



Huntington Parish Council

Co-Option Policy

POL_112



Contents

1. Introduction	3
2. Co-option	3
3. Confirmation of Co-option	3
4. Eligibility of Candidates	4
5. Applications	5
6. At the Co-option Meeting	5
Appendix A	7
Person Specification	7
Update Record	8



1. Introduction

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

2. Co-option

- 2.1 The Co-option of a Parish Councillor occurs when either an *ordinary* vacancy or *casual* vacancy has arisen on the Council and no poll (byelection) has been called.
- 2.2 An *ordinary* vacancy occurs when:
 - 2.2.1 There are insufficient candidates to fill all the available seats following ordinary elections held every four years.
- 2.3 A *casual* vacancy occurs when:
 - 2.3.1 A councillor fails to make his declaration of acceptance of office at the proper time.
 - 2.3.2 A councillor resigns.
 - 2.3.3 A councillor dies.
 - 2.3.4 A councillor becomes disqualified, or
 - 2.3.5 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.
- 2.4 The Clerk has to notify Returning Officer at South Staffordshire District Council of a Casual Vacancy. The District Council then sends the Clerk a notice to display on-line and on the parish noticeboards to give electors the opportunity to request a by-election. This occurs when ten+ electors write to the Returning Officer at the District Council stating that an election is requested.
- 2.5 If a by-election is called, a polling station will be set up by the District Council within the next 60 working days 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 District Council will pass all associated costs of the by-election onto the parish council to pay. The people of the parish have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the district council electoral officer will advise the clerk of the closing date.
- 2.6 If more than one candidate is then nominated a by-election takes place, but if only one nomination for a candidate is put forward, they are duly elected without a ballot.
- 2.7 If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, the District Council Returning Officer will notify the Clerk that the Parish Council is now free to co-opt a volunteer.

3. Confirmation of Co-option

- 3.1 On receipt of written confirmation from the Returning Officer, the casual vacancy can be filled by means of Co-option, the Clerk will:
 - 3.1.1 Advertise the vacancy for at least four weeks on the parish notice boards, the internet and any local newsletters. A closing date may be specified to assist with moving the process forward.
 - 3.1.2 Advise that the Co-option Policy has been instigated.



- 3.2 NALC recommends that local councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.
- 3.3 Huntington 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.
- 3.4 However, it is not desirable that electors in a particular ward be left partially or full underrepresented for some significant lengths 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.
- 3.5 Councillors elected by co-option are full members of Huntington Parish Council.

4. Eligibility of Candidates

- 4.1 Once is satisfied that a candidate is eligible to be co-opted onto a council, NALC recommends that a local council should employ a fair and transparent process to assess the suitability of a proposed candidate who wishes to be co-opted. A local council should assess if a proposed candidate has the skills expected and or has any additional expertise or areas of interest which will assist the council exercise their various functions.
- 4.2 The Parish Council is able to consider any person to fill a vacancy provided that:
 - 4.2.1 You are a British, EU or Commonwealth Citizen.
 - 4.2.2 You are at least 18 years old.
 - 4.2.3 You are currently a registered elector for the parish of Huntington; or
 - 4.2.4 You have resided in the parish for the past twelve months or currently rent/tenant land or other premises in the parish; or
 - 4.2.5 Your principal place of work is within in the parish; or
 - 4.2.6 You live within three miles (direct) of the parish.
- 4.3 There are certain disqualifications for election, of which the main are (see 5. 80 of the Local Government Act 1972):
 - 4.3.1 You are employed by the parish council; or employed by an entity under the control of the parish council such as one of its contractors.
 - 4.3.2 You have been declared bankrupt.
 - 4.3.3 You are subject to a debt relief order.
 - 4.3.4 You have been sentenced to a term of imprisonment (whether suspended or not) of three+ months, without the option of a fine during the five years preceding the election; or
 - 4.3.5 You are disqualified under any enactment relating to corrupt or illegal practices, under the Representation of the People Act 1983 including offences relating to donations.
- 4.4 Candidates found to be offering inducements of any kind will be disqualified. Prior to Co-option, the Clerk will check online Govt bankruptcy registers and following co-option, the Council reserve the right to undertake a Basic DBS check, the candidate will be required to provide the required forms of ID. Should any prison terms of 3+ months within the past 5 years be revealed by the DBS check, or your name on the bankruptcy register, you will be disqualified automatically.



