

Farriers Registration Council



Established under the
Farriers (Registration) Act 1975

RULES FOR APPOINTMENT TO THE FARRIERS REGISTRATION COUNCIL BY WAY OF ELECTION

This scheme was originally adopted by the Farriers Registration Council on 3 April 2019 and reviewed 27 April 2022.

AUTHORITY

This scheme derives its authority from, and should be read in conjunction with, the following references:

Farriers (Registration) Act 1975, as amended by Farriers (Registration) Amendment Act 1977 and Farriers (Registration) Act 2017; Schedule 1, Part 1, and specifically:
Section 1 (1) (b), (3) (a), (3) (b) and (4) – Membership
Section 2 – Term of Office
Section 3 – Casual Vacancies

This statutory provision requires the Council to arrange for the appointment of four (4) practising Registered Farriers to serve as members of the Farriers Registration Council (FRC).

THE ROLE OF A COUNCIL MEMBER

The FRC makes policy for the regulation of farriery.

Practising Registered Farriers appointed to the FRC by way of election are expected to use their knowledge, skills and experience gained as members of the profession to influence the development of policy for the benefit of the equine, its owner, the public and the profession.

Practising Registered Farriers appointed to the Council by way of election are required to work at Council and Committee level alongside other appointed members of the FRC.

TERM OF OFFICE

Appointment as an elected Council member is for a term of four (4) years, and a person may not be appointed for more than two terms. The two periods of appointment may run consecutively or separately.

APPOINTMENT OF ELECTED MEMBERS OF COUNCIL

The appointment of Elected Members of Council in pursuance of Schedule 1, Part 1, Section 1 (3) (a) the Farriers (Registration) Act 2017 shall be by election.

ELIGIBILITY TO STAND AS AN ELECTED MEMBER OF FRC

In order to be eligible to stand for the position of Elected Member of the Council; a person must:

- Be currently practising and registered with the Farriers Registration Council in any of Parts 1, 2, 3 or 4 of the Register of Farriers
- Understand the requirements and role of being a Council Member, including demonstration of commitment to the Seven Principles of Public Life, first set out by Lord Nolan in 1995, and amplified by Lord Bew in the report 'Striking the Balance – Upholding the Principles of Public Life in Regulation' in September 2016
- Comply with the Office Holders Code of Conduct

A Registered Farrier may not stand if:

- A finding of serious misconduct in a professional respect has been made against them; or
- They have been found guilty of an offence involving cruelty to, or neglect of animals; or
- They have been convicted of an offence for which they were sentenced to a period of custody of six months or longer

ELIGIBILITY TO VOTE

Registered Farriers listed in Parts 1, 2, 3 and 4 of the Register are entitled to vote. Farriers listed on the Non-Practising list are not entitled to vote.

NOTICE OF ELECTION

Notice of an election shall be given at least 6 weeks before the appointed 'Nomination Day' on the FRC website and in the Farriers Bulletin when timing permits.

NOMINATIONS

All nominations shall be made on the form issued by the Registrar; only one candidate may be nominated on any nomination form.

- All nominations must be signed by five (5) proposers

A nomination form shall:

- Specify the candidate's known names, address and contact details
- Specify the known names, address and FRC Computer Number of each proposer

Any candidate wishing to be nominated shall provide to the Registrar:

- A completed nomination form signed by 5 proposers, who must each be currently listed as Registered Farriers in any of Parts 1, 2, 3 or 4 of the Register
- A proposer may only sign one candidate nomination form at any election
- A completed declaration on the Nomination Form, signed by the candidate which confirms, without limitation, that:
 - The information provided on the nomination form is correct
 - If elected the candidate intends to serve for the full term of office
 - The candidate has not been charged with a criminal offence, or has been notified by any professional, regulatory or public body that they are subject to investigation in relation to their conduct or competence that they have not declared to the Registrar
 - The candidate has not received a criminal conviction or police caution that they have not declared to the Registrar

Each candidate for election shall, at the time of nomination, provide to the Registrar an Election Statement setting out their suitability and experience to act in the best interests of the FRC and to promote the interests of animal welfare, the public and the farriery industry. An Election Statement will typically be no more than 800 words in length.

The nomination form including the declaration and Election Statement, shall be delivered to the Registrar before the latest time specified for the return of nomination forms, the 'Nomination Day', and to the place and in the manner specified by the Registrar. The Registrar will accept documents that are e-mailed or otherwise submitted electronically.

