

WISTOW PARISH COUNCIL

CO-OPTION PROCEDURE

A policy setting out the procedure for co-opting to a vacancy of Parish Councillor.

Introduction:

Co-option is the process by which the Parish Council selects a new councillor following a vacancy after an ordinary election, or a casual vacancy arising during a Councillor's term of office.

The process of giving 10 electors the opportunity to call a by-election is only relevant for casual vacancies.

An ordinary vacancy must be filled within 35 working days following the election results, if the Parish Council is unable to do so then Democratic Services may call for an election.

The Parish Council manages the process of co-option by itself and strives to demonstrate that it is fair and equitable by following the procedures set out below, confidentiality must be maintained at all times.

Relevant Legislation:

The Data Protection Act 2018 - Wistow Parish Council has a duty under this act, to ensure all data provided by candidates is

- used fairly, lawfully and transparently
- used for specified, explicit purposes
- used in a way that is adequate, relevant and limited to only what is necessary
- accurate and, where necessary, kept up to date
- kept for no longer than is necessary
- handled in a way that ensures appropriate security, including protection against unlawful or unauthorised processing, access, loss, destruction or damage

Co-option Procedure:

- Wistow Parish Council invites interested candidates to write to the Clerk by a specified date.
- If there are only as many applicants as vacancies (example; one applicant, one vacancy) the applicant(s) will be automatically co-opted to the Parish Council. If there is more than one candidate per vacancy, the Clerk shall inform the candidates and send them an application form to complete and return with any supporting letters.
- These forms and letters are circulated to Councillors ahead of the meeting at which a Parish Councillor is to be co-opted. These are not sent out as part of the Agenda, and must not be published, in accordance with The Data Protection Act.
- An item to consider the co-option of a new councillor will be placed on the agenda of the next council meeting, or an extraordinary meeting.
- After this point, the Parish Council will put forward a motion to exclude the public from the meeting and form a closed session.
- Candidates may be invited individually into the closed session to say something about themselves and Councillors have the opportunity to ask questions, these questions shall be centred around "roles of a councillor" and shall be marked accordingly. These mark sheets will be kept for three months, and then destroyed according to The Data Protection Act 2018. Each candidate will be allocated a maximum of three minutes speaking time. t

- Councillors will consider the candidates in the closed session without any of those candidates being present, and, following this discussion, the public are invited back into the meeting before the voting takes place.
- The Councillors present may propose and second a candidate to progress to the voting stage. Candidates not proposed and seconded are excluded from the remaining process. A Councillor may only nominate or second one candidate per number of vacancies..
- Voting will take place for each vacancy separately.
- Voting will be by a show of hands, and will continue until one candidate has received an absolute majority of the votes.
- Should no single candidate receive a majority on the first vote, the candidate with the lowest number of votes is eliminated and the voting repeated.
- When all voting has been completed the Chairman will declare the successful candidate(s).
- Every new Councillor must sign a Declaration of Acceptance before being able to act as a Councillor, and must within 28 days of that signing complete a Register of Interests form to be sent to Monitoring Officer of the Principal Authority.
- All application letters and forms for unsuccessful candidates will be deleted and destroyed in accordance with the Data Protection Act 2018.
- The successful candidate(s) is a councillor in their own right and is no different to any other member; co-option is a legitimate form of election as part of the election process.