

# GREAT LINFORD PARISH COUNCIL

## Co-option Policy

**Author: ET** **Date: May 2019**

**Approved by: Council** **Date: May 2019**

**Next Review Date:**  **Date: May 2023**

### Document History:

Version	Description of Changes	Date Effective
draft1	Draft for adoption	11 05 08
Reviewed	Amended to include criteria , elibilgilty and application within one document	May 2019

## 1. INTRODUCTION

- 1.1. This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Great Linford Parish Council. The co-option procedure is entirely managed by the Parish Council and this policy ensures a fair and equitable process is carried out.
- 1.2. Whenever the need for co-option arises GLPC will seek and encourage applications from any resident who is eligible to stand as a Parish Councillor. Councillors or parishioners can legally approach individuals to suggest that they might wish to consider putting their names forward for co-option.
- 1.3. GLPC will advertise the vacancies through noticeboards, the website and social media.
- 1.4. The co-option policy will be reviewed every 4 years.

## 2. Ordinary vacancy

- 2.1. Insufficiency of candidates at an ordinary election provides GLPC with authority to exercise its rights to co-opt any person or persons to fill any vacancies within 35 days following the date of the ordinary election. The co-option process criteria should be adhered to in any situation where there are more interested persons than vacancies to ensure that there is no bias to co-option and a fair and transparent process occurs.

## 3. Casual vacancy

- 3.1. Co-option of a Parish Councillor also occurs when a casual vacancy arises. This occurs when:
  - 3.1.1. A councillor fails to make their declaration of acceptance of office at the proper time;
  - 3.1.2. A councillor resigns;
  - 3.1.3. A councillor dies;
  - 3.1.4. A councillor becomes disqualified; or
  - 3.1.5. A councillor fails for six (6) months to attend meetings of the main Council, a Council committee or sub-committee, or to attend a meeting of an outside body as a representative of the Council.
- 3.2. The Parish Council has to notify Milton Keynes Council of a casual vacancy and then advertise the vacancy and give electors for the ward the opportunity to request an election. This occurs when ten (10) electors write to the MKC stating that an election is requested.
- 3.3. If a by-election is called, a polling station will be set up by MKC and the people of the ward will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. The Parish Council pays for the costs of the election.

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- 3.4. If more than one (1) candidate is then nominated, a by-election takes place but if only one candidate is put forward they are duly elected without a ballot.
- 3.5. If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the MKC Electoral Services Office, the Parish Council is able to co-opt a volunteer.

### 4. Co-option process

- 4.1. An advertisement will be circulated regarding any vacancy. The advertisement will include:
  - 4.1.1. The eligibility criteria;
  - 4.1.2. The method by which applications can be made;
  - 4.1.3. The closing date for all applications;
  - 4.1.4. A contact point to obtain more information;
  - 4.1.5. Where further information is available, e.g. the GLPC website.
- 4.2. Eligibility of candidates - GLPC can consider any person to fill a vacancy provided that:
  - 4.2.1. They are an elector for the parish; or
  - 4.2.2. They have resided in the parish for the past twelve months or rented/tenanted land in the parish; or
  - 4.2.3. Their principal place of work is in the parish; or
  - 4.2.4. They live within three miles (direct) of the parish.
- 4.3. A candidate will be deemed disqualified for election/co-option, under the terms of the Local Government Act 1972, of which the main criteria are:
  - 4.3.1. Holding a paid office under the local authority;
  - 4.3.2. Bankruptcy;
  - 4.3.3. Having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election; and
  - 4.3.4. Being disqualified under any enactment relating to corrupt or illegal practices.
- 4.4. Candidates will be required to observe at least three (3) meetings of the Parish Council so that they can get to understand the role of the Parish Cllr and the operation of the Council. They will also be invited to meet with the Parish Manager or an existing councillor.
- 4.5. Candidates will be requested to:
  - 4.5.1. Complete the application form;
  - 4.5.2. Confirm their eligibility whilst confirming they are not disqualified from holding the position of Parish Cllr.

The 'expression 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.

- 4.6. Eligible candidates will be invited to a co-option meeting with existing councillors who are available to attend.
- 4.7. The co-option panel will receive the application forms from the Parish Manager at least three (3) days before the co-option meeting.

