

Hayton & Burnby Parish Council

Co-option Procedure

PRE-AMBLE:

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

Parish Councils are permitted to exercise the power to co-opt a person onto 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.

It is the responsibility of the candidate seeking co-option to ensure their eligibility for office.

Each candidate should check that they are not disqualified from being a Councillor as set out in the Local Government Act 1972 schedule 79 'Qualifications for election and holding office as member of local authority', and schedule 80 'Disqualifications for election and holding office as member of local authority'.

STEP 1.

Whenever the need for co-option arises, Hayton & Burnby Parish Council will:

1. Advertise 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.
2. All potential candidates will be asked to put their request for consideration in writing, using the standard application form for Co-option, which will be provided by the Parish Clerk upon request.
3. All potential candidates shall be advised of the Procedure for Co-Option of a new Councillor which can be found on Hayton & Burnby Parish Council website. This procedure includes table one 'personal specification for a co-opted councillor' which describes some of the competencies that the Parish Council will be considering when selecting a suitable candidate and can be used as a guide for completing the application

Note: It is a condition of a Councillor that a means of contact by telephone and/or e-mail will be public information.

STEP 2.

Following the closing date for applications, all candidate's application statements shall be circulated to existing councillors to allow them the opportunity to compare the statements against table one and prepare any questions they may wish to ask candidates.

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Step 3.

At the next Parish Council Meeting.

1. Each candidate shall have an opportunity to deliver a briefing (no more than 5 minutes) to the Parish Council on why they wish to be considered for the vacancy of councillor.
2. Councillors shall ask questions of candidates relating to their statement, briefing and their knowledge of the Parish and Parish Council.
- 3a. **Multiple Candidates:** The council shall vote on the acceptability of each candidate for co-option, utilizing the 'person specification' criteria 'table one' and any personal statements provided by the candidates. An absolute majority is required for each candidate from all members present and entitled to vote (LGA 1972 Schedule 12 Paragraph 39). The applicant with the least number of votes cast will be deleted and the voting process repeated until the number of candidates equals the number of vacancies.
- 3b. **Single Candidate:** An absolute majority is required from all members present and entitled to vote (LGA 1972 Schedule 12 Paragraph 39).

Note: Councillors are permitted to abstain should they consider a candidate not acceptable for the role of councillor.

Note: The clerk shall record the results in the order that candidates are eliminated so that if the first choice does not accept the post, then the second choice shall be offered the role and so on until the list is exhausted

Step 4.

Following the outcome of the vote, the Parish Clerk shall ensure that the successful candidate completes the 'Acceptance of Office' and 'Registration of Interest' forms. The Parish Clerk will then notify the Electoral Services of the new Councillor appointment.

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TABLE ONE. PERSONAL SPECIFICATION FOR A CO-OPTED COUNCILLOR

Competence	Essential	Desirable
Personal Attributes	Sound knowledge and understanding of local affairs and the local community and forward thinking.	Can bring new skills, expertise or key local knowledge to the Council
Experience, Skills, Knowledge and Ability	<ul style="list-style-type: none">• 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, etc.)• Ability and willingness to undertake induction training and other relevant training.	<ul style="list-style-type: none">• Experience of working or being a member in a local authority or other public body• Experience of working with voluntary and or local community and /interest groups.• Basic knowledge of legal issues relating to town and parish councils or local authorities• Experience of delivering presentations.
Availability	<ul style="list-style-type: none">• 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.	