

**SHIPTON PARISH COUNCIL**  
**CO-OPTION PROCEDURE POLICY**

Note – the process for co-option is not set in law but the following is based on NALC best practice.

**1. Introduction**

1.1. A casual vacancy occurs when a councillor fails to deliver his declaration of acceptance of office at the proper time, a councillor resigns, a councillor dies, a councillor is disqualified by virtue of a criminal conviction, or a councillor fails to attend meetings for six consecutive months.

**2. Notice of Vacancy**

2.1. If a vacancy arises within six months of an election, the parish council can agree to wait until the elections to fill the vacancy.

2.2. In all other instances, following process must be followed:

- a. The Clerk will notify the Returning Officer at Cotswold District Council who will complete a Notice of Vacancy form stating who and what has caused the vacancy, e.g. resignation, the date of the notice, the deadline for electors to call a by-election and the address of the (CDC).
- b. The form is displayed on the notice board and the parish council's website and on social media.

2.3. CDC will notify the Council if a by-election has been called. If not, the parish council will be entitled to fill the vacancy by Co-option.

2.4. If a by-election is called by 10 or more electors, then CDC will be responsible for the election process.

**3. Co-option Process**

3.1. An advert should be displayed on the Council notice board and website asking electors to apply for the role of councillor.

3.2. An application form and person specification (see appendix 1) should be available from the Clerk. Application forms should be submitted to the Clerk in good time. Applicants should contact the Clerk to satisfy themselves of any deadlines.

3.3. The Clerk will review all applications to ensure that candidates are qualified to apply for the role. A candidate is considered 'verified' if they meet the requirements of age, address etc as per the enclosed application form. If an application is received at a meeting, the Clerk will review the application there and then if possible as courtesy, but there is no requirement to do so. Nb. Where the Register of Electors is not accessible in that moment at that meeting or where any other information cannot be verified in that moment, then the application will be rejected in the first instance. Where there are other verified candidates at the meeting and if sufficient applications have already been verified prior to that meeting, then Councillors may proceed to co-opt those applicants and need not consider unverified applications either then or at future meetings. NB the onus is on the applicant to submit their application in good time to allow the Clerk to verify that the criteria have been met.

3.4. If they are assessed as qualifying as 'Verified' candidates, they will be invited to attend a meeting with the Chair and at least one other Councillor, for a formal interview, where the decision to co-opt the candidate/s will be made.

3.5. The parish council is not obliged to fill any vacancy and therefore even if it invites application for co-option, it is not compelled to select anyone from the candidates who apply. However, it is not desirable that electors in a parish are left partially or fully underrepresented for any significant length of time and this status would also not be beneficial for the effective and efficient workings of the council.

3.6. Councillors elected by co-option are full members of the Parish Council.

3.7. 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'. This may be split into two parts if a confidential discussion of candidate/s merits is required.

3.8. Copies of the candidates' applications will be circulated to all Councillors by the Clerk at least 3 clear days prior to the meeting of the Council, when the co-option will be considered. All such documents will be treated by the Clerk and all Councillors as Strictly Private and Confidential.

3.9. Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment. Candidates will be asked if any reasonable adjustments need to be made to assist their attendance at the meeting.

3.10. If a candidate is unable to attend the meeting, the application can still be considered, and voting will be based on the application only.

#### **4. Interview**

**4.1. Where one candidate only** - The process will be carried out in the public session and there will be no private discussions between members prior to a vote being taken.

Confidential session - motion and resolution to move into a closed session without prejudice and exclude members of the press and public because of the confidential nature of the business to be transacted.

**4.2. Where more than one candidate** - Each candidate will be interviewed privately and by the Council at the meeting.

4.3. After they have been interviewed candidates will be asked to leave the room if/whilst the Council wishes to discuss the merits of the applications/candidates – note: this could be prejudicial and the Council can resolve to exclude the members of the press and public.

4.4. After any deliberations in 4.3, the public session will be reopened and candidates will be invited back in to observe the Nomination, Seconding and voting (by show of hands or paper ballot) and any decision to co-opt the candidate/s.

