

West Rainton Parish Council

Procedure for the Co-option of Councillors

The procedure will apply when casual vacancies arise and the Returning Officer (Electoral Services) of Durham County Council has not received the requisite number of signatories (10) within the 14 day notice period to call an election to fill them.

This procedure has been developed in line with good practice recommended by the National Association of Local Councils (NALC) as outlined in their Legal Briefing document reference L15-08 (re-issued on 7 May 2015).

1. Prior to the publication of vacancy details to be filled by co-option, Parish Council will agree and publish a deadline for receipt of expressions of interest and a provisional timetable for the process.
2. Details of the vacancy will be published on the Parish Council's website, official notice boards and through other media available to the Council at the time.
3. Anyone interested in becoming a parish councillor must register their initial interest by contacting the Parish Clerk by the publicised deadline.
4. In response, the Parish Clerk will:
 - Signpost enquirers to the County Durham Association of Local Councils website page;
<http://www.cdalc.info/Pages/BecomingaParishCouncillor.aspx>; and
 - Supply a copy of the form:
"Self-certification of meeting statutory requirements" (Appendix A)
This must be completed, signed and returned to the Parish Clerk to confirm their eligibility to be considered for co-option.
5. The number of persons expressing an initial interest will be reported to the Parish Council to agree :
 - Whether any further advertising of vacancies is considered appropriate
 - The date of the parish council meeting when eligible candidates will be considered for co-option. If considered necessary, an extra-ordinary meeting will be called to conduct this item of business.

The agenda item, "Co-option of Councillors", will be discussed in public.

- The date by which candidates wishing to be considered for co-option must return a formal Expression of Interest (no more than one side of A4) outlining their suitability for the role to the Parish Clerk.
6. The Parish Clerk will notify all candidates of the date of the meeting and the deadline date for the submission of a formal expression of interest. Any candidates who may not have returned a self certification form, to confirm their eligibility, will be requested to do so with their formal Expression of Interest.
 7. Any candidate who does not return a signed declaration form will not be considered for co-option.
 8. The Parish Clerk will supply guidance to all candidates to advise them how Parish Council will consider their application in accordance with this procedure.
 9. A copy of the Parish Councillor specification (see Appendix B), based upon the model provided in NALC L15- 08 will also be provided.
 10. Copies of Expressions of Interest from eligible candidates will be circulated to all Members in advance of the meeting where co-option is to be considered.
 11. Eligible candidates will be invited to attend and speak for up to 5 minutes in support of their application.
 12. Candidates will be called to speak by alphabetical order of surname. For this part of the proceedings, other candidates will be asked to leave the room.
 13. Parish Councillors will have the opportunity to ask questions of each candidate.
 14. Members will deliberate on candidates' suitability.
 - A check list (Appendix C) will be referred to by members to help them consider the suitability of candidates should there be more candidates than vacancies.
 - Where the number of candidates matches the number of vacancies, subject to their suitability, Parish Council will co-opt.
 - Where the number of candidates exceeds the number of vacancies, an exhaustive ballot by show of hands will take place.

15. In accordance with NALC Legal Briefing Note 8 – “Elections”, only those candidates who receive the majority of votes of those councillors present and voting at the meeting will be co-opted. For example, where there are more than two candidates for one vacancy, this rule means that a person must get a majority of votes over all the other candidates. Thus where candidate A receives four votes, and candidates B and C each receive two, A is not elected because he has the same number of votes as B and C put together and does not have a majority over their combined votes. Where there are more than two candidates, the candidate with the least number of votes will be eliminated so the final vote is between 2 candidates only.
16. All candidates will be invited back into the meeting to be advised of the outcome.
17. Co-opted councillors appointed as a result of a casual vacancy will serve a term until the next ordinary parish council election.
18. Co-opted councillors must sign the form “Declaration of Acceptance of Office and Undertaking to observe the Code of Conduct”, prior to participating in a Parish Council meeting.
19. Co-opted councillors must complete a “Declaration of Interest form” provided by Durham County Council within 28 days of being appointed. This will be added to the Register of Members Declarations of Interest maintained by Durham County Council and published on their website.