

Heighington Parish Council

CO-OPTION POLICY

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Clarification on the process for voting for multiple applicants for one vacancy.

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1. Purpose and scope

- 1.1. This Policy sets out the procedures for filling a casual vacancy at Heighington Parish Council.
- 1.2. It is designed to be fully transparent and ensures that it can consider all applicants who meet statutory eligibility criteria and are able to offer suitable skills, knowledge, experience and motivation to fulfil the role of parish councillor.
- 1.3. This Policy only applies in two circumstances:
 - 1.3.1. Following an ordinary election where there are still vacant seats
 - 1.3.2. When a casual vacancy has arisen on the council and no by-election has been called. This is after North Kesteven District Council (NKDC) have followed the appropriate process¹ to advertise the vacancy and given electors the opportunity to call for it to be filled by election. NKDC will then confirm that the vacancy can be filled by co-option.

2. Co-option applications

- 2.1. The council can choose to co-opt whoever it likes, as long as the legal criteria for becoming a councillor are met.
- 2.2. The Parish Council will advertise the vacancy as widely as possible within the parish, including on its website, noticeboards and social media. The advert will include details of the eligibility (and disqualification) criteria, the process and the timescales for applying.
- 2.3. Parish Councillors are free to approach eligible parishioners who they believe may be interested in the role.
- 2.4. The council will decide the deadline for co-option applications. This will normally be within 30 days, but this may be adjusted to fit the meeting schedule.
- 2.5. In the event that no applications are received by the deadline, the vacancy will be re-advertised with a new closing date.
- 2.6. An equitable and transparent process will be conducted. All candidates will receive the same information and details and will be subject to the same arrangements for the co-option.
- 2.7. To facilitate a fair process, the council requests that anyone applying for co-option completes the Heighington Parish Council Co-option Application form. The form can be found on the Parish Council's website or can be provided on request by the Parish Office.
- 2.8. The Co-option Application form sets out the eligibility criteria, disqualification criteria, asks the candidates to identify what skills and experience they can bring, and also sets out the expectations on councillors and level of commitment required.

¹ As per S.89 of the Local Government Act 1972

- 2.9. Completed forms must be returned to the Parish Office. This can be via email or hard copy.
- 2.10. The Parish Clerk will check the Co-option Application forms received, to ensure that the candidates meet the eligibility criteria² and are not disqualified from standing³. (It is the applicant's responsibility to demonstrate that they meet the criteria).
- 2.11. Prospective candidates are encouraged to learn more about the position before applying to ensure that the role is right for them. All candidates are strongly encouraged to attend meetings of the council before the meeting at which co-option will be considered and also to speak to existing councillors or council employees about the role. A meeting with the chair and clerk can be arranged if required.

3. Procedures for co-opting

- 3.1. Consideration of co-option applications will be an agenda item at a Full Council meeting, in open session. The co-option applications will be shared with all councillors in advance of the meeting, as part of the supporting papers issued. The application forms should be treated as private and confidential.
- 3.2. Co-option candidates will be invited to attend the meeting, but not attending the meeting should not adversely impact their consideration for the role.
- 3.3. At the meeting the chair will permit any candidates to speak in support of their application. Councillors may wish to ask the candidates questions.
- 3.4. If necessary, the council can resolve to move into closed session⁴, excluding members of the public and press, in order to permit discussion of the applications and the candidate's suitability for the role. The meeting must be re-opened and the public and press permitted to return, when it comes to voting.
- 3.5. If there is more than one vacancy, each vacancy will be dealt with separately.
- 3.6. Each candidate must be nominated via a proposer and seconder. If a candidate has not been proposed and seconded, then that candidate cannot be voted for. Once all nominations have been received, the chair will ask councillors to vote.
- 3.7. If there is only one candidate, councillors will need to vote for them.
- 3.8. If there are two candidates for one vacancy, it will be a straight vote between the two.
- 3.9. If there are three candidates for one vacancy, the candidate with the lowest number of votes will be eliminated and a further vote will be taken for the two remaining candidates⁵.

² As defined in S.79 of the Local Government Act 1972

³ As defined in S.80 - 81 of the Local Government Act 1972

⁴ Under the Local Government Act 1972, Schedule 12A and under the Public Bodies (Admissions to Meetings) Act 1960

⁵ Local Government Act 1972, Schedule 12, paragraph 39.

If two candidates share the lowest number of votes, the chair may exercise a casting vote between the two and the one subsequently with the lower number of votes will be eliminated.

- 3.10. However, if one candidate receives more votes than the total votes achieved by the other candidates (i.e. 50% plus 1 vote of the votes available at the meeting), a further round of voting is **not** necessary.
- 3.11. Councillors will vote according to Standing Orders, which for co-options will be by secret ballot. The clerk will issue voting slips to all councillors present and collect them in once the voting has taken place. The clerk will count the votes.
- 3.12. The clerk will notify the chair if there is an equality of votes, and the chair may exercise a casting vote.
- 3.13. The clerk will confirm to the chair which candidate has achieved a majority vote, and the chair will declare the successful candidate duly co-opted onto the council. They officially become a councillor once they have signed their Declaration of Acceptance of Office.
- 3.14. As per the council's Records Retention Scheme, all voting slips will be destroyed once the successful candidate has been declared.
- 3.15. In the event that the successful candidate is not present at the meeting, the Parish Clerk will notify them (and any unsuccessful candidates) of the outcome.
- 3.16. No feedback will be given to any applicant in respect of Parish Council discussions that took place in the closed part of the meeting unless agreed by council.
- 3.17. No feedback will be given on the number of votes a candidate achieved.

4. After co-option

- 4.1. Councillors elected at the ordinary elections, are in post for a period of 4 years (unless they resign before the end of their full term). Councillors who are co-opted are full members of the parish council throughout the remainder of their term of office until ordinary elections are due.
- 4.2. Newly co-opted councillors will need to sign their Declaration of Acceptance of Office before or at the first council meeting that they are taking part in.
- 4.3. The co-opted councillor must complete a Register of Interests form within 28 days of co-option. The Clerk will pass this on to NKDC.
- 4.4. The Parish Clerk will notify NKDC that the vacancy has now been filled by co-option and will supply details of the councillor co-opted.