

**Uppingham Town Council**

**Co-Option Policy**

1. **Introduction**.

Although the process for co-option to vacancies of local councils is not prescribed in law, NALC’s Legal Briefing L15-08 (Original date of issue: 23 July 2008 Re- issued: 7 May 2015) provides guidance.

A vacancy can only be filled by co-option once Uppingham Town Council has informed Rutland County Council that the casual vacancy has arisen this then will be advertised by Rutland County Council for fourteen days to enable ten or more residents to request a by-election. If no request for a by-election is received, then Uppingham Town Council can fill the vacancy by the co-option process as outlined below.

This policy sets out the procedure to ensure there is compliance with the legislation and continuity of procedures in the co-option of members to Uppingham Town Council. The co-option procedure is entirely managed by Uppingham Town Council and this policy ensures a fair and equitable process is carried out.

Whenever the need for co-option arises Uppingham Town Council will seek and encourage applications from those who meet the qualifying criteria and are eligible to stand as a councillor. Councillors can legally approach individuals to suggest they may wish to apply.

 **2. Eligibility (as at October 23)**

To be eligible for co-option as an Uppingham Town Councillor, all applicants must be a British Subject, or a citizen of the Commonwealth, or European Union, and on the relevant date (i.e., that day on which you are nominated) eighteen years or over and additionally able to meet one of the following qualifications below:

1. Is registered as a Local Government elector of the Parish of Uppingham or
2. Has, during the whole of the 12 months preceding the date of the co-option, occupied as owner or tenant, land or other premises in the Parish of Uppingham , or
3. That the candidate’s principle or only place of work during those twelve months has been in the Parish of Uppingham, or
4. The candidate has during the whole of those twelve months, resided in the Parish of Uppingham , or within three miles of it.

Under section 80 of the local government act 1972, any person is disqualified from being elected as a local councillor, or being a member of a local council if he/she:

1. Holds any paid office or employment of the local council (other than the office of Chairman), or of a joint committee on which the council is represented.
2. Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors.

Disqualification for bankruptcy ceases if:

1. The bankruptcy is annulled on the grounds that either the person ought not have been adjudged bankrupt,

or that his/her debts have been fully discharged.

1. If the person is discharged with a certificate that the bankruptcy was caused by misfortune, without

misconduct on his/her part.

1. If the person is discharged without such a certificate.
2. Has within five years before the day of co-option, or since his/her election, been convicted in the UK, Channel Isles, or Isle of Man, of any offence, and has been sentenced to imprisonment (whether suspended or not), for not less than three months, without the option of a fine.
3. Is otherwise disqualified under part III of the Representation of the Peoples Act 1983, for corrupt or illegal practices.

**3. The Application Process.**

All vacancies will be advertised on the parish council noticeboards and website for a period of four weeks.

 The advertisement to co-opt will include:

1. The method by which applications can be made.
2. The closing date of all applications.
3. A contact point to obtain more information.

Uppingham Town Council is not obliged to fill any vacancy if it feels that the right candidate has not come forward.

However, it is not desirable that electors in a particular Parish be left partially underrepresented for a significant length of time. Neither does it contribute to effective and efficient working of the Parish Council if there are insufficient councillors to share the workload.

Councillors elected by co-option are full members of Uppingham Town Council, and upon signing the Declaration of Acceptance of Office form, duly witnessed, are entitled to immediately take their seat as a Councillor.

Whilst there is no statutory requirement to do so, Uppingham Town Council require candidates for co-option to do the following:

1. Provide information about themselves by way of a short application form.

(Appendix B)

1. Confirm their eligibility for the position of Councillor within the statutory rules. (Sign Appendix B)
2. To attend at least one full Parish Council meeting before the co-option meeting (as a member of the public).
3. To meet with as many Councillors as possible prior to the Parish Council meeting at which the Parish Council will make its decision on the co-option. The purpose of this meeting will be to determine the applicant’s suitability by reference to the Person Specification (Appendix A) and to respond to any questions which the applicant might have.

 Following receipt of an application(s), an Agenda item ‘To receive written applications for the office of Parish Councillor and to Co-opt a candidate to fill the existing vacancy /vacancies’ will be added to the next suitable meeting of the full Council. Copies of candidates’ applications are to be circulated to all Uppingham Town councillors by the Proper Officer at least 3 clear days prior to the meeting of the full Council, at which applications for co-option will be considered. These documents are to be treated by the Proper Officer and all councillors as **Strictly Private and Confidential**.

At the same time, the Proper Officer is required to send all candidates a copy of the full Agenda for the meeting at which they will be considered for appointment. A copy of the Code of Conduct, Uppingham Town Council Standing Orders, and the Financial Regulations will be part of the induction pack given to successful candidates.

**4.The Co-option Meeting.**

When the co-option agenda item is reached, the meeting will be adjourned to enable candidate(s) to speak. Candidates will be given a maximum of five minutes to introduce themselves to the Council, outline their background and experience, and explain why they wish to become a member of Uppingham Town Council.

If a candidate is a relative of a Councillor or has connections with any candidate which may be perceived as prejudicial, that Councillor should declare an interest and withdraw from the meeting. Under any of these circumstances a vote by the Councillor concerned is not allowed.

Once each candidate has spoken, the chairman shall reconvene the meeting and resolve to enter Confidential Session by excluding the candidate(s), members of the public and press to leave the room so that the Council can discuss the merits of each applicant and their personal attributes. By excluding the press and public from this part of the meeting, Uppingham Town Council may be required to explain to unsuccessful candidates, their reasons for its decisions if asked.

