



## **WOMBOURNE PARISH COUNCIL**

### **CO-OPTION POLICY**

## **INTRODUCTION**

This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Wombourne Parish Council.

The co-option procedure is entirely managed by the Parish Council, and this policy will ensure that a fair and equitable process is carried out.

The Parish Council is composed of three (3) wards: North, South East, and South West.

## **CO-OPTION**

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 the vacancies.

In some cases, South Staffordshire Council may intervene and make an appointment or order an election to fill the vacancies.

### **Casual vacancy**

A casual vacancy occurs when:

- A councillor fails to make his 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 a council committee or sub-committee or to attend as a representative of the council a meeting of an outside body.

The Parish Council must notify the District 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 District Council stating that an election is requested.

If a by-election is called, a polling station will be set up by South Staffordshire Council 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 will pay the costs of the election. The people of the ward have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the Electoral Services Office of South Staffordshire Council will advise the Clerk of the closing date.

If more than one (1) candidate is then nominated a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot.

If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the Electoral Services Office, the Parish Council is able to co-opt a volunteer.

### **CONFIRMATION OF CO-OPTION**

On receipt of written confirmation from the Electoral Services Office that no by-election has been claimed, the casual vacancy can be filled by means of co-option.

The Clerk will:

- Advertise the vacancy for four (4) weeks or such other period as the Parish Council may agree, on the Parish Council notice boards, website, and social media pages
- Advise South Staffordshire Council that the co-option policy has been instigated

This procedure will also apply in the case of an ordinary vacancy where the Electoral Services Office has confirmed that there were insufficient nominations to fill all the seats but there are sufficient parish councillors elected to constitute a quorum.

### **ELIGIBILITY OF CANDIDATES**

The Parish Council is able to consider any person to fill a vacancy provided that:

- he/she is 18 or over; and
- he/she is a British citizen, a qualifying Commonwealth citizen or a citizen of any other member state of the European Union; and at least one of the following apply:
- he/she is an elector for the Parish and continues to be an elector; or
- has resided in the Parish for the past twelve months or rented/tenanted land in the Parish; or
- has had his/her principal or only place of work in the Parish for the past twelve months; or o has lived within three miles of the Parish for the past twelve months

There are certain disqualifications for being a parish councillor, of which the main are (see s80 of the Local Government Act 1972):

- holding a paid office or employment under the Parish Council;
- bankruptcy;

- 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 preceding five years; or
- being disqualified under any enactment relating to corrupt or illegal electoral practices

## **APPLICATIONS**

Candidates will be requested to:

- Attend at least one Parish Council meeting as observers;
- Submit information about themselves, by way of completing a short application form (a copy of the application form is attached as Appendix A);
- Confirm their eligibility for the position of parish councillor within the statutory rules, (a copy of the eligibility form is attached as Appendix B).

Following receipt of applications, the next suitable Parish Council meeting will have an agenda item 'To receive written applications for the office of Parish Councillor and to co-opt a candidate to fill the existing vacancy'.

Eligible candidates will be invited to attend an interview which will consist of separate full Parish Council meetings.

Copies of the eligible candidates' applications will be circulated to all parish councillors by the Clerk at least 3 clear days prior to the meeting of the full Parish Council, when the co-option will be considered.

All such documents will be treated by the Clerk and all parish councillors as strictly private and confidential.

## **AT THE CO-OPTION MEETING / INTERVIEW**

It is considered best practice to have the entire co-option proceed conducted in an open and transparent manner at a Full Council Meeting, however, the Council can exercise its discretion and resolve to exclude members of the public from the interview stage by applying section 1 of the Public Bodies (Admissions to meetings) Act 1960 if the Council deems it appropriate.

If the Council decide to exercise its discretion to exclude member of the public from the meeting, then an agenda will need to be issued for the interview of each candidate.

Wombourne Parish Council will call a co-option meeting, which will involve all Members. This meeting will be a closed session to exclude press and public, and the format of which will be held as a Committee meeting.

At the co-option meeting, candidates will be given up to ten (10) minutes maximum to introduce themselves to the parish councillors (members), give information on their background and experience and explain why they wish to become a member of the Parish

Council. Members will ask set questions of each candidate, which will take no longer than five (5) minutes.

Where possible, each candidate will be interviewed succinctly so that a vote may follow.

There will be no private discussions between members prior to a vote being taken.

