

RENDHAM PARISH COUNCIL

CO-OPTION POLICY

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| Status | Approved |
| Date Adopted | 10/03/2025 |
| Minute Reference | 13 |
| Adopting Committee | Full Council |
| Date of Next Review | March 2026 |

Introduction

This policy sets out the procedure governing the co-option of members to Rendham Parish Council

The co-option process is entirely managed by Rendham Parish Council with input where appropriate from the electoral services team at East Suffolk County Council.

The process is designed to meet legislative requirements and ensure fairness as far as is practicable.

Co-option

The co-option process is triggered when:

- Insufficient candidates stand for election at a normal election; or
- A casual vacancy has occurred and no poll (by-election) has been called.

A casual vacancy occurs when:

- A councillor fails to make their declaration of acceptance of office within the prescribed timeframe
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six months to attend meetings of the Council (or committee/sub-committee thereof) or to attend as a representative of the Council a meeting of a recognised outside body, without providing suitable apologies and valid reasons.

Casual Vacancies

Rendham Parish Council will notify the Elections Team at East Suffolk County Council of a casual vacancy as soon as practicable after it occurs.

Rendham Parish Council will advertise the vacancy on the Parish website, the Council public noticeboard and suitable social media outlets and give electors the opportunity to request a by-election.

Electors have fourteen days (not including weekends, bank/public holidays and other notable days) to request a by-election but the electoral services team will set the dates. If a by-election is called then polling stations will be organised by East Suffolk County Council and parish electors will be asked to go to the polls to vote for candidates who will have to put themselves forward by way of a nomination paper.

If only one candidate is nominated they are duly elected without a ballot. If more than one candidate is nominated, a by-election will take place.

Rendham Parish Council will pay the costs of the election and an earmarked reserve has been established to mitigate potential costs.

If no by-election is requested within the timeframe allowed, then Rendham Parish Council is free to co-opt a volunteer.

The Co-option Process

Where council vacancies exist due to insufficient candidates at a normal election or a by-election has not been called, the following procedure will apply.

The Parish Clerk will advertise the vacancy on the Council website, the Council public noticeboard and suitable social media outlets for a period of four calendar weeks.

Applicants will be invited to complete a simple application form confirming their eligibility (see Appendix 1) and providing a short statement of their reasons for standing.

Note: information provided by applicants must be treated as private and confidential and will be retained only until the co-option process is completed. All personal data will be destroyed in accordance with the Council's Data Protection Policy at that time.

Sitting Councillors may promote vacancies to any individuals they feel may contribute to the Council but should not prejudice any appointment.

Following the expiry of the four-week advertisement period, at either an Extraordinary Meeting called specifically to consider applicants or at the next scheduled Full Council meeting whichever is deemed most suitable, applications will be considered under a specific public agenda item. See below for details.

Eligibility

Rendham Parish Council can consider any person to fill a vacancy provided that he or she:

- is a qualifying Commonwealth citizen, or an EU citizen, are 18 years of age or over;
- is an elector for the parish; or
- has resided in the parish or rented/tenanted land or other premises in the parish for the previous twelve months; or
- has had his/her principal place of work in the parish; or
- lives within three miles (directly) of the parish

There are certain disqualifications for election, of which the main ones are;

- A candidate cannot work (hold a paid office) for Rendham Parish Council
- A candidate cannot be bankrupt
- A candidate cannot have 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
- A candidate cannot have been disqualified under any enactment relating to corrupt or illegal practices

Candidate found to be offering inducements of any sort will be disqualified.

The Co-option Agenda Item

An item entitled - "To receive written applications for the office of Parish Councillor and to Co-opt a candidate(s) to fill the existing vacancy(s)." - will be added as the only or third public item on the meeting agenda.

Candidates will be sent a summary copy of the agenda for the meeting so they can follow along.

Copies of candidates applications will be circulated confidentially to all sitting Councillors with the meeting agenda.

