



**Parish Clerk**

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**Framwellgate Moor Parish Council - Co-option procedure**

**A policy setting out the procedure for co-opting to a casual vacancy following an election process**

This policy sets out the procedure for co-opting a casual vacancy following an election process.

If no request for an election is received by Durham County Council by the date on the Notice of Vacancy, the Democratic Services Department will advise the Parish Council that it may co-opt to the vacancy.

Co-option is the process by which the Parish Council selects a new Councillor, and it is done as an agenda item within a monthly Parish Council meeting.

The Parish Council manages the process of co-option and strives to demonstrate that it is fair and equitable by following the procedure set out below:

Although seeking 'expressions 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.

**Procedure**

1. Framwellgate Moor Parish Council invites interested candidates to write to the Clerk by a specified date detailing.
  - i. reason for wishing to be Councillor.
  - ii. previous Community/Council work; and
  - iii. other skills they can bring to the Council.
2. Advise prospective candidates that it is a condition of being a Councillor that a means of contact by telephone and/or e- mail will be public information.
3. Clerk to confirm that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the Local Government Act 1972 s79 and s80.
4. If there is only one applicant for one vacancy, the applicant is automatically co-opted to the Parish Council. If there is more than one candidate, the applications received are circulated to Councillors ahead of the meeting at which a Parish

Councilor is to be co-opted. These applications form part of the meeting pack which Councilors receive for every Parish Council meeting.

5. At the Parish Council meeting candidates are invited to say something about themselves and Councilors can ask questions of the candidates. Each candidate will be allocated a maximum of five minutes.
6. In a closed session of the Parish Council without the public present, members consider the candidates utilising the 'person specification' criteria set out at the end of this document.
7. Following the discussion, the public are invited back into the meeting before the voting takes place.
8. Voting will be by the **Alternative Vote** also known as a “**preferential**” **voting system**.
9. Ballot papers with the name of each candidate listed will be distributed to the Councilors present.
10. After marking their first preference on the ballot paper the Councilors may then choose to express further preferences for as many, or as few, candidates as they wish.
11. The count begins by allocating **votes** in line with first preferences. If a candidate has an “absolute majority” – more than 50% – of the votes after this allocation they are elected.
12. If no candidate has an absolute majority, then the candidate in last place is eliminated and their votes are reallocated according to the next highest preference expressed on each ballot paper; if a voter has not marked a preference for any candidate that remains in the contest, then the ballot paper is set aside from the count.
13. This process continues until a candidate has an absolute majority of the votes left in the count and is elected.
14. If at any stage the votes for two or more candidates are tied for last place, the Chair of the meeting shall decide which of them will not proceed to the next stage of the election. The method of choice shall be at the discretion of the Chair. If in the case of the final two candidates, the vote is tied the Chair of the meeting shall have a casting vote.
15. The successful candidate is then declared co-opted to the Parish Council and will be asked to join the meeting and sign his/her declaration of acceptance of office.
16. The successful candidate is a Councilor and is no different to any other member; co-option is a legitimate form of election as part of the election process.

17. 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.

18. This procedure is based on NALC Legal Briefing L15-08 – Good practice for selection of candidates for co-option to local Councils.

### CO-OPTED COUNCILLOR PERSON SPECIFICATION

COMPETENCY	ESSENTIAL	DESIRABLE
<b>Personal Attributes</b>	<p>Sound knowledge and understanding of local affairs and the local community.</p> <p>Forward thinking</p>	<p>Can bring a new skill, expertise or key local knowledge to the Council.</p>
<b>Experience, Skills, Knowledge and Ability</b>	<p>Ability to listen constructively.</p> <p>A good team player</p> <p>Ability to pick up and run with a variety of projects.</p> <p>Solid interest in local matters</p> <p>Ability and willingness to represent the Council and their community.</p> <p>Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions</p> <p>Ability to communicate succinctly and clearly.</p> <p>Ability and willingness to work closely with other members and to maintain good working</p>	<p>Experience of working or being a member in a local authority or other public body</p> <p>Experience of working with voluntary and or local community / interest groups</p> <p>Basic knowledge of legal issues relating to town and parish Councils or local authorities</p> <p>Experience of delivering presentations</p>

	<p>relationships with all members and staff.</p> <p>Ability and willingness to work with the Council's partners (e.g., voluntary groups, other parish Councils, principal authority, charities).</p> <p>Ability and willingness to undertake induction training and other relevant training.</p>	
<b>Circumstances</b>	<p>Ability and willingness to attend meetings of the Council (or meetings of other local authorities and local bodies) at any time and events in the evening and at weekends.</p>	

### **Chairman**

Adopted 3 June 2020 - to be reviewed annually in June.