the date candidates first take office and when the annual meeting of the council may be held is provided by the National Association of Local Councils.



Elections Act 2022 changes

The Elections Act came into effect in April 2022 and set the scene for a number of changes to the election process.

THE BIGGEST CHANGE is that from May 2023, all electors will need to show photo identification when voting at the polling station, either:

- passport
- driving licence
- blue badge
- bus passes etc.

Out of date ID is acceptable provided the photo is still a likeness to the person.

If an elector doesn't have the appropriate ID, they will be able to ask for a Voter Authority Certificate. They will need to apply for this before the election and will need to verify their identity with their date of birth and national insurance number as well as providing a photo. Applications can be made online from mid-January or using a paper form. The Electoral Registration Officer will need to check each application to make sure the person is registered at the address given, that the personal details match, and that the photo is acceptable i.e. a full-face photo has been uploaded. A certificate will then be posted to the elector for use on election day.

There will be a national awareness campaign run by the Electoral Commission and we will be providing information and briefing notes for Clerks to share with local communities.

The Returning Officer must also ensure that all polling stations are ACCESSIBLE for voters. If you know of any particular issues with your local polling station, get in touch with the elections team at your principal authority.





Principal Authorities

The Returning Officer

Parish Council elections are run by the Returning Officer who is normally a senior officer of the local authority and independent of the authority in respect of their electoral functions. You will be able to contact the Returning Officer for your area by contacting your local elections office.

The Returning Officer will offer briefings ahead of an election.

The Electoral Registration Officer

The Electoral Registration Officer is responsible for maintaining the register of electors and absent voters' lists for their local authority area. The Electoral Registration Officer is normally a senior officer in the local authority and may also be the Returning Officer.

Cheltenham Borough Council

01242 264132

elections@cheltenham.gov.uk

WEBSITE

Cotswold District Council

01285 623002

elections@cotswold.gov.uk

WEBSITE

Forest of Dean District Council

01594 812638

elections@fdean.gov.uk

WEBSITE

Gloucester City Council

01452 396203

elections@gloucester.gov.uk

WEBSITE

Stroud District Council

01453 766321

elections@stroud.gov.uk

WEBSITE

Tewkesbury Borough Council

01684 272025

elections@tewkesbury.gov.uk

WEBSITE

Other Useful Details

The Electoral Commission

0333 103 1928

infoengland@electoralcommission.org.uk

WEBSITE

National Association of Local Councils

020 7637 1865

nalc@nalc.gov.uk

WEBSITE



Uncontested vs Contested Elections

Uncontested

If the number of nominated candidates standing for election is insufficient to fill the vacancies on the Council, those candidates are automatically elected as Councillors. That means they are elected uncontested/unopposed. Uncontested elections regularly occur in local Council elections. When this happens, Councillors – who decide on numerous social services – are elected without any votes being cast. Uncontested elections are not reflective of a healthy democracy. So how do you solve an uncontested election? The first challenge is to make your

residents aware of the upcoming election and the role the Council plays in their everyday lives.



Contested

Having a contested election allows your Parish/Town to seek a diverse and dynamic Council that represents the wishes of residents as closely as possible. Even better, contested elections engage the public more. People are much less likely to vote when they feel an election is already decided. Greater engagement encourages greater transparency and is one way Councils can maintain residents' trust. Remember, it is vital to have competitive, contested elections in order to get your community engaged enough to vote. A vibrant community-engagement strategy in the months leading up to the elections will allow your residents to get a good understanding of what Councils do.



Our training partners, Breakthrough Communications, offers specialist training on How to Recruit Local Councillors

WE HIGHLY RECOMMEND THIS COURSE



Standing for Election

What Candidates should do

Check for local elections

STEP

1

All Tewkesbury, Forest of Dean and Cotswold Councils will hold elections in May 2023

- **SPEAK** to your local Councils' Clerk and ask if there are vacancies on the Council
- **EMAIL** your election's officer
- **VISIT** the Electoral Commission's website

Submit your Nomination

STEP

2

To stand as a candidate, you will need to complete a set of nomination papers for the electoral area you are wanting to represent. Your nomination papers will need to show that you have been formally nominated by a particular number of registered electors in the electoral area you are wishing to stand. These are a proposer and seconder who support your nomination in the Parish/Town or Ward (if warded) you are wanting to represent. Nomination papers must be hand delivered to the district Council and will be checked upon delivery to ensure they are correctly completed. Please check on your local authority website whether an appointment is necessary.

Nomination forms are available from all Parish and town Council offices.



Standing for Election

Eligibility

You can be a Councillor for several Councils at the same time: County, District and Parish/Town Council. You can be a Councillor if you have a full-time job; by law your employer must allow you to take a reasonable amount of time off during working hours to perform your duties as a Councillor.

