

Kings Worthy Parish Council co-option policy

1. Introduction

- 1.1 Although the process for co-option of vacancies of local councils is not prescribed in law, the National Association of Local Councils Legal Topic Note 8 provides guidance.
- All applicants will be treated alike so that arrangements are seen to be open, fair and transparent. This policy sets out the process to be followed by the Parish Council when co-option is under consideration.

2. Co-option

- 2.1 If no request for a by-election is received by the principal authority by the date on the Notice of Vacancy, the principal authority will advise the Parish Council that it may co-opt to the vacancy.
- 2.2 Co-option is the process by which the Parish Council selects a new Councillor, and it is done as an agenda item within a monthly Parish Council meeting.
- 2.3 If no by-election is called, the council must as soon as practicable after the expiry of the 14-day period fill the vacancy by co-option. If the casual vacancy occurs within the six-month period (see 2.4) the council can but is not obligated to fill the vacancy.
- 2.4 The six-month period is where the vacancy occurs within six-months before the date when the councillor in question would have regularly retired (e.g. four days after the next ordinary election).
- 2.5 Any candidate(s) found to be using inducements or any kind of undue pressure will be disqualified.

3. Eligibility for co-option

- 3.1 A person is eligible to be co-opted onto the Parish Council as long as they are qualified under Section 78 of the Local Government Act (LGA) 1972 and are not disqualified under Section 80 of the LGA 1972.

Information and guidance on the qualifications and disqualifications can be obtained from the Electoral Commission.

<https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/parish-council-elections-england>

- 3.2 Any candidate wishing to apply for co-option onto Kings Worthy Parish Council must confirm in writing that they both are qualified to be a parish councillor and that none of the disqualifications apply.

4. Information on becoming a Parish Councillor

4.1 There are several resources available that give information on becoming a Parish Councillor, the main ones are:

- National Association of Local Councils – <https://www.nalc.gov.uk>
- Hampshire Association of Local Councils – <https://www.hampshirealc.org.uk/who-we-are/become-local-councillor>
- Local Government Association – <https://www.local.gov.uk/be-councillor/becoming-councillor>

5. Co-option procedure

5.1 Kings Worthy Parish Council will publish a notice stating its intent to co-opt to fill a vacancy on the Parish Council. This notice will include details on the date of the meeting at which the co-option will take place.

This notice will invite interested candidates to write to the Clerk by a specified date, sending a copy of their Curriculum Vitae (C.V.) and if they wish, a supporting letter.

5.2 If the number of candidates is equal to or less than the number of vacancies on the council, then the candidate(s) will be appointed to the council subject to the candidate(s) meeting the eligibility criteria as stated in section 5.

5.3 If the number of candidates exceeds the number of vacancies on the council, then a copy of the candidates C.V. and supporting letter (if supplied) will be forwarded to Councillors ahead of the meeting at which the co-option will take place.

5.4 At the Parish Council meeting candidates will be invited to say something about themselves and Councillors will have the opportunity to ask questions of the candidates. Each candidate will be allocated a maximum of 5 minutes (excluding any questions asked by Councillors)

5.5 The Chair will request the councillors present to nominate any of the candidates. Candidates will require both a proposer (to nominate them) and a seconder to progress to the voting stage. If there is only one vacancy, a councillor may only nominate or second one candidate. If there is more than one vacancy, a councillor may nominate one person for each seat on the Council.

There is no obligation upon any councillor to nominate any of the applicants if they do not consider the person suitable for the office of councillor.

5.6 As per the Council's standing orders, in the case of a councillor vacancy occurring within 12-months of a Parish Council election, candidates who were not elected shall be invited to put themselves forward.

There is no requirement that unsuccessful candidates at previous elections should be chosen first, and they will be considered in the same way as any other candidates.

5.7 Voting will be in accordance with the Parish Council's standing orders, a copy of which is available on the webpage below:

<https://www.kingsworthy-pc.org.uk/councils-governing-documents>

6.8 The successful candidate(s) are then declared co-opted to the Parish Council and will be asked to join the meeting by the Chair.

6.9 Councillors elected via co-option are full members of the Parish Council.