The Registrar may declare invalid any purported nomination in respect of which the relevant forms have not been properly signed or completed, or which is received after the specified latest time for receipt, or which in any other respect does not comply with this scheme. The Registrar may declare invalid any purported nomination if any of the declarations are subsequently found to be false.

A nomination may be withdrawn, by notice, in writing, signed by the prospective candidate and delivered to the Registrar, no later than the close of the Nomination Day. If a prospective candidate dies, or ceases to be eligible for election before the close of the Nomination Day, the nomination shall be deemed to have been withdrawn.

Upon the expiry of the latest time for the receipt of nominations, the Registrar in due course shall:

- Determine the validity or otherwise of nominations received
- Inform prospective candidates as to whether or not they have been validly nominated, and where the Registrar has decided that a purported nomination is invalid, provide reasons for that decision.
- Publish a list of valid, nominated candidates.

ELECTION STATEMENTS

A candidate's Election Statement shall:

- Be provided to the Registrar by the latest time specified for receipt of nominations; and
- Not contain any falsehoods or misrepresentations, abusive, offensive, derogatory or defamatory material, or material likely to incite hatred or public unrest; and

- Be no longer than the specified word count; and
- Comply with any format requirements set by the Registrar.

The Registrar shall not publish any Election Statement which in their opinion:

- Would amount to the commission of a criminal offence; or
- Would render the FRC potentially liable to civil proceedings; or
- Does not comply with any format requirements set by the Registrar, or which is offensive, abusive, defamatory or derogatory in nature, or which contains misleading or false information.

The Registrar may, in consultation with the candidate, issue a statement of clarification if in their opinion any part of an Election Statement refers to matters outside the current powers, responsibilities, functions and duties of the FRC.

ELECTION PROCESS

Where after the expiry of the latest time for receipt of nominations, the number of candidates does not exceed four (4) the Registrar shall:

- Dispense with the need to hold a ballot; and
- Forthwith declare the candidate(s) elected.

Where after the expiry of the latest time for receipt of nominations, the number of candidates is greater than four (4) the Registrar shall cause a ballot to be held.

Any places for elected Members of Council that remain unfilled after notice of an election shall be treated as vacancies. [*See 'Removal or Resignation from the Position of Elected Council Member', below*].

VOTING, SCRUTINY AND OUTCOME

At least two (2) weeks before the published 'Polling Day', the Registrar shall issue to all eligible Registered Farriers a list of confirmed nominations with their Election Statements, an individually numbered Voting Paper and pre-paid reply envelope.

The voting paper shall include an alphabetical list of the nominated candidates. Each voter shall be entitled to one voting paper and should record and return their individual votes in accordance with the instructions on the voting paper. Voters will each have a maximum of four (4) votes to cast against nominated candidates and voters may vote only once for any individual candidate.

The Council shall nominate a firm or firms of Chartered Accountants to act as scrutineers of the voting papers.

The function of the Scrutineers is to:

- Preserve the integrity of the election process and take such measures they consider necessary to guard against, and identify, electoral malpractice;
- Examine and validate returned voting forms;
- Count and record votes received; and
- Notify the Registrar of the result of the election.

At the conclusion of the count, the Scrutineers shall prepare a report specifying:

- The total number of voting forms received;
- The number of voting forms rejected as invalid;
- The number of votes cast;
- The name of the person(s) elected.

In the event of any candidates receiving an equal number of votes, the candidate who holds a registered address with the greatest geographical distance from the candidate who received the highest number of votes, shall be elected**. If two or more candidates have an equal geographical distance, one of these chosen by lot organised by the scrutineers shall be deemed to have obtained the higher number of votes for the purposes of this Scheme.

*(** This should be based on the geographical distance between the candidates registered addresses held by the FRC, in miles, as the crow flies, and using up-to-date Google Maps data.)*

The Scrutineers will arrange to keep confidential the voting forms for a period of 3 months from the polling day after which they will arrange for their safe destruction.

The election report prepared by the Scrutineers will be kept by the Registrar for four years.

REGISTRAR'S DECISION

The decision of the Registrar shall be final on any matter concerning an election under this Scheme, including any matter concerning the validity of a nomination paper or voting paper, or on any other uncertainties.