At The Meeting

Candidates will be asked to confirm their willingness to stand at the start of the co-option item and will be given five minutes maximum to introduce themselves, provide brief background and set out their reasons for wanting to become a member of the Parish Council.

After presentations have been made, members will have the opportunity to ask candidates a few questions before proceeding to vote. Note: If a candidate is unable to attend the meeting, the application can still be considered, and voting will be based on the application only.

The process will be carried out in a public session and there must be no discussion between members prior to a vote being taken. Note: where the council are discussing the merits of a candidate and personal attributes, this could be prejudicial, and the council should resolve to exclude members of the press and public.

If a candidate is a relative of a councillor, that councillor should declare a prejudicial interest and withdraw from the meeting.

When all candidates have finished giving their submissions, the council will proceed to vote with each candidate being proposed and seconded by the councillors in attendance and a vote by a show of hands. A recorded vote may be requested.

It must be noted that the Council is under no legal obligation to fill any vacancy and may resolve not to appoint any candidates. However, it is generally accepted that having a complete Council is more beneficial than carrying long term vacancies.

For a candidate to be elected to the council, it will be necessary for them to obtain an absolute majority of votes cast (50% plus 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 successful candidate(s) take office immediately and can take part in the remainder of the meeting should they wish to do so.

The successful candidate(s) must complete and sign a Declaration of Acceptance of Office form and, where possible, this will be dealt with at that meeting.

The Parish Clerk will notify the elections office of the new Councillor appointment and advise the new Councillor of any immediate actions they need to take.

Ongoing vacancies

Where no candidates come forward for co-option, the process will be repeated continuously until such time as the vacancies are filled or until six months prior to a normal election.

Appendix 1

Rendham Parish Council Co-option Application

| | |
|-----------------|--|
| Full Name: | |
| Address: | |
| Post Code: | |
| Contact Number: | |
| Email Address: | |

Legal Qualifications for being a Parish Councillor

Please ring the appropriate criteria that you are claiming from the list below. If applicable you can claim as many of these criteria as possible to support your application.

Section 79 (1) of the Local Government Act 1972 (the 1972 Act) provides, unless disqualified (see below) 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 co-opted 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 premises in that area; or
- c) Their principal or only place of work during those 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.

**A person is a qualified Commonwealth citizen if they are a Commonwealth citizen who either:*

- is not a person who requires leave under the Immigration Act 1971(the 1971 Act) to enter and remain in the United Kingdom, or*
- is such a person but for the time being has (or is, by virtue of any enactment, to be treated as having) indefinite leave to remain within the meaning of the 1971 Act.*

A person is not a qualifying Commonwealth citizen if they do not require leave to enter or remain in the United Kingdom by virtue only of section 9 of the 1971 Act (exceptions to requirement for leave in special cases)

Disqualifications for holding office as a Councillor.

In accordance with section 80 of the 1972 Act, a person is disqualified from being elected (co-opted) or being a Councillor if they:

- a) hold any paid office or employment (other than the office of Chair, Vice Chair or Deputy Chair) 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; or
- 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.

The full range of disqualifications is complex and if you are in any doubt about whether you are disqualified, you must do everything you can to check that you are not disqualified before submitting your co-option application papers.

Please give a brief narrative about yourself and outline why you are interested in being a Rendham Parish Councillor.

Please tell us something about the skills and experience you feel you will bring to the Council, for example, professional qualifications, financial, event or project management expertise, previous local government experience, work in the voluntary or charitable sector, business experience etc.

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. Your information will be held in confidence and not disclosed to third parties.

Declaration & Consent

I hereby confirm that I am eligible for the vacancy of Rendham 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 above entitled "Use of Personal Information" and by signing this form I consent to the use and disclosure of my information included in this form.

I understand that a Parish Councillor is a public position and therefore, should I be successful with this application, my Name Image and possibly my contact details (email and telephone) may be made public on the Parish Council Website in order to properly fulfil my function.

SIGNED.....FULL NAME.....

DATE.....

Please return completed forms by email to:

rendhampc@gmail.com