

# STOKE FERRY PARISH COUNCIL

## CO-OPTION POLICY

**Adopted: Feb 2019; Next Review Feb 2020**

### 1. Introduction

Although the process for co-option is not prescribed in law, some district councils have provided best practice guidelines. It is especially important that all applicants be treated alike so that the arrangements are seen as open and fair.

The co-option process adopted by Stoke Ferry Parish Council is as follows:

- 1) The Parish Council will advertise the vacancy (or vacancies) on the Parish notice boards and on the website. The notices will include:
  - The Clerk’s contact details so that people considering putting their names forward for co-option can obtain more information on the role of a parish councillor;
  - The co-option process;
  - The closing date for all expressions of interest, if relevant;
  - The date on which the Parish Council intends to make a decision. It is quite in order for Parish Councillors (or indeed any parishioner) to approach individuals to suggest that they might wish to consider putting their names forward for co-option.
- 2) When the applications have been received, the Parish Clerk will consider the application letters/emails, check that the individuals meet the qualification requirements, and confirm that, if successful, they would be willing to accept the Code of Conduct and other obligations of a Parish Councillor.
- 3) All candidates may be asked to submit a short letter with a brief CV giving reasons why they should be considered for the vacancy. These letters will be circulated to Parish Councillors at least seven days prior to the meeting of the full council where the co-option will be considered. All such documents will be treated by the Clerk and councillors as strictly private and confidential.
- 4) Candidates will be informed of the date of the meeting at which the Parish Council will make its decision on the co-option. Notice of the Intention to Co-opt should be given in the agenda for the meeting of the Parish Council. Candidates will be invited to a private meeting to introduce themselves and provide councillors the opportunity to ask questions of them, or the council can decide to rely on the written submissions alone. The council may only discuss each candidate’s suitability for the role, when he/she and members of the public are not present.
- 5) If there are exactly as many as, or fewer candidates than vacancies, the Parish Council may vote on a composite motion, duly proposed and seconded, that all candidates be co-opted. If there are more duly proposed and seconded candidates than seats, it will be necessary for existing Councillors present

at the meeting to vote.

- 6) Councillors shall decide during the meeting whether they wish to vote by showing on hands or vote by secret ballot. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote. The vote will only be cast during the ordinary meeting where discussed and not during the meeting prior.

Arnold Baker's "Local Council Administration" recommends that:

- i) A successful candidate should have received an absolute majority vote of those present and voting. So if there are more than two candidates for one vacancy and none of them at the first count has an overall majority, the candidate with the fewest votes should be eliminated and the remainder put to the vote again. The process should be repeated as necessary until one candidate has an overall majority.
- ii) Each vacancy should be filled by a separate vote or series of votes. In a small council there is a distinct possibility that there could be a tie for last place in the first round of voting, leaving the candidate for elimination to be decided by lots.

After the Vote

- i) The clerk will notify the candidates of the results by email, as soon as is reasonably possible (usually within 24 hours), unless they are present in the meeting.
- ii) Successfully co-opted candidates become councillors in their own right, with immediate effect, and are no different to any other member. As such, they must sign the Declaration of Acceptance of Office and Code of Conduct, and the Registration of Interests Form at their first meeting, or within 28 calendar days of election, whichever is the sooner. Their term of office runs until the next four elections (every four years) for the Parish Council.

## **2) Six Months Leading to An Election**

In the six months leading to an election the Stoke Ferry Parish Council is not obliged to co-opt to vacancies.

## **3) Communication of Policy**

A copy of this policy statement will be available on the Stoke Ferry Parish Council Website.

Employees and Members have a responsibility to ensure that the Parish Council complies; not only with the legal requirements, but with the achievement of the policy, and their active involvement is encouraged.

The legislation covering casual vacancies can be found at:

<http://www.legislation.gov.uk/ukxi/2006/3305/article/5/made?view=plain>

Stoke Ferry Parish Council Co-option Eligibility Form

1. In order to be eligible for co-option as a Stoke Ferry Parish Councillor you must be a British subject, or a citizen of the Commonwealth, or the European Union. You must also be 18 years of age or over on the "relevant date", that being the day on which you are nominated, or if there is a poll, then the day of the election. You must additionally be able to agree with the following qualifications set out below.

**Please circle which of the following four points 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 within the parish; or
- d) I have, during the whole 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.

I (INSERTNAME)..... **hereby confirm, that I am eligible to apply for the vacancy of Stoke Ferry Parish Councillor, and that the information given on this form is a true and accurate record.**

Signed.....Dated.....

Stoke Ferry Parish Councillor – Role Description

Competency	Essential	Desirable
Personal Attributes	<ul style="list-style-type: none"> <li>• Sound knowledge and understanding of local affairs and the local community.</li> <li>• Forward thinking</li> </ul>	<ul style="list-style-type: none"> <li>• Can bring a new skill, expertise or key local knowledge to the Council.</li> </ul>
Experience, Skills, Knowledge and Ability	<ul style="list-style-type: none"> <li>• Ability to listen constructively</li> <li>• A good team player</li> <li>• Ability to pick up and run with a variety of projects</li> <li>• Solid interest in local matters</li> <li>• Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions</li> <li>• Ability and willingness to represent the Council and their community</li> <li>• Ability to communicate succinctly and clearly.</li> <li>• Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff.</li> <li>• Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities).</li> <li>• Ability and Willingness to undertake induction training and other relevant training.</li> </ul>	<ul style="list-style-type: none"> <li>• Experience of working or being a member in a local authority or other public body</li> <li>• Experience of working with voluntary and or local community / interest groups</li> <li>• Basic knowledge of legal issues relating to town and parish Councils or local authorities</li> <li>• Experience of delivering presentations</li> </ul>
Circumstances	<ul style="list-style-type: none"> <li>• 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.</li> </ul>	