4.5. The person co-opted must receive a NOMINATION and SECONDING AND a majority of votes of those councillors present at the meeting. (50% + 1 of the votes available at the meeting). If a candidate has no nomination or seconding, then they cannot proceed to the section for vote and are considered rejected candidates.

4.6. Voting: If there are more candidates than vacancies, the candidate with the least

number of votes should be taken off the list of candidates, and if there are still more candidates than vacancies, the vote is taken again. This procedure should be repeated until the number of candidates equals the number of vacancies and each candidate has a majority vote. Voting may be by show of hands or by paper ballot.

4.7. If a member is not at the meeting the legislation does not provide for a proxy or postal vote.

4.8. Each Councillor must vote; no councillor may abstain unless an item discussed during the interview turns out to be prejudicial.

4.9. The Chairman may only use his casting vote if two successive voting rounds are stalemated.

4.10. After voting has been concluded, the Chairman will declare the successful candidate(s) duly elected.

4.11. The Clerk will also confirm to candidates the Council's decision via email after the meeting.

4.12. Successful candidates will be invited to join the Council from the next Council meeting when they will sign the declaration of acceptance of office. The Clerk will provide the new councillor(s) with copies of the Code of Conduct, Standing Orders and Financial Regulations.

4.13. The Clerk will notify Electoral Services of the new Councillor appointment(s). The successful candidate(s) must complete the 'Registration of Interests' declaration within 28 days of being elected. The form should be handed to the Clerk for forwarding to the Monitoring Officer

4.14. If insufficient candidates come forward for co-option, the process should continue, whereby the vacancies are again advertised.

4.15 The decision of the Chair is considered final at all times.

## **5. Interests**

A personal interest will also be a prejudicial interest if all of the following conditions are met –  
(1) The matter being discussed affects your financial position or that of any person with whom you have a personal interest.

(2) Where a member of the public who knows the relevant facts would reasonably think your personal interest is so significant that it may prejudice your judgement.

(3) It is not in one of the exempt categories, namely -

- if you hold a tenancy or lease with the Authority if it is not relevant to your particular lease or tenancy

- setting Council Tax or a precept

- any ceremonial honour

- statutory sick pay if you are in receipt of such

- school meals or transport unless specific to your child's school or where you are a parent-governor

## For more information

*Local Government Act 1972, section 87*

*Local Government Act 2000, section 79 and Localism Act 2011 (England), section 34*

*See: Local Government Act 1972, section 87 2 Local 2011 (England), section 34 Councillor Co-option Procedure  
Government Act 2000, section 79 and Localism Act*

**APPLICATION FOR CO-OPTION TO FILL A CASUAL VACANCY FOR A PARISH  
COUNCILLOR**

'Co-option' may happen when a vacancy occurs on a parish council (this occurs during the four-year term when a Councillor resigns, dies or becomes disqualified). This is known as a CASUAL VACANCY.

The nomination qualifications required of an applicant for either an ordinary vacancy (insufficient candidates at an election) or a casual vacancy are the same in accordance with S79 of the Local Government Act 1972.

If you wish to be considered for co-option on to the parish council, please complete this form and return to the Clerk:

Mrs Verna Spires Clerk to Shipton Parish Council,  
22 Hunters Way  
Andoversford  
Cheltenham  
Glos GL54 4JW  
shiptonparishcouncil@gmail.com

**Deadlines**

There is usually a deadline before the next parish council meeting by which co-option applications must be received. This is so that the Clerk can verify eligibility. Please contact the Clerk to check the deadline for a particular vacancy.

**Emailed copies**

Electronic copies will be happily accepted if the signature has been completed by hand and then the application form scanned in and emailed.

**Paper copies**

Candidates are politely reminded to pay the correct postage, if submitting their application form via post.

**What we will do with your data**

Completing and submitting this form means that you accept that your personal details will be stored electronically by the Parish Clerk. Unsuccessful applicants will have their details deleted 3 months after the end of the process. Please see our privacy notice for more information – available on our website or a paper copy upon request from the Clerk.

**Declaration of Interests**

Successful applicants will be required to complete:

- a) an Acceptance of Office form at the first parish council meeting. This signed form will be stored by the parish Clerk, and:
- b) a Declaration of Interests form within 28 days of co-option, which will be publicly available on the Cotswold District Council website for the duration of service to the Parish Council. This includes home address and employment.



