

# Baginton Parish Council

## Co-Option Policy

### Introduction

1. A casual vacancy may occur for various reasons and Baginton Parish Council should seek to fill it at the earliest opportunity. This process must be fair, open and transparent.
2. The Clerk will notify Warwick District Council (WDC) when a vacancy occurs. If this is within six months of the next elections, the Parish Council may either leave the seat vacant or co-opt to fill the vacancy.
3. The Parish Council is able to consider any person to fill a vacancy provided that they meet the prevailing qualification criteria laid down by the Electoral Commission. The Parish Council is not obliged to co-opt any of the candidates who apply.
4. If the number of casual vacancies leaves the Council without a quorum, WDC will order an election to be held and in the meantime may appoint people to fill all or any of the vacancies until other Councillors are elected and take up office.

### Filling a Vacancy Following an Election

5. Where an insufficient number of candidates have been nominated to fill the vacancies, provided the number constitutes a quorum, those Councillors may co-opt anyone to fill the remaining vacancies, without the necessity of advertising them.
6. The Parish Council must exercise their power to co-opt within 35 days from the day by which a person elected would have taken up office i.e. the fourth day after Election Day. If the Parish Council fails to fill the vacancies, then WDC may order a fresh election.

### Filling a Casual Vacancy Between Elections

7. The Parish Council has to notify WDC of a casual vacancy and then advertise the vacancy as soon as possible and give electors the opportunity to request an election. The Clerk shall publish 'a Notice of Vacancy' and electors have 14 working days to request an election by writing to WDC. If ten residents do not request a ballot, the Parish Council is able to co-opt.

### Co-Option Procedure

8. The advertisement to co-opt will be posted on the council notice board and website with a minimum 21 day deadline from the date posted. It will explain the need for co-opting, e.g. statutory notice of vacancy posted and no by-election called for.

Also included on the notice will be:

- Method by which people can express an interest;
- A deadline to apply
- Reference to it being a voluntary position;
- Examples of how co-options could be made, for example, via a public or private interview, with or without prior shortlisting;
- Reference to the village website for co-option procedure, qualification criteria and further information about the roles and responsibilities of the Council.

Candidates will be requested to submit information about themselves, e.g. by way of letter or e-mail, outlining the reasons for their application, although there is no Statutory Requirement to do so.

9. Following the deadline for receipt of applications, ineligible candidates can be identified, and, if applicable, any shortlisting can be undertaken.
10. Details of the applicants will be circulated to all Councillors. The council may choose to conduct interviews, whether conducted by the entire council or by a delegated group. However, the final decision must be made by the full council. Shortlisted candidates will be informed that they have the opportunity to speak about their application at the meeting.

### **Voting**

11. There will be an agenda item set aside for the co-option. Candidates will be invited to address the Council and Councillors can ask them questions. The Chairman will then place the names into alphabetical order and proceed to the vote.
12. All remaining candidates are considered for co-option by voting. At the Chairman's discretion, this may be with a show of hands or on paper by secret ballot. All Councillors present at the meeting will have one vote per vacancy to be filled, but does not need to vote for any candidate if the Councillor feels that none of the candidates are suitable.  
To be successful, a candidate **MUST** receive a clear and absolute majority e.g. If there are six Councillors present, then a successful candidate must get four votes.
13. Should no single candidate receive an absolute majority on the first vote, the candidate with the lowest number of votes is eliminated. Voting will then take place again for the remaining candidates until one person receives an absolute majority. This procedure will be repeated until each vacancy has been filled by a candidate with a majority vote, or the candidates fail to receive a majority and the co-option process ends without filling the vacancy. It is not a case of who gets the most votes is appointed. If there is no absolute majority, the position is left vacant.
14. The Chairman may only use his casting vote if two successive voting rounds are stalemated. If, after this process, there is no candidate with an absolute majority vote for a vacancy, then the candidate(s) will be informed that they have been unsuccessful and the vacancy will remain unfilled.
15. After completion of the co-option process for all vacancies, if the successful candidate(s) is present at the meeting, they will sign the Declaration of Acceptance of Office and be invited to join the meeting.
16. The Clerk will pass the details of the co-opted member and their Declaration of Interests form to WDC within 28 days of appointment.