

Shadforth Parish Council Procedure for Co-option Procedure for a new Councillor

This procedure is based on NALC Legal Briefing L15-08 – Good practice for selection of candidates for co-option to local Councils.

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 District Returning Officer).

Although seeking 'expressions of interest' is not a legal requirement, the National Association of Local Councils (NALC) recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

Whenever the need for co-option arises, Shadforth Parish Council will:

Consider advertising the vacancy to seek and encourage 'expressions of interest' by a specified date from anyone in the Parish who is eligible to stand as a Parish Councillor. All potential candidates will be requested to put their request for consideration in writing with the following additional information:- i. reason for wishing to be Councillor; ii. previous Community/Council work; and iii. other skills they can bring to the Council.

Please note it is a condition of a Councillor that a means of contact by telephone and/or email will be public information.

At the next Full Council meeting:

- i. Clerk to confirm that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the Local Government Act 1972 s79 and s80;
- ii. Chairman to offer opportunity for debate on the order of priority to offer co-option
- iii. Vote on the acceptability of each candidate for co-option, utilising the 'person specification' criteria set out below and any personal statements requested from and provided by candidates. An absolute majority vote is required for each candidate from all members present and entitled to vote (LGA 1972 Sch. 12. Para 39) (The applicant with the least number of votes casted will be deleted and the vote taken again and again etc. until the number of candidates equals the number of vacancies)

- iv. Vote to select the order in which acceptable candidates (decided by the vote at iii above) should be approached to offer co-option on this occasion.
- v. The Clerk to approach and offer co-option to candidate(s) after the meeting in the order of priority determined by the vote at iii above, if the first choice does not accept the post then the second is to be approached and so on until the ranking list is exhausted.
- vi. Assuming that the co-option position is filled, formally ratify the appointment at the next Full Council meeting.
- vii. The Clerk to notify Electoral Services of the new Councillor appointment, initiate 'acceptance of office' paperwork and 'registration of interests' on the Parish Council website.
- viii. If no one accepts the vacant post(s), the whole process is to be repeated when new individuals expressing interest are identified or until the next election.

A Woods
12/4/2019