You do not need to belong to a political party to stand for election and can stand as a candidate to become a Parish/Town Councillor if:

You are 18 or over on the day you submit your nomination paper and are a British, Commonwealth or European Union Citizen* and at least one of the following:

- a registered local government elector in the electoral area you are wanting to stand as a candidate
- have resided in the area for the whole 12 months preceding the day of nominations, or
- work in the electoral area in which you want to stand and have for at least the past 12 months
- own property in the electoral area you are wanting to stand and have for at least the past 12 months
- for all of the previous 12 months you have lived in the Parish/Town or within 3 miles of the boundary

* This is expected to change for European Citizens in 2025.

DISQUALIFIED

A person is disqualified from being elected or being a Councillor if:

- You work for the Council
- You are subject to bankruptcy restrictions or interim orders
- Within five years of the election date you have been convicted of any offence and sentenced to a term imprisonment of at least three months (suspended or not) without the option of a fine
- You have been found guilty of corrupt or illegal practices, or are responsible for incurring unlawful expenditure
- You are subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003, and the ordinary period allowed for making an appeal or application in respect of the order or notification has passed.



Standing for Election

What Candidates should do

STEP 3

Notification accepted, or not



The local authority will notify candidates in writing, via the post; this is the formal Notice of Validity.

STEP 4

Nominations made public



The Statement of Persons Nominated is published on the principal authority website following the Close of Nominations.

If there are more candidates than seats, an election will be held. If not, all candidates take office 4 days after 4 May 2023 (excluding the bank holiday). Existing Councillors go out of office on 8 May 2023 and newly elected Councillors take office on 9 May 2023. New Councillors must sign the acceptance of office before they can officiate.



Standing for Election

What Candidates should do

STEP 5

Start Campaigning

PLEASE NOTE

The Electoral Commission PDFs pertain to the May 2022 elections. Due to the new election legislation this will change but the commission must wait for the laws to be laid down before their information can be updated. When it is updated, candidates can find it **HERE**

When information becomes available it will be distributed by GAPTC to members councils.

Step 5 contains the following:

- **SPENDING**
- **ATTENDING EVENTS**
- **THE CAMPAIGN**

All candidates should read and understand the rules on spending and attending events. They must ensure they understand the dos and don'ts of campaigning, using the electoral register and how to publicise their candidacy without committing any offences.

Spending

The rules apply to spending on activities to promote your candidacy during the regulated period in the run-up to the election. Candidate spending includes any expenses incurred for the purposes of the candidate's election during the regulated period.

There are rules covering:

- who can authorise spending and pay for items and services
- how much you can spend
- which activities count towards your spending limit
- deadlines for receiving and paying invoices

- [what records you must keep](#)
- [how and when you report your spending](#)

It is a candidate's responsibility to fully and accurately report election-campaign spending. Candidates must take time to understand the rules and ensure that all spending is properly authorised, recorded and reported.

More information on spending, spending limits, donations, the regulated period and notional spending can be found [HERE](#)

Information on the spending return and declaration can be found [HERE](#)

A NOTE ON SPENDING

District or Parish Councils will not reimburse any finances or costs that a candidate chooses to spend relating to their campaign; candidates must submit their expenses for both contested and uncontested elections, even if the amount is Nil.

Attending events

Candidate's guide to attending key electoral events can be accessed [HERE](#)

Includes information on:

- [Postal votes](#)
- [Polling stations](#)
- [The count](#)

The Campaign

The Electoral Commission's 2022 Guidance for Candidates can be accessed [HERE](#)

Includes information on:

- [Campaign Dos and Don'ts](#)
- [When you can start campaigning](#)
- [When you officially become a candidate](#)
- [Use of the electoral register](#)
- [Publicity Dos and Don'ts](#)
- [List of Offences](#)
- [Electoral Fraud](#)

Local Government Association (LGA) resources:

- [Planning your Local Campaign](#)
- [Planning your Communications](#)



Campaign Ideas*

* Some campaign ideas are included, but are resource dependant and not exhaustive.

Research

What is the local landscape and issues facing your Town/Parish?
Attend council meetings
Understand the community's concerns and vision for their future

Build a team ...

