Councillor Co-option Policy

Adopted - 22/09/2016

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 Bardney Group Parish Council (BGPC). The Co-option procedure is entirely managed by BGPC and this policy will ensure that a fair and equitable process is carried out.

2. Co-option

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.

BGPC has to notify the District Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten electors write to the District Council stating that an election is requested.

If a by-election is called, a polling station will be set up by the District 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. BGPC 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.

If more than one candidate is then nominated a by-election takes place but if only one candidate is put forward they are duly elected without a ballot.

If ten residents do not request a ballot within fourteen days of the vacancy notice being posted, as advised by the District Council, BGPC is able to co-opt a volunteer.

3. Confirmation of Co-option

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

- Advertise the vacancy for four weeks on the Council notice boards and website
- Advise BGPC that the Co-option Policy has been instigated

BGPC 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.

However, it is not desirable that electors in a particular ward be left partially or full 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.

Councillors elected by co-option are full members of BGPC.

4. Eligibility of Candidates

BGPC 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 or other premises in the parish; or
- had his/her principal place of work in the parish; or
- has lived within three miles (direct) of the parish.

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.

Candidates found to be offering inducements of any kind will be disqualified.

5. Applications

Members may point out the vacancies and the process to any qualifying candidate(s).

Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of Councillor within the statutory rules (Appendix B).

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'.
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.

Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of BGPC. Candidates will also be informed that they will be invited to speak about their application at the meeting.

6. At the Co-option Meeting

At the co-option meeting, candidates will 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 BGPC. The process will be carried out by adjourning the meeting to allow the candidate to speak. Where the Council wishes to discuss the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council will resolve to exclude the members of the press and public.

As soon as all candidates have finished giving their submissions, the council will proceed to a vote on the acceptability of each candidate utilising the 'person specification' criteria set out in Appendix C and any personal statements provided by candidates, with 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 question.

In order for a candidate to be elected to BGPC, 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.

After the votes has been concluded, the Chairman will declare the successful candidate duly elected and after signing their declaration of acceptance of office, may take their set immediately.

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.

If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.

APPENDIX A

Application for Co-option

Thank you for your interest in becoming a Parish Councillor. Please provide the below information to assist the council in making their decision.

Full Name & Title	
Home Address	
Home Telephone	
Mobile Telephone	
Email Address	
Which Ward are you applying for?	Apley / Bardney / Southrey / Stainfield

About You Please provide the council with some background information about yourself.

Reasons for applying Please provide the council with your reasons for wanting to become a Parish Councillor.

Signature	

Your application also requires signatures of 2 registered electors (known as a proposer and seconder) from the parish area:

	Proposer	**Seconder**
Name		
Address		
Signature		

Please return your completed application to the Clerk to the council. Your application will be considered at the next available Parish Council meeting, where a vote will be held to decide whether the council agrees to co-opt you in to Bardney Group Parish Council.

Data Protection Act: The information provided on this application will remain private and Confidential.

APPENDIX B

Co-option Eligibility Form

1. In order to be eligible for co-option as a Bardney Group Parish Councillor you must be a British subject, or a citizen of the Commonwealth or the European Union; and on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll the day of the election) 18 years of age or over; and additionally able to meet one of the following qualifications set out below. Please tick which applies to you:

a) I am registered as a local government elector for the parish; or ☐

b) I have, during the whole of the twelve months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the parish; or ☐

c) My principal or only place of work during those twelve months has been in the parish; or ☐

d) I have during the whole of twelve months resided in the parish or within 3 miles of it ☐

2. Please note that under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or

b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or

c) Has within five years before the day of election, or since his/her election, been convicted in the UK, Channel Islands or Isle of Man of any offence and has been sentenced to imprisonment (whether suspended or not) for not less than three months without the option of a fine; or

d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances:

i. If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;

ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;

iii. If the person is discharged without such a certificate.

In i and ii above, the disqualification ceases on the date of the annulment and discharge respectively.
In iii, it ceases on the expiry of five years from the date of discharge.

DECLARATION

I……. hereby confirm that I am eligible for the vacancy of Bardney Group Parish Councillor, and the information given on this form is true and accurate record.

Signature…….

Date……..

Bardney Group Parish Council is duty bound to treat this information as strictly confidential.

APPENDIX C

CO-OPTED COUNCILLOR PERSON SPECIFICATION

COMPETENCY	ESSENTIAL	DESIRABLE
Personal Attributes	• Sound knowledge and understanding of local affairs and the local community. • Forward Thinking	• Can bring a new skill, expertise or key local knowledge to the Council.
Experience, Skills, Knowledge and Ability	• Ability to listen constructively • A good team player • Ability to pick up and run with a variety of projects Solid Interest in local matters • Ability and willingness to represent the Council and their community • Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions. • Ability to communicate succinctly and clearly. • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities). • Ability and willingness to undertake induction training and other relevant training.	• Experience of working or being a member in a local authority or other public body • Experience of working with voluntary and or local community / interest groups • Basic knowledge of legal issues relating to town and parish Councils or local authorities • Experience of delivering presentations
Circumstances	• 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.	