



Waldringfield Parish Council

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CO-OPTION POLICY

This policy was adopted at the meeting of Waldringfield Parish Council on 13th October 2020

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INTRODUCTION

The co-option of a parish councillor occurs in two instances:

1. When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every four years;
2. When a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

Ordinary Vacancy

An ordinary vacancy occurs when there are insufficient candidates to fill all the seats on the Parish Council at the ordinary elections held every four years. Any candidates who were nominated are automatically elected to the Parish Council and any remaining vacancies are known as 'ordinary vacancies'. Provided there are enough parish councillors to constitute a quorum, the Parish Council is usually able to co-opt a volunteer to fill a vacancy.

Casual Vacancy

A casual vacancy occurs when:

- *A councillor fails to make their Declaration of Acceptance of Office at the proper time;
- *A councillor resigns;
- *A councillor dies;
- *A councillor becomes disqualified; or
- *A councillor fails for six (6) months to attend meetings of the council or to attend as a representative of the council a meeting of an outside body.

Waldringfield Parish Council must notify Electoral Services at East Suffolk Council of a casual vacancy and then advertise the vacancy for a period of 14 days, giving electors the opportunity to request an election. If 10 electors write to East Suffolk Council requesting an election, a by-election will be called. If a by-election is not called, the Parish Council is able to co-opt a volunteer.

This policy sets out the procedure that will be followed when co-opting a new councillor if an ordinary or casual vacancy arises. This policy is to ensure that a fair and equitable process is followed.

ELIGIBILITY OF CANDIDATES

The Parish Council is able to consider any person to fill a vacancy, provided they meet the eligibility criteria and are not disqualified.

Qualifications for Election and Holding Office as a Councillor

Section 79(1) of the Local Government Act 1972 provides, unless disqualified, a person is qualified to be elected and to be a councillor if they are a qualifying Commonwealth citizen or an EU citizen and on the day on which they are nominated and, if there is a poll, the day of the election they are 18 years of age or over and:

- a) on that day they are and thereafter they continue to be a local government elector for the area of the authority; or
 - b) they have during the whole of the 12 months preceding that day occupied as owner or tenant any land or other premises in that area;
- or
- c) their principal or only place of work during that 12 months has been in that area; or
 - d) they have during the whole of those 12 months resided in that area; or
 - e) in the case of a member of a parish or community council they have during the whole of those 12 months resided either in the parish or community or within three miles of it.

Disqualifications for Election and Holding Office as a Councillor

In accordance with section 80 of the 1972 Act, a person is disqualified from being elected or being a councillor if that person:

- a) holds any paid office or employment (other than the office of chairman, vice chairman or deputy chairman) to which they have been appointed by the council or any committee or sub-committee of the council, or by a paid officer of the council, or by any joint committee on which the council is represented; or
- b) is the subject of a bankruptcy restrictions order, an interim bankruptcy restrictions order, a debt relief restrictions order or an interim debt relief restrictions order under Schedule 4ZB of the Insolvency Act 1986;

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c) has within five years before the day of election or since their election been convicted of any offence and sentenced to a term of imprisonment of at least three months (whether suspended or not) without the option of a fine; or
d) has been found guilty of corrupt or illegal practices, or was responsible for incurring unlawful expenditure and the court orders their disqualification.

When dealing with an office of profit, it is irrelevant that no profit was actually received.

ADVERTISING

Waldringfield Parish Council believes the process of co-option should be open, transparent and inclusive. The Clerk will advertise a vacancy to residents of the village, endeavouring to ensure maximum exposure, for example, adverts may be posted on notice boards, using 'Waldringfielders' (email group), placed in the next edition of the Parish Newsletter, printed on leaflets or posted on the news section of the village website. There shall be a published closing date for applications.

APPLICATIONS

All potential candidates will be directed to contact the Clerk, who will request that they:

- *Attend at least one Waldringfield Parish Council meeting as an observer.
- *Submit information about themselves, by way of compiling a short statement. This may include reasons for wishing to be a councillor, previous community/council work, or other skills they can bring to the council. A condition of providing a statement will be that a candidate permits the statement to be shared with the existing councillors.
- *Confirm their eligibility for the position of parish councillor within the statutory rules.

At the meeting at which a candidate attends as an observer, an agenda item will be 'To RECEIVE and CONSIDER statements of interest from parties wishing to be co-opted as a new councillor' (or words to that effect). Copies of the candidates' statements will be circulated to all parish councillors by the Clerk in advance of the meeting. All such documents will be treated by the Clerk and all parish councillors as strictly private and confidential. At the relevant point on the agenda, interested parties (ie potential candidates) will be invited to speak for a maximum of 5 minutes, to introduce themselves to the parish councillors and provide any further information or highlight points from their statement of interest. The process will be carried out in public.

AT THE CO-OPTION MEETING

Following attendance at a meeting as an observer, should a candidate wish to pursue their co-option on to the council, at the next regular meeting of the Parish Council an item will appear on the agenda 'To CO-OPT candidate(s) on to Waldringfield Parish Council' (or words to that effect).

The process will be carried out in the public session and there will be no private discussions between members outside of a Parish Council meeting prior to a vote being taken. However, where the Parish Council decides to discuss as a council the merits of candidates and inevitably their personal attributes, this could be prejudicial, and the Parish Council should resolve to exclude the members of the press and public.

When making their decisions, councillors will consider the skills and strengths that candidates can offer to the Parish Council, particularly when a certain specialism is not covered by existing councillors. As a loose example, if the Parish Council is lacking in members with a financial skillset, they may weight in favour an application from a candidate with a financial background. Although it may be difficult to judge from a statement and a short introduction by a candidate, councillors will consider if a candidate demonstrates an understanding of the Nolan Principles (which are essential to public life), these being:

Selflessness;
Integrity;
Objectivity;
Accountability;
Openness;
Honesty;
Leadership.

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The Parish Council will proceed to a vote, with each candidate being proposed and seconded by the councillors in attendance, and a vote by a show of hands. In order for a candidate to be co-opted on to the Parish Council, it will be necessary for them to obtain an absolute majority of votes cast (50% + 1 of the votes available at the meeting). If there are more candidates than vacancies and each candidate obtains a majority vote, as a tie-breaker, the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until the number of vacancies has been filled. Should there continue to be a tie, the Chairman will have a deciding vote.

Should all successful candidates not be present at the co-option meeting, and therefore unable to accept the position, the Clerk will approach and offer co-option to candidate(s) after the meeting in the order of priority determined by the tie-breaker voting. 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. 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.

If present, a candidate who is co-opted will sign at the co-option meeting a Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's Code of Conduct, and may take office thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Parish Council.

The Clerk will notify Electoral Services at East Suffolk Council Office of the co-option of the new parish councillor. Within 28 days, the co-opted parish councillor must complete the online Register of Interests.

If insufficient candidates are co-opted, the process should continue, whereby the vacancies are again advertised.