REMOVAL OR RESIGNATION FROM THE POSITION OF ELECTED COUNCIL MEMBER

Where an elected Member of the Council:

- dies while in office, or
- becomes incapacitated, or
- ceases to fulfil the criteria for eligibility for nomination, election or appointment within this Scheme, or
- wilfully and without due cause absents himself from meetings of the Council for a period of 12 months or more, or
- resigns, or
- is removed from office under the terms of the Office Holders Code of Conduct, or
- insufficient nominations are received following notice of an election;

the Registrar shall inform the Council that a vacancy has occurred.

The candidate with the next highest number of votes at the previous election shall be invited by the Registrar to be elected to serve in his place for the remainder of the term of office. If that Council member is ineligible, unwilling to serve, or there is no other candidate that stood at the preceding election, or insufficient candidates were initially willing to stand, then the Council may appoint another Registered Farrier to fill the vacancy for the remainder of the term of office. In doing this the Council will endeavour to appoint any co-opted candidate, giving due regard to reflecting the desirability of representation from all parts of Great Britain.

[See FRA, Schedule 1, Part 1, Section 3] – See ‘Appendix 3 - Procedure for Co-opting Council Members’.

PURSUANT to a resolution passed at a meeting of the Farriers Registration Council on the 3 April 2019

For and on behalf of the Council,

Registrar

APPENDIX 1



Nomination Form Elected Member of FRC Council

Name of Nominee:	
Address:	
Preferred contact number:	
Contact email address:	

Full Name of Proposer	Address of Proposer	FRC Computer Number of Proposer	Signature of Proposer

Candidate's declaration:

I confirm that the information provided on this nomination form is correct and I understand the requirements of the role of FRC Elected Council Member.

If elected I intend to serve for a full term of office.

I confirm that I have not had a finding of serious misconduct in a professional respect against me, or been found guilty of an offence involving cruelty to, or neglect of animals.

I can confirm that I have not been convicted of an offence which required a period of custody of six months or longer.

Signature:

Date:

To complete your nomination, please return your completed Nomination Form and Election Statement to the Registrar by *****

APPENDIX 2



Voting Paper

Elected Member of the Council

Polling Date:	Day / Month / Year
---------------	--------------------

INSTRUCTIONS FOR VOTING

YOU MUST FOLLOW THE INSTRUCTIONS SET OUT BELOW, OTHERWISE YOUR VOTING PAPER MAY BE DECLARED INVALID

You must place a cross in the box alongside the name of the candidates for whom you intend to vote. You may vote for up to a maximum of four (4) candidates and may vote for any individual candidate only once.

LIST OF CANDIDATES

Candidate Names	Vote (please put a 'X' in box to indicate your selection(s))
	<input type="checkbox"/>
	<input type="checkbox"/>

DO NOT FORGET TO SIGN THIS VOTING PAPER

Signature of voter:

Print Name:

Unique Voting Paper Number: _____

APPENDIX 3

PROCEDURE FOR CO-OPTING COUNCIL MEMBERS

Approved: 27 October 2021

Scope

In the event that a Council member appointed by way of the election scheme is removed from the Council, resigns from the Council, or there are insufficient candidates to hold an election (i.e. less than four (4)), the Council may co-opt a Registered Farrier to fill each vacant appointment to the Council that would be filled by an elected appointee. This document sets out the procedures to be followed in such circumstances.

Authority

The authority for these procedures is the Farriers (Registration) Act 2017, Schedule 1, Part 1, Paragraph 3, and the FRC “Rules for Appointment to the Farriers Registration Council by way of Election”.

Policy and Procedures

The FRC “Rules for Appointment to the Farriers Registration Council by way of Election” state:

“Where an elected Member of the Council:

- dies while in office, or
- becomes incapacitated, or
- ceases to fulfil the criteria for eligibility for nomination, election or appointment within this Scheme, or
- wilfully and without due cause absents himself from meetings of the Council for a period of 12 months or more, or
- resigns, or
- is removed from office under the terms of the Office Holders Code of Conduct, or
- insufficient nominations are received following notice of an election;

the Registrar shall inform the Council that a vacancy has occurred.”