... of family, friends and supporters
Ensure they know the local community
When delegating tasks play to each person's strengths and utilise their skills

Design campaign material

Logos
Posters
Flyers
Yard signs

Slogan or campaign message

e.g. 'A healthy, sustainable community for all' OR 'Putting our Community First'

Announce your Candidature

A formal or informal event to declare your campaign
Select a central location
Invite the community newspapers and radio stations

Door-to-door canvassing

This is free and probably has the most impact
Meet your voters face to face to inform them of your intention to stand for election
Your campaign plan should already have mapped out which are the best doors to knock on

Paid media

Radio, TV and social media ads, billboards, and newspaper ads still carry a lot of weight

Use social media

You cannot ignore having a social media presence
Share pictures and posts about your campaign and the issues most important to you and your voters
Using your personal social media accounts adds authenticity to you and your campaign

Distribute flyers

Wear campaign-branded clothing



After the Elections

Declaration of Results

Model
Declaration
HERE

Declaration of acceptance of office

If you are elected and do not make a declaration of acceptance of office at or before the first meeting after the election (or a later meeting if that is permitted by the Parish Council), your seat will become vacant, and a further notice of casual vacancy will need to be published.

Register of interests

Within 28 days of becoming a Councillor you must notify the monitoring officer at your district authority of any disclosable pecuniary interests and not disclosable pecuniary interests. If re-elected, or reappointed, then the Councillor must notify the monitoring officer of any interests not already included in their register.

The Monitoring Officer of the principal authority must establish and maintain a register of interests of the members of the Councils in its area. Such interests include any pecuniary interests and nonpecuniary interests included in the Code of Conduct adopted by a Council. The Monitoring Officer must ensure that the register of interests is available for inspection at all reasonable hours at a place in the principal authority's area and must publish the register of interests on its website. A Parish Council with a website must publish the register of interests of its members and the Monitoring Officer must provide the Parish/Town Council with any data that the Council needs to comply with its duty to publish the register of interests on its website if it has one.

More information on:

- Access to election paperwork
- Submitting your spending returns and declarations
- Questioning the result through an election petition

Can be accessed **HERE**

Read this Legal Topic note for more information on the registration and disclosure of interests.





After the Elections

Councillor Induction



Joining a council can be daunting. GAPTC recommends clerks use this document as a checklist and provide all new councillors with the information contained in it. We also recommend councils assign a 'buddy', a long-standing, active member of the council, to support all new councillors.

County Association

County associations are representative bodies for local councils in their area. They play a key role in the work the National Association of Local Councils (NALC) does in that they feed information from their member councils to NALC to be discussed or lobbied at a national level. They are their Parish and Town Councils' first point of call. NALC supports the county association to provide the best and most up-to-date guidance. County associations provide many services to their member councils including:

- Advice
- Training
- HR services
- Networking
- Internal Audit services
- Public Works Loan application reviews

Contact GAPTC at:
info@gaptc.org.uk
 Tel: 01452 883388
www.gaptc.org.uk



Model
Training
Policy
HERE



GAPTC
Training
Calendar



After the Elections

Resignations

When the Chairman resigns

During a term of office

The Chairman resigns to the Council in writing and must notify the Clerk. The resignation takes immediate effect and a new Chairman must be elected as the first order of business at the next Council meeting.

At the start of a new term of office

The retiring Chairman's last responsibility is to preside at the first meeting of the new council (annual meeting of the council) until the successor is elected. The retiring chairman must note members who are present, or absent, receive nominations and count votes in the election of a new Chairman. If the Chairman cannot be present the Vice-Chairman will preside. In the event that they are both absent a Councillor, chosen by the Councillors present, presides. The Vice Chairman holds office until immediately after the election of the Chairman of the new council.

If the retiring Chairman has been re-elected as a Councillor and is present at the meeting, they shall preside until a new chairman has been elected. They have an original vote but are not under a duty to cast it. In the event of a tie the retiring Chairman must give a casting vote. The original and/or casting vote may be used to vote for himself/herself.

If the retiring Chairman has not been re-elected as a Councillor and is present at the meeting, he shall preside until a new Chairman has been elected. However, they do not have an original vote. In the event of a tied vote, the retiring Chairman must give a casting vote.



Read this Legal Topic note for more information on resignations.

When a Councillor resigns

A Councillor resigns in writing to the Chairman.

The Clerk notifies the district authority of a vacancy. The district's election's team will provide a public notice for the Clerk to display. Then the procedure for a **casual vacancy** or **co-option** applies.

The Clerk and Council can engage in a campaign to create awareness of the vacancy within the town or Parish as per the **step-by-step programme of events**.



After the Elections

By-Elections & Casual Vacancies

A by-election is an election that takes place during a term of office. It can take place if a Councillor:

- fails to deliver the declaration of acceptance of office at the proper time
- dies
- fails to attend meetings for six consecutive months and apologies for absence have not been accepted
- resigns
- ceases to be qualified/is disqualified (and ten or more electors sign to call for the seat to be filled by election)

Or if:

- the election is declared void
- the period for making an application/appeal against a conviction has ended
- the principal authority orders a new election under reserve powers
- there is a vacancy due to membership of the Council increasing

There is no requirement to hold a by-election if:

- the vacancy occurs within six months of the Council retiring for its ordinary elections; the council must still publish that a casual vacancy has arisen and may co-opt if they want to
- fewer candidates are nominated than seats available

A further by-election must be called by the district Council to fill the remaining vacancies.