5. Applications

- 5.1 Members may point out the vacancies and the process to any qualifying candidate(s).
- 5.2 Although there is no Statutory Requirement to do so, candidates will be requested to:
 - 5.2.1 Submit information about themselves, by way of completing a short application form (see DOC_107 Co-Option Application).
 - 5.2.2 Confirm their eligibility for the position of Councillor within the statutory rules (see DOC_108 Co-Option Eligibility).
- 5.3 The application shall be posted or emailed to the Clerk by the closing date (or within time conditions) advertised.
- 5.4 Following receipt of applications, the Clerk shall arrange at the next suitable council meeting for an agenda item 'To receive written applications for the office of Parish councillor and to Co-opt a candidate to fill the existing vacancy'.
- 5.5 Copies of the candidate's applications will be circulated to all Councillors by the Clerk at least 3 clear working 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

- 6.1 After reviewing the written applications, the council will then proceed to a vote on the acceptability of each candidate utilising the 'Person Specification' criteria set out in Appendix A (below) as a guide, plus any personal statements provided by candidates.
- 6.2 The candidates will be asked to leave the room during discussions to a suitable location where they cannot overhear proceedings.
- 6.3 Discussions relating to a candidate's suitability must not be influenced by their personal circumstances and must be in line with the Parish Council's Equality and Diversity Policy.
- 6.4 The vote will be done by each candidate being proposed and seconded by the Councillors in attendance and a vote by a show of hands. The vote will be recorded so as to show whether each Councillor present and voting gave his/her vote for or against that candidate being co-opted.
- 6.5 Should the candidate have personal connections with one or more existing councillors, it is permissible to hold a secret ballot.
 - 6.5.1 This will need to be nominated, seconded, and voted for by a majority of councillors present in the meeting.
 - 6.5.2 The clerk will have prepared ballot papers showing two choices: to agree that the candidate be allowed to join the Parish Council, or to object at their co-option.
 - 6.5.3 Councillors will complete the ballot paper and submit it to the clerk.
 - 6.5.4 The clerk and Chairperson will then tally the results and record this onto a Ballot Results Record document.
- 6.6 In order for a candidate to be co-opted to Huntington Parish Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting).
- 6.7 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.
- 6.8 In the case of an equality of votes, the Chairman of the meeting has a second casting vote.



- 6.9 However, if the Council has declared that none of the applicants are suitable, the Council does not have to appoint them and will re-advertise the vacancy for fresh candidates repeating the procedure.
- 6.10 Once all votes have concluded, the clerk will communicate the decision to each candidate formally via a letter from the Parish Council (DOC_101 and DOC_102). The candidate will then be a full member of the Parish Council and may take their seat at the next meeting.
- 6.11 The Clerk will notify the Returning Office at the District Council of the new Councillor appointment. The successful candidate(s) must complete the 'registration of interests' within 28 days of being elected. The clerk will pass this to the new member(s) to complete. The form must then be handed to the Clerk for forwarding to the Monitoring Officer at the District Council.
- 6.12 If insufficient candidates came forward for co-option, or the Council deemed candidates were not suitable, the process should continue, whereby the vacancies are again advertised.



Appendix A

Person Specification

Area	Essential Attribute	Desirable Attribute
Personal	1. Sound knowledge and understanding of local affairs and the local community. 2. Forward Thinking.	a. Can bring a new skill, expertise or key local knowledge to the Council.
Experience, Skills, knowledge, and Ability	3. Ability to listen constructively. 4. Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others' views and accept majority decisions. 5. Ability to communicate succinctly and clearly, including by email. 6. Ability to remain calm and professional in a heated debate. 7. A good team player. 8. Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. 9. Be enthusiastic. 10. Ability to pick up and run with a variety of local projects. 11. A Solid Interest in local matters 12. Ability and willingness to represent the Council and their community. 13. Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities). 14. Ability and willingness to undertake induction training and other relevant training.	b. Experience of working or being a member in a local authority or other public body. c. Experience of working with voluntary and or local community / interest groups. d. Basic knowledge of legal issues relating to town and parish Councils or local authorities. e. Experience of delivering presentations. f. Good Standard of Computer literacy.
Circumstances	15. Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends. 16. Flexible and committed to the Council and its staff.	



Update Record

Date of Update:	Updated by:	Summary of changes:
27/05/23	Cllr Newman	Creation of new document.
13/06/24	Parish Clerk	No Changes Parish Council Review