

Willoughby Parish Council

CO-OPTION POLICY AND PROCEDURE

1. INTRODUCTION

The process for co-option is laid out in the Local Elections (Parishes and Communities Rules 2006) and the Local Government Act 1972.

This policy sets out in detail the circumstances which permit, and legislation relating to, the co-option of persons to fill the vacancies within the Parish Council and is based on NALC Legal Briefing L15-08 which recommends good practice to be taken in respect of a co-option process.

2. NOTIFICATION

- 2.1 The Co-option of a Councillor occurs when a casual vacancy has arisen on the Council and no poll (by-election) has been called.
- 2.2 The Parish Council is not obliged to co-opt 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.
- 2.3 However, it is not desirable that electors be left partially or fully unrepresented 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 to achieve meeting quorums without difficulty, given that some absence is unavoidable at times.
- 2.4 Councillors elected by co-option are full members of the Council. Willoughby Parish Councillors are volunteers who receive no remuneration or allowances.
- 2.5 To ensure that a fair and transparent process is undertaken this policy sets out the process to be followed by Willoughby Parish Council when co-option is under consideration.

3. APPLICATION PROCESS TO BE FOLLOWED

On receipt of written notification from the Electoral Officer at Rugby Borough Council that a casual vacancy may be filled by means of co-option and on instruction from the Council:

- a. The Parish Clerk will announce the vacancy or vacancies to be filled by co-option within 21 days of receipt of the written notification by means of displaying a Notice on the Council Notice board and website.
 - b. The Parish Clerk will advise the council when the Co-option process has been instigated by notifying all councillors.
- 3.1 Members may point out the vacancies and the process to any qualifying applicant(s). It is strongly recommended that, prior to submitting an application, at least two meetings are

observed and the role is discussed with the Chair and Clerk. Please contact the Clerk to arrange a meeting.

- 3.2 Applicants are recommended to read the publication, 'The Good Councillor Guide' which explains more about the role and the responsibilities of councillors – copies are available on request. If you have any questions, you are welcome to raise them with the Parish Clerk.
- 3.3 Applications will be considered at the next available full Council meeting. To ensure that applications are included on the agenda, they should be sent to the Parish Clerk at least one week before the meeting (earlier if there are bank holidays). Applications should be made on the attached form and require signatures of two registered electors (known as a proposer and seconder) from the parish area.

4. PERSON SPECIFICATION

NALC legal briefing suggests a personal specification that identifies attributes that a Parish Council should be looking for when co-opting a councillor.

We welcome people with a wide range of life skills and experience that reflects the local community.

Whilst the following personal attributes, knowledge and skills are not considered essential and the list is not exhaustive they may act as a guide to prospective applicants.

Personal Attributes

- Sound knowledge and understanding of local affairs, the local community and the Parish
- Enthusiastic and forward thinking
- Local knowledge and interest bringing skills and expertise to benefit the Council

Experience, Skills, Knowledge and Ability

- A good team player
- Good interpersonal skills with the ability to contribute constructively at meetings expressing their own opinions whilst willing to listen to others' views and accept majority decisions
- Solid interest in local matters
- Ability to read and analyse documents and communicate succinctly and clearly, both orally and in writing
- Ability and willingness to:
 - a. work closely with other members and to maintain good working relationships with all members and the clerk;
 - b. represent the Council and the Parish;
 - c. work with the Council's partners (e.g. voluntary groups, other Parish Councils, principal authority, charities);
 - d. undertake induction training and other relevant training
- Experience of working with voluntary and/or local interest groups
- Ability to work under pressure to meet Council deadlines
- Ability to lead and run with a variety of projects, as required
- Ability to use IT to communicate effectively with others

Circumstances

- Ability and willingness to regularly attend meetings of the Council. (Candidates should note that the majority of Council meetings are held in the evening and, unfortunately, under present legislation the Parish Council is not permitted to contribute to the cost of Councillors' childcare or care of dependents.)

- 4.1 Applicants will be invited to attend the next full Parish Council meeting at which their application will be considered. The Parish Clerk will provide applicants with an agenda for the meeting, which will be held at Willoughby Village Hall. Details of Parish Council meeting dates are available on the website or from the Clerk.

At the meeting, applicants will be given the opportunity to speak for a maximum of 3 minutes to introduce themselves and explain why they want to join the council.

If there are more candidates than vacancies the co-option will be decided by a ballot of the members. Voting will be according to the statutory requirements, in that, a successful candidate must have received an absolute majority vote of those present and voting. If there are more than two candidates for one vacancy and no one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again; this process must, if necessary, be repeated until an absolute majority is obtained.

Councillors shall vote by signed ballot. In the case of an equality of votes, the Chairman of the meeting has a second or casting vote.

- 4.2 On successful co-option, applicants will be required to sign a Declaration of Acceptance of Office which completes the process for joining the council. Within 28 days of co-option, applicants are also required to complete a Register of Disclosable Pecuniary Interests which will be provided by the Parish Clerk. Unsuccessful applicants can request that their details be kept on file for up to 6 months should any new vacancies arise.
- 4.3 Applicants found to be offering inducements of any kind, at any stage in the co- option process, will be disqualified.

See next page for co-option and eligibility Application Form

Willoughby Parish Council

Application for Co-option as a Councillor

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

Full name and Title	
Home Address	
Home Telephone	
Mobile Telephone	
Email Address	

About You

Please provide the Council with some background information about yourself and information about your involvement with the community in Willoughby.

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Reasons for Applying

Please provide the Council with your reasons for wanting to become a Parish Councillor.

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

	Proposer	Seconder
Name		
Address		
Signature		

Please return your completed application to the Parish Clerk clerk@willoughby-pc.gov.uk

Your application will be considered at the next available Council meeting where a vote will be held to decide whether the Council agrees to co-opt you onto Willoughby Parish Council.

Data Protection Act: The information provided on this application will remain private and confidential and will only be used for the purpose intended.

Co-option Eligibility Form

1. In order to be eligible for co-option as a Willoughby 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 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, a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if they:
 - a. hold any paid office or employment of the local council (other than the office of Chair) or of a joint committee on which the Council is represented; or
 - b. are a person who has been adjudged bankrupt or has made a composition or arrangement with their creditors (but see below); or
 - c. have within five years before the day of election, or since their 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. are otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

A disqualification for bankruptcy ceases in the following circumstances:

- i If the bankruptcy is annulled on the grounds that either 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 Willoughby Parish Councillor, and the information given on this form is a true and accurate record.

Signature.....