

# Amendments to voting provision for co-options

## NON-CONFIDENTIAL

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Report to: Parish Council 3/2025

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Our Standing Orders state that:

*'Unless standing orders provide otherwise, voting on a question shall be by a show of hands.'*<sup>1</sup>

There is currently no other provision for voting – show of hands is the only method permitted in Standing Orders.

Voting on co-options cannot be made in closed session and must be made in public.

Some concerns have been raised about councillors having to vote in front of the co-option candidate(s), particularly in the event there are several candidates for one vacancy, and it is then obvious who has and hasn't voted for each candidate. This situation could make some councillors feel uncomfortable.

Research has been undertaken and advice sought on a possible alternative option **for co-option voting only**.

LALC have supplied the following response to our query:

*'Discussed the issue with the clerk and advised that if members wish to vote by secret ballot, it would NEED to be in their standing orders. As there is no legislation dictating how co-opted members are voted for, the council can set their own procedure. General practice is show of hands, but if there is a proposal to do this by secret ballot, providing the majority agree then it may be done this way. The results need to be counted by the clerk and given at the meeting, in case there is a split vote situation, where the Chair could use their casting vote. We also discussed retention of the votes and agreed that it should be set out in standing orders and the retention policy, that as soon as the resolution has been made the votes will be destroyed.'*

Please note that NALC and SLCC do **not** recommend voting by this method as it goes against the ethos of openness and transparency, but legally we are permitted to do it.

If council agrees, this will require amendments to Standing Orders, Co-option Policy and to the Records Retention Policy:

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<sup>1</sup> Standing Orders, 3.s

- Standing Orders – add a new Standing Order that permits a written vote for co-options only, subject to council resolving to use the written vote prior to voting on the co-option(s). (If council do not resolve to use the written vote on that occasion, then voting will be by the usual means i.e. by a show of hands).
- Co-option Policy – amendment to clarify that before any vote, council should resolve whether it wants to use the written vote option (as per Standing Orders). Clarify that the clerk will count the votes, and the votes will be destroyed afterwards.
- Records Retention Policy – amendment to clarify that written votes on co-options should be destroyed immediately after the resolution is made. (That means the votes cannot be subject to a FOI request).

**Recommendation:**

1. Council considers whether it wants to make the amendments as above (noting the relevant advice).
2. If so, delegate to the Clerk to make the required amendments to these documents.
3. Note the new document versions at the next meeting.