If only one candidate comes forward, the Council is not bound to co-opt them, even if they are qualified. However, if the council rejects the only candidate, it must be prepared to give reasons for so doing, if asked by the candidate. As it is obvious that this may cause difficulties, it is best to try and avoid the situation.

Once the final candidate has been interviewed, the Council might like to vote by ballot. If a ballot is taken, the Clerk can take the count and advise of the winning candidate. (All votes should be kept on file in case of dispute). Alternatively, Councillors may vote by a show of hands.

A recorded vote may be requested under Standing Orders to show whether each councillor present and voting, gave his/her vote for or against that question.

In order for a candidate to be co-opted 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 than two candidates and there is no candidate with an overall majority in the first round of voting 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 a candidate has an absolute majority.

The Clerk will notify South Staffordshire Council Electoral Services Office of the co-option of the new parish councillor once the successful candidate has been contacted and offered the position.

The candidate who is co-opted will need to sign a Declaration of Acceptance of Office, including an undertaking to abide by the Parish Council's Code of Conduct, and may take office thereafter.

The co-opted parish councillor will complete a Notification of Disclosable Pecuniary and Other Interests form which the Clerk will lodge with the Monitoring Officer at South Staffordshire Council within 28 days of the co-option.

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

**APPENDIX A**  
**WOMBOURNE PARISH COUNCIL**

Name:		
Address:		
Telephone Number(s):		
Email Address:		
Are you 18 or over? Yes / No		
Which Ward do you wish to apply for? Please tick:		
North	South East	South West

**Please detail any experience you may have that is relevant to applying for the role of Councillor with Wombourne Parish Council (If necessary, please continue on a separate sheet)**

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**Is there any other information you would like to disclose regarding your application? (If necessary, please continue on a separate sheet)**

**Use of personal information**

The Parish Council will use your information, including that which you provide on this application form, to assess your suitability as Parish Councillor.

**Declaration and 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 I have given on this form to be true and correct.

Signed ..... Name .....  
Date .....

**Please complete and return this form, together with the completed C-Option Eligibility Form to:**  
**The Clerk, Wombourne Parish Council, Council Offices, Civic Centre, Gravel Hill, Wombourne, WV5 9HA.**

**Tel: 01908 896300    Email: [enquiries@wombourneparishcouncil.org.uk](mailto:enquiries@wombourneparishcouncil.org.uk)**

**APPENDIX B**

**WOMBOURNE PARISH COUNCIL**

**CO-OPTION ELIGIBILITY FORM**

**1. In order to be eligible for co-option as a Parish Councillor in Wombourne you must satisfy certain criteria. You must satisfy (a) and (b) below and at least one of the options from (c) to (f). Please tick which apply to you:**

- a) I am 18 years of age or over; and
- b) I am a British citizen or a citizen of the Commonwealth
- 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 residents in the parish or within 3 miles of it

**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 Chairman) under the parish council (including joint boards and 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 debit relief restrictions order or an interim debit 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 suspected 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 1988.

**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 and Consent**

I hereby consent that I am eligible for the vacancy of Parish Councillor in Wombourne 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.

Signed ..... Name .....

Date .....



## Appendix C

### Advertisement for noticeboards and social media

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- **Do you want to serve your Community?**
- **Do you have time or expertise which could benefit your Community?**
- **Do you want to make a difference to all those around you?**

**Wombourne Parish Council** currently has a vacancy for a Parish Councillor in the \*\*\*\*\* Ward.

If you are interested in joining a diverse, fifteen-person team looking after the Parish, please contact the Clerk – see details below.

There is a lot to get involved in from reviewing planning applications, managing two playgrounds and a playing field, to looking after a busy Civic Centre.

You will be required to attend Full Parish Council Meetings which take place on the second Monday of the month (with the exception of August), as well as meetings of Committees you are appointed to (also held on Monday evenings).

Please note that this is a voluntary role – Parish Councillors do not get paid.

For more information about the Parish Council, why not visit our website – [www.wombourneparishcouncil.org.uk](http://www.wombourneparishcouncil.org.uk)

If you are interested in becoming a Parish Councillor, please contact the Parish Clerk on 01902 896300 or via email at [enquiries@wombourneparishcouncil.org.uk](mailto:enquiries@wombourneparishcouncil.org.uk) for an application form and a co-option eligibility form. Completed forms must be received by \*\*\*\*\*.