- 4.8. At the co-option interview, a documented interview and scoring sheet will be used to determine the successful candidates.
- 4.9. All such documents will be treated by the Clerk and all parish councillors as strictly private and confidential.
- 4.10. A recommendation will be made to the next possible Council meeting on the nominations. At this meeting:
  - 4.10.1. The Chair will ask for the recommendations of the panel;
  - 4.10.2. A vote by show of hands on the acceptability of each candidate for co-option, utilising the candidate's application and interview recommendations. 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);
  - 4.10.3. A 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.
  - 4.10.4. The Clerk to approach and offer co-option to candidate(s) after the meeting in the order of priority determined by the vote at 4.10.3 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.
  - 4.10.5. Assuming that the co-option position is filled, formally ratify the appointment at the next Full Council meeting.
  - 4.10.6. 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.
  - 4.10.7. 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.
- 4.11. The Parish Manager will enact the New Councillor process to invite the successful candidate to the next meeting and send rejection letters to those not successful.
- 4.12. Parish Manager will notify MKC of co-opted councillors and provide the necessary forms after the co-option is ratified by Council.

**APPENDIX A**

CO-OPTION APPLICATION FORM

Name:
Address:
Telephone Number:
Email Address:
Are you 18 or over? Yes / No
Which ward do you wish to apply for? Please tick:

<b>Please answer the questions below giving as much relevant information as possible.</b>
<b>Why would you like to be a Parish Councillor?</b>
<b>Dates on which you have attended Parish Council meetings as an observer:</b>

**What skills and experience can you offer the Parish Council and the Community?**

Empty box for providing skills and experience.

**Please tick to confirm that you have reviewed the GLPC website and read:**  
 Good Councillor’s Guide  
 Code of Conduct

Use of Personal Information

The Parish Council will use your information, including that which you provide on this application form, to assess your suitability to be a parish councillor.

Declaration & Consent

I have read the section entitled “Use of Personal Information” and by signing this form I consent to the use and disclosure of my information included in this application form.

I declare the information given on this form to be true and correct.

SIGNED..... NAME.....

DATE.....

**Please complete and return this form, together with the completed Co-option Eligibility Form to:  
The Parish Manager, Great Linford Parish Council, Great Linford House, 1 St Leger Court, Great Linford MK14 5HA or email [parish.manager@great-linford.gov.uk](mailto:parish.manager@great-linford.gov.uk)**

APPENDIX B

GREAT LINFORD COUNCIL CO-OPTION ELIGIBILITY FORM

1. In order to be eligible for co-option as a Parish Councillor you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one of the options (c) – (f). Please state which apply to you:	YES or NO
a. I am 18 years of age or over; and	
b. I am a British citizen or a citizen of the Commonwealth or a citizen of any other member state of the European Union; and	
c. I am registered as a local government elector for the parish; or	
d. 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	
e. My principal or only place of work during those twelve months has been in the parish; or	
f. I have during the whole of those twelve months resided in the parish or within 3 miles of it.	

**2. Please note that under Section 80 of the Local Government Act 1972, a person is disqualified from being a parish councillor if he/she:**

- a. Is employed by the parish council or holds paid office (other than chair, vice-chair or deputy chair) under the parish council (including joint boards or committees);
- b. Is employed by an entity controlled by the parish council;
- c. Is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or a debt relief restrictions order or an interim debt relief restrictions order; or
- d. Has within five years before the day of co-option, or since his/her co-option, 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
- e. Is otherwise disqualified under Part III of the Representation of the People Act 1983 (relating to corrupt or illegal electoral practices and offences relating to donations) or the Audit Commission Act 1998.

Use of Personal Information  
The Parish Council will use the information provided on this form to assess your eligibility to be a parish councillor.

Declaration & Consent

I..... hereby confirm that I am eligible for the vacancy of Great Linford Parish Councillor and I am not disqualified under s80 of the Local Government Act 1972 from being a parish councillor and that the information given on this form is true and correct.

I have read the section entitled “Use of Personal Information” and by signing this form I consent to the use and disclosure of my information included in this form.

Signature..... Name.....

Date.....