**Term of Office**

Positions as parish councillor end after four years and are then offered to residents for formal election. Presently: May 2027.

**Co-option procedure and interviews**

Please see the policy document 'COUNCIL CO-OPTION PROCEDURE' for details of how co-option will proceed. In the event of any query being made in relation this application the decision of the Parish Council Chair will be final. If for any reason applicant/applicants are not selected, then the vacancy/vacancies will be re-advertised in accordance with parish council procedure.

5TH MARCH 2024

Approved November 2023

Signed CHAIR David Hellens. Date of review November 2026

**Application form for co-option to Shipton Parish Council - PART 1 of 2**

<b>Full name of candidate</b>	
<b>Address of candidate</b>	
<b>Email</b>	
<b>Home phone number &amp; Mobile</b>	
<b>Date of Birth</b> must be at least 18 years old on the date of co-option	
<b>Eligibility to stand for co-option.</b>  Persons employed by the parish council are not permitted to hold public office in that same parish.	<input type="checkbox"/> My name is on the current electoral register. (The clerk can verify this for you with sufficient notice)  <input type="checkbox"/> I have lived in the parish or within 3miles/4.8kms of the parish boundary (as the crow flies) for at least 12 months.  <input type="checkbox"/> My main place of business has been based in the parish for at least 12 months. Proof may be requested in the event of multiple candidates applying for one seat.  <input type="checkbox"/> I have occupied property within the parish for at least 12 months.
<b>Employment.</b>	
<b>Criminal convictions</b>	Please contact the Clerk to arrange to discuss confidentially any criminal convictions that you have had or currently had, PRIOR to submitting your application form. The law will be considered, and an agreement will be confidentially determined between the applicant, the Clerk and the district council Monitoring Officer as to whether any previous or existing convictions are a barrier to application. Current bars from holding public office include: - <b>Anti-Social Behaviour Injunction</b> - <b>Inclusion on the Sex offenders' register</b> - <b>Being subject to a bankruptcy order</b> - <b>Being convicted of an offence resulting in a prison sentence.</b>

Signed \_\_\_\_\_ Date \_\_\_\_\_

NB. Electronic signatures can be accepted if signature is scanned.

**Application form for co-option to Shipton Parish Council - PART 2 of 2**

A good councillor needs to be a:

1. Juggler - balancing the different needs of the variety of residents and people in the parish.
2. Mediator - bringing together individuals and agencies in their area and across the public, private and voluntary sectors in their communities to tackle social, economic and environmental challenges.
3. Guide - acting as a community leader and making sure residents, communities and businesses in their areas are aware of all decisions being made and how they can be involved.
4. 'Cleaner'  
(metaphorical)- working to make their local area a better place to live and work. Acceptance of the necessity of the parish council climate change declaration is important.
5. Questioner - ensuring there is democratic accountability and scrutiny for public services and ensuring service providers deliver quality and value for money.
6. Good employer – a defining indicator of good council is how it looks after its people. Councils which support their staff and are respectful and fair to their employees are better able to deliver their objectives and adapt to changing needs or priorities. Whether the council employs a single member of staff for a few hours a week, or a large and varied team of individuals, good employment practice from recruitment through to support and development is key to achieving the best outcomes for your communities.
7. Realist - The powers of a parish council are limited. Councillors should make sure that they attend training in order to understand what can and can't be done.
8. Respectful – towards fellow Councillors, the Clerk and members of the public. Remember that your colleagues are volunteers too. Scrutiny is important but so is compassion and understanding of other people's point of view. Remember that your Clerk is employed and may not simply be able to walk away from the post in a way that Councillors can. Make the working environment friendly and conducive to success. Councillors will be required to sign the RESPECT pledge and NOLAN principles. <https://www.nalc.gov.uk/our-work/civility-and-respect-project>
9. Online AND in person – recognise that the internet provides a unique opportunity to participate in interactive discussions and share information, whilst not forgetting those sections of the community who struggle with or chose to absent themselves from technology. It is the policy of this council to provide summons and papers for meetings electronically only.