

Co-Option

Policy Document – Version 1.1



Thurcroft Parish Council

CO-OPTION POLICY

1. Introduction

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Thurcroft Parish Council. The Co-option procedure is entirely managed by the Parish Council and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

- 1) The Co-option of a Parish Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called. A casual vacancy occurs when:
 - A councillor fails to make his declaration of acceptance of office at the proper time;
 - A councillor resigns;
 - A councillor dies;
 - A councillor becomes disqualified; or
 - A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.
- 2) Parish Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met (i.e. The vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by a deadline date specified by the Returning Officer).
- 3) 3) If a by-election is called, a polling station will be set up by the Borough Council and the people of the parish will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Parish Council will pay the costs of the election. The people of the parish have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the electoral officer will advise the clerk of the closing date.
- 4) 4) If more than one (1) candidate is then nominated a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot.



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- 5) If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the Electoral Services at Rotherham Metropolitan Borough Council, then the Parish Council is able to co-opt a volunteer.

3. Confirmation of co-option

1) On receipt, of written confirmation, from the Electoral Services Office from Rotherham Metropolitan Borough Council, the casual vacancy can be filled by means of Co-option, the Parish Clerk will:

- Advertise the vacancy for 21 days on the Council notice boards and website (this does not include the date of the notice and excludes Saturdays and Sundays).
- Advise the council at their next meeting that the Co-option Policy has been instigated.

2) Thurcroft Parish Council is not obliged to fill any vacancy. Even if the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply.

3) However, it is not desirable that electors in the parish be left partially underrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Council if there are insufficient councillors to share the workload; equitably; to provide a broad cross-section of skills and interests; or the achieve meeting quorums without difficulty.

4) Councillors elected by Co-option are full members of Thurcroft Parish Council.

4. Eligibility of Candidates

1) The Parish Council is able to consider any person to fill a vacancy provided that:

- He/she is an elector for the parish; or
- has resided in the parish for the past twelve months or rented/tenanted land in the parish; or
- had his/her principal place of work in the parish; or



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- has lived within three miles (direct) of the parish.
- 2) There are certain disqualification's for election, of which the main are (see 5. 80 of the Local Government Act 1972):
- holding a paid office under the local authority;
 - bankruptcy;
 - having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and
 - being disqualified under any enactment relating to corrupt or illegal practices.
 - are subject to any relevant requirements, or a relevant order, in respect of a sexual offence.

5. Applications

- 1) Members may point out the vacancies and the process to any qualifying candidate(s). Although there are no statutory requirements, candidates will be requested to:
- Submit information about themselves, by way of completing a short application form (a copy of the application form is attached as Appendix A including a specification criterion attached as appendix C)
 - Confirm their eligibility for the position of Councillor within the statutory rules, (a copy of the Eligibility Form is attached as Appendix B).
- 2) Following receipt of applications, the next suitable council meeting will have an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'.
- 3) Copies of the candidates applications will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the full Council, when the Co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

6. At the co-option meeting



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- 1) At the co-option meeting, candidates will wait outside during the agenda item discussing the co-option, and each candidate will be called in alphabetical order to be given five minutes maximum to introduce themselves to Members, give information on their background and experience and explain why they wish to become a Member of Thurcroft Parish Council. The process will be carried out in the public session and there will be no private discussions between Members prior to a vote being taken. However, where the Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Council should resolve to exclude the members of the press and public. An approved list of questions will be used at the co-option meeting to ask candidates after their presentation for up to a period of five minutes per candidate.
- 2) As soon as all candidates have finished giving their submissions, they will remain outside the meeting whilst the vote is taking place, the council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria set out in Appendix B with each candidate being proposed and seconded by the councillors in attendance. A vote by a show of hands (LGA 1972 Sch. 12. Para 39) will then take place.
- 3) A recorded vote may be requested under Standing Orders so as to show whether each Councillor present and voting, gave his/her vote for or against that question.
- 4) In order for a candidate to be elected to the Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more than two candidates and there is no candidate with an overall majority in the first round of voting the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority. In the case of an equality of votes, the Chairman of the meeting has a second of casting vote.
- 5) After the votes has been concluded, the candidates will be invited back into the meeting, the Chairman will declare the successful candidate duly elected. The successful candidate will sign a Declaration of Acceptance of Office before he/she can act as a parish councillor.



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- 6) The clerk will provide the new councillor with the council's code of conduct. The clerk will provide the new councillor with the council's councillor induction pack and after signing their declaration of acceptance of office, they may take their seat immediately.
- 7) The Clerk will notify Electoral Services of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer.
- 8) If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.