The council will then proceed to a vote on the acceptability of each candidate utilising the ‘person specification’ (Appendix A) and any personal statements provided by candidates. This will be done by the candidate being proposed and seconded by the Councillors in attendance and a vote by a show of hands. The vote will be as per standing orders.

If there are more than two candidates and only one vacancy and there is no candidate with an overall majority in the first round of voting, the candidate with the least number of votes will drop out of the process. Further rounds of voting will then take place with the process repeated until a candidate has an absolute majority.

If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be considered by a single composite resolution, but if the number of candidates exceeds the number of vacancies, each vacancy must be filled by a separate vote or series of votes.

If the Council has declared that none of the candidates are suitable, the Council will re-advertise the vacancy for fresh candidates repeating the procedure.

The Chairman will re-admit the candidate(s), members of the press and public. The Chairman will declare the successful candidate(s) duly elected and after the clerk has arranged for the successful candidate (s) to sign their declaration of acceptance of office, may take their seat immediately.

The Clerk will notify Returning Office at Rutland County Council of the new Councillor appointment.

The successful candidate(s) must complete the ‘registration of interests’ within 28 days of being elected. The clerk will pass this to the new member(s) to complete.

If insufficient candidates came forward for co-option, or the Council deemed candidates were not suitable, the process should continue, whereby the vacancies are again advertised.

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Date of Policy and Resolution……………………………

Date of Policy Review………………………………………...

**Appendix A**

**Co-option Person Specification**

|  |  |  |
| --- | --- | --- |
| **Competency** | **Essential** | **Desirable** |
| Personal Attributes | Sound knowledge and understanding of local affairs and the local community. Forward thinking | Can bring a new skill, expertise, or key local knowledge to the Council. |
| Experience, Skills, Knowledge and Ability  | Solid interest in local matters. | Experience of working in another public body or not for profit organisation. |
|  | Ability to listen constructively. A good team player. | Experience of working with voluntary and/or local community/interest groups. |
|  | Ability to pick up and move forward with a variety of projects. | Basic knowledge of legal issues relating to town and parish Councils or local authorities. |
|  | Ability and willingness to represent the Council and their community. Ability and willingness to work closely with other members and to maintain a good working relationship with all members and staff. | Experience of delivering presentations. |
|  | Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others’ views and accept majority decisions. |  |
|  | Ability to communicate succinctly and clearly. |  |
|  | Experience in using IT eg: - email & internet |  |
| Circumstances | Ability and willingness to attend meetings of the Council (or meetings or other local authorities and local bodies) at any time and events in the evening and at weekends. |  |

**Appendix B**

**Uppingham Town Council**

**Application Form for Co-option onto Uppingham Town Council**

**Please use Block Capitals**

|  |  |
| --- | --- |
| **Title & Full Name** |  |
| **Home Address** |  |
| **Home Tel.** |  |
| **Mobile Tel.** |  |
| **Email Address** |  |

|  |
| --- |
| **Please provide your reasons for wanting to become a Uppingham Town Councillor** |
|  |

|  |
| --- |
| **Please provide any background information that you want share with Council** |
|  |

**Co-option Eligibility Form**

**Note**

To be eligible for co-option as Uppingham Town Councillor, you must be a British Subject, or a citizen of the Commonwealth, or European Union, and on the relevant date (i.e., that day on which you are nominated) eighteen years or over and additionally able to meet one of the following qualifications below.

**(Please circle one of the following)**

1. I am registered as a Local Government elector of the Parish of Uppingham, or
2. I have, during the whole of the 12 months preceding the date of my co-option, occupied as owner or tenant, land or other premises in the Parish of Uppingham , or
3. My principle or only place of work during those twelve months has been in the Parish of Uppingham , or
4. I have during the whole of those twelve months, resided in the Parish of Uppingham, or within three miles of it.

**Note**

Under section 80 of the local government act 1972, any person is disqualified from being elected

as a local councillor, or being a member of a local council if he/she:

1. Holds any paid office or employment of the local council (other than the office of Chairman), or of a joint committee on which the council is represented.
2. Is a person who has been adjudged bankrupt or has made a composition or arrangement

with his/her creditors.

(Disqualification for bankruptcy ceases if:

1. The bankruptcy is annulled on the grounds that either the person ought not have been adjudged bankrupt, or that his/her debts have been fully discharged.
2. If the person is discharged with a certificate that the bankruptcy was caused by misfortune, without misconduct on his/her part.
3. If the person is discharged without such a certificate.)
4. Has within five years before the day of co-option, or since his/her election, been convicted in the UK, Channel Isles, or Isle of Man, of any offence, and has been sentenced to imprisonment (whether suspended or not), for not less than three months, without the option of a fine.
5. Is otherwise disqualified under part III of the Representation of the Peoples Act 1983, for corrupt or illegal practices.

**Declaration**.

I (Block Capitals)…….…………………………………………… hereby confirm that I am eligible

to apply for the vacancy of Councillor for Uppingham Town Council and that the information I have provided in this application form is a true and accurate record.

Signature ……………………………………………………………….

Date ………………………………………..

Thank you for your application, please return the completed form for attention of the Clerk of the Town Council (Please see below). Your application will be considered at the next suitable Town Council meeting.

Please note all information provided will be kept **Strictly Private and Confidential**.

Clerk of the Council Uppingham Town Hall,

Sharon W Coe 49 High Street East

 Uppingham

 LE15 9PY