



Local Government Selection Appeals Advice notes for AMEs

If an applicant has appealed to their local Executive Council and been unsuccessful then they may, within 14 days, write to the Area Chairman asking to appeal the decision. The decision of the Area Management Executive (AME) is final.

There are no specific rules on how the AME should hear the appeal, but they must always be balanced, impartial and abide by principles of natural justice.

The AME should ensure that it is familiar with the selection rules, in particular rule 11:

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

The process to hear the appeal should be simple, fair, transparent and streamlined. To ensure this the following template is recommended.

Timescale

Begin by setting a date for the AME to meet and decide on the appeal. The AME must meet within 42 days of the receipt of the appeal.

Appeal Document

To appeal the decision the applicant should write to the Area Chairman explaining how the selection process was not followed.

This document should be sent to the Association Chairman for their response. In the interests of fairness this response should be made available to the applicant.

Evidence Gathering

The Appeal Document and Association Response may raise questions that need clarification, the Area Chairman should seek written evidence to

corroborate or disprove the assertions made in the Appeal Document and Association Response.

AME Meeting

The Area Chairman should send all documents including a copy of the selection rules, Appeal Document, Association Response and other evidence to committee members in advance of the meeting.

The Area Chairman should draw up an Agenda of potential breaches of the process to ensure all items are fairly considered.

Once all items have been considered the AME should make a decision as to whether the process has been correctly followed, committee members should be sure of their decision.

The Area Chairman should communicate the decision in writing to both the Applicant and the Association Chairman.

Frequently Asked Questions



Who can appeal and what timescale to they have to do it in?

Only the Applicant can appeal and they must do it in writing to the Area Chairman within 14 days of the Executive Council at which their original appeal was unsuccessful.



What if an Area officer has a conflict of interest?

If an Area Officer has already been involved in the process prior to this point, or has another conflict of interest, they should recuse themselves from the appeal.

All appeals should be considered by at least three elected Area Officers. If necessary the appeal can be referred to a neighbouring area.



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Q.

Can the Appellant appeal the process of their appeal to the Executive Council, or just the original decision, or both?

They should only appeal the original decision and must specify in their appeal how the process was not followed.

Q.

What should we do if the AME comes to a tied vote?

It is up to the appellant to prove that the process was not followed correctly. A tied vote should be considered a rejection.

Q.

Does it have to be heard through written submissions or can we call the appellant and Association Chairman to a meeting?

If you wish but written submissions will probably be faster and there is less scope for ambiguity.

Q.

What should happen next if the appeal is successful?

The Area Chairman should write to the Association Chairman notifying them of the decision and asking them to re-run the selection process from the point at which it went wrong, correcting any errors in the process. The Association Chairman should report this to the next meeting of the Executive Council.