The candidate with the next highest number of votes at the previous election shall be invited by the Registrar to be elected to serve in his place for the remainder of the term of office. If that Council member is ineligible, unwilling to serve, or there is no other candidate that stood at the preceding election, or insufficient candidates were initially willing to stand, then the Council may appoint another Registered Farrier to fill the vacancy for the remainder of the term of office. In doing this the Council will endeavour to appoint any co-opted candidate, giving due regard to reflecting the desirability of representation from all parts of Great Britain. *[See FRA, Schedule 1, Part 1, Section 3] - Source: “Rules for Appointment to the Farriers Registration Council by way of Election”*

Co-option to unfilled seats after a scheduled Election or unfilled Casual Vacancies

Where any of the elected positions on the Council are left either unfilled after a scheduled election or a position becomes vacant mid-term of office, and the appointment cannot be filled by an alternative candidate who stood during the previous election, co-option should take place.

Procedure for Co-option

The Council will place a notice on the FRC Website to show that there is a vacancy for an elected member. This formal notice is to draw the attention of Registrants to the vacancy and to gain interest from potential co-optees.

The advertisement shall include details as to the responsibilities and time commitment of the role, and specify the date by which applications should be received. Where possible applicants should be given at least 28 days from the publication of the advertisement to complete the application process.

To be eligible an applicant must be currently practising and registered with the FRC in any of Parts 1, 2, 3 or 4 of the Register of Farriers. [See 'Eligibility to Stand as an Elected Member of the FRC' - *Rules for Appointment to the Farriers Registration Council by way of Election*]

A Registered Farrier may not stand if:

- A finding of serious misconduct in a professional respect has been made against them; or
- They have been found guilty of an offence involving cruelty to, or neglect of animals; or
- They have been convicted of an offence for which they were sentenced to a period of custody of six months or longer

Applicants will be requested to provide the Council with a CV and a statement of suitability; including information about themselves, their experience and/or any other information that would assist the Council in making a decision.

Any application submitted, including the CV/statement of suitability, will be screened by the Chair of the Remuneration Committee and the Registrar in order to ensure the eligibility of the applicant to stand as a candidate, their suitability for the role and consideration of the Council's desire to seek representation from all parts of Great Britain. Candidates will subsequently be offered to the Council for selection and confirmation of their appointment at the next available Council Meeting, which may be held out of committee. The Council is not obliged to accept any proposed applicant, and in such an event the vacancy would be re-advertised as above.

In the event that no applications are received by the application cut-off date. The position will continue to be re-advertised for a maximum of two rotations. Should no suitable applications be submitted after the second round of advertising, the position will be deemed vacant until a suitable candidate may come forward or the commencement of the next scheduled election.

A person elected or co-opted to fill a casual vacancy shall hold office until the person in whose place they are elected would regularly have retired, or the vacancy filled would have normally concluded its original term of office.

Advertisement Template

NOTICE IS HEREBY GIVEN that a casual vacancy has occurred for the position of an elected farrier member on the Farriers Registration Council.

A casual vacancy shall be filled by way of the provisions set out in Farriers (Registration) Act 1975, Schedule 1, Part 1, Paragraph 3. The 'Rules for Appointment to the Farriers Registration Council by way of Election' provide that should a position remain unfilled after

an election, or a previously elected position be vacated before its term of office has ended, the position shall be treated as a casual vacancy and the process of co-opting a candidate should commence.

What do FRC Members do?

- FRC members make policy to regulate farriery; in making policy FRC members have to balance the need to safeguard the public interest with the needs of the profession.
- Elected farrier members of the FRC use their knowledge, skills and experience gained as members of the profession to influence the development of policy for the benefit of the public and the profession.
- Elected farrier members of the FRC will work at Council and Committee level alongside appointed lay members of the FRC;

How much of my time will be taken with FRC business if I am co-opted?

- The commitment of individual members to attend meetings will depend on the nature of their Committee membership, plus preparatory time to read meeting papers.
- Elected members receive travelling expenses and a taxable Attendance Allowance of £375 per day (2020 rate) when engaged on FRC business. FRC members are not Council employees, their position is that of an 'office holder' within HM Government's definition of that term; further details may be found at www.gov.uk
- Further information concerning the FRC's Committees and their duties may be found in the Council's Annual Report, and in the FRC Office Holders Code of Conduct. Both documents are available on request.

Applications including a CV and a statement of suitability setting out reasons for making an application and what contribution an applicant feels they may make to the Council should be submitted to the Registrar by *****.

In consideration of any applications received the Council will endeavour to give due regard to reflecting the desirability of representation from all parts of Great Britain.

[Applications will be accepted by email to: ffc@farrier-reg.gov.uk OR post to: Farriers Registration Council, 14 Swan Court, Forder Way, Cygnet Park, Hampton, Peterborough, PE7 8GX]