Casual vacancies occur when one of these factors are in play, and are filled by holding a by-election

If the Council has a casual vacancy to fill, the Clerk must:

1. Notify the respective district of the resignation/cessation of office
2. Post the public notice produced by the elections team
3. Monitor dates

If, within 14 days of notifying the public of a vacancy (excluding Saturdays, Sundays and public holidays), at least ten electors request an election to fill the vacancy via written notice to the principal authority, and there are more nominations than seats, a by-election occurs.



After the Elections

Co-option

If no by-election is called, the Council must, as soon as possible after the 14 days of public notice, fill the vacancy by co-option. If the vacancy falls within six months of the Council retiring for an ordinary election, the Council may, but does not have to, fill the vacancy.

Provided the Council is quorate (three or one third of the total number of Councillors, whichever is greater) the Council may co-opt any person/s to fill vacancies, providing the person meets the qualification criteria. Councils may not reject a candidate unless they are legally **disqualified from being a Councillor**.

A person is eligible to be co-opted if he/she meets the Councillor qualification criteria.

It is not necessary for candidates wishing to be co-opted to submit nomination forms or

declarations that they meet the qualification criteria. However, candidates must certify in writing that they meet the criteria and are not disqualified. A Council may need to evidence this if eligibility is challenged.

A Council may indicate that people with particular skills are welcome to apply, however, this should not form part of the official notice and it must be clear that those without the skills are also welcome to apply. If there are more applications than there are vacancies, those skills could be taken into account when the Council fairly considers who to co-opt.

Where the number of candidates is less than or equal to the number of vacancies the person must be appointed to the Council provided they meet the eligibility criteria.





Resources

The resources provided are intended for councils to use, to raise awareness for their work and assist with their recruitment campaigns

Newspaper & newsletter articles

Seven articles, of varying length, have been written for your Council to use with a minimum amount of editing. Some are ready as is and some just require the addition of the Council's name or other details specific to the Council. You may cut or edit them as you like. Remember, if your newsletter is digital, you can always add the full version of the article to your website with a link to it from the shorter newsletter item. Always include photographs from your area.



[Download the pack of all 7 articles](#)

EMAIL TEXT

[CUT & PASTE, THEN EDIT AS APPROPRIATE]

[Council] supports the national #Make A Change campaign encouraging residents to stand in the local council elections. The campaign calls on people from all backgrounds and experiences who are passionate about their local area to put themselves forward. [Council] is urging enthusiastic and engaged members of the community who want to make a long-lasting change, have innovative ideas or have concerns about a specific issue to stand as councillors for the opportunity to make a real difference. Find out more about the local elections and how to become a councillor [insert appropriate link].



Example social media posts

[CUT & PASTE, THEN EDIT AS APPROPRIATE]

TWITTER

Example one:

[Your Twitter handle] is looking for people passionate about their community to stand for election in May 2023's local council #elections. You can help #MakeAChange for your community by becoming a councillor.
[<https://www.nalc.gov.uk/makeachange> OR your own weblink]

Example two:

[Your Twitter handle] is joining @NALC in calling for those who want to #MakeAChange in their community to stand to be a #councillor at the local council elections.
[<https://www.nalc.gov.uk/makeachange> OR your own weblink]

FACEBOOK

Example one:

[Your Facebook handle/name] is holding local #elections on 4 May 2023. If you are passionate about your community and want to help #MakeAChange stand for election as a councillor. We need people from all backgrounds and experiences who reflect their community to put themselves forward for election and #MakeAChange.
[<https://www.nalc.gov.uk/makeachange> OR your own weblink]

Example two:

The next round of local elections is coming up on 4 May 2023. [Your Facebook handle/name] and the @NationalAssociationofLocalCouncils are calling on people from all backgrounds and experiences who reflect their community to put themselves forward for election. If you have innovative ideas for the council or have a specific issue in mind, becoming a local councillor will empower you to #MakeAChange.
[<https://www.nalc.gov.uk/makeachange> OR your own weblink]



Download Press Release



Resources

Posters, flyers and other visuals

Various posters, flyers and social media visual assets have been designed for you to customise and use on your noticeboards and across your social media channels. We also believe that photos of your Council 'at work' are the best advertisements, so don't forget to take photos when you are out and about on Council business and post them across your social media channels, community groups and newsletters.



Download the pack of visual resources





Resources

Videos

These videos are available to all councils to share

