



## Guidance on delaying LPC elections 2022 – Frequently Asked Questions

### What is the governance process to delay elections?

The LPC constitution needs to be amended to grant the LPC the power to delay elections. The procedure for amending the Model Constitution is set out in section 19 of the model constitution. The constitution may only be amended in accordance with the procedure in this section.

### Why does this process have to start now when elections are not scheduled until 2022?

Preparations for LPC elections normally begin with PSNC issuing advice to LPCs in the summer prior to the elections. In the September, LPCs would start work to appoint a returning officer, triggering a sequence of actions throughout October, November, and December. The election process would then start in January 2022. Any postponement to LPC elections, therefore, must be agreed before this process is normally due to begin.

The LPC Constitution needs to be amended to grant the LPC the power to delay elections and sufficient time needs to be factored in for this. PSNC recommends that LPCs consider this from June 2021 onwards. PSNC also recommends that the special meeting and associated voting be aligned with the Annual General Meeting (AGM) of the LPC, wherever possible to reduce the burden on contractors and LPCs.

### Do LPCs need to inform PSNC?

Section 19.6 of the PSNC model LPC constitution requires the LPC Chief Officer to send a copy of the contractor notice and proposed amendment to the constitution in a notification to the Chief Executive Officer of PSNC. This can be done by emailing [chiefexec@psnc.org.uk](mailto:chiefexec@psnc.org.uk).

## **Does the PSNC guidance on delaying elections apply to all LPCs?**

PSNC has advised that all LPCs in England who are following the PSNC four-yearly election cycle consider postponing their elections until 2023. However, a small number of LPCs hold elections outside of these dates or have not adopted PSNC's model LPC constitution, this guidance may not apply to these LPCs. Additionally, PSNC is aware that some LPCs are currently merging and that these LPCs may need to hold elections to proceed with this process: PSNC will provide tailored guidance to support these LPCs.

## **Should we delay the elections for more than one year?**

No, LPCs should use the recommended new constitutional clause 13 provided by PSNC, which adds 'Except that the term of office starting on 1 April 2022 shall be postponed until 1 April 2023 and current LPC members shall hold office for a period of 5 years'. It is felt that a one-year delay to LPC elections is sufficient to allow the RSG time to complete its work.

## **Have PSNC and LPC elections been delayed previously?**

PSNC last recommended that LPC elections be delayed in 2006, this was to allow time for Primary Care Trust (PCT) boundary changes to come into effect.

## **An LPC member wanted to step down at the end of the current term of office on 31st March 2022, what should they do?**

If the LPC is granted the power to delay elections, the term of office for serving LPC members will be extended to 31st March 2023. If a member wishes to step down before this date, then the usual process for resignations and vacancies, as set out in the model constitution will apply. Further resources to support LPCs in dealing with vacancies can be found in the LPC Members' area of the PSNC website.

## **Do any special requirements apply to running a virtual AGM and/or special meeting of contractors, and can these be run at the same time?**

Every year LPCs are required, under the LPC Constitution, to hold an Annual General Meeting (AGM) where the LPC Annual Report and LPC accounts are presented to their contractors. There is also a requirement to have a contractor vote to approve the accounts.

To reduce the burden on contractors and LPCs, PSNC suggests that where possible the special meeting of contractors to amend the constitution and voting process be aligned with the AGM of the LPC.

During the pandemic, many LPCs ran the AGM and contractor voting on the accounts virtually, which the model constitution enables. As pandemic restrictions begin to lift, LPCs may want to consider their options for this year, balancing the pros and cons of continuing with virtual arrangements. Guidance on running a virtual AGM is available in the LPC members' area of the PSNC website: [Running a virtual LPC meeting/AGM: PSNC Main site](#)

## Further information

If you have any further questions, please contact: James Wood, Director of Contractor & LPC Support, PSNC, 14 Hosier Lane, London EC1A 9LQ E-mail [james.wood@psnc.org.uk](mailto:james.wood@psnc.org.uk) Direct Line 0203 1220 835 Mobile 07796 957988

