



## **Co-Option Procedure**

**A policy setting out the procedure for co-opting to a  
vacancy following an election process**

**Re-adopted 9<sup>th</sup> May 2022**

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## Introduction

Vacant seats following the election process are classed as “ordinary vacancies”. It is the responsibility of the Parish Council to fill ordinary vacancies within 35 days of the election (excluding Saturdays, Sundays and Bank Holidays).

“Casual’ vacancies” are those which occur when a councillor resigns, dies or become disqualified during the four year term. The process of giving ten electors the opportunity to call a by-election is only relevant for casual vacancies. If no request for an election is received by Wiltshire Council by the date on the Notice of Vacancy, the Democratic Services Department will advise the Parish Council that it may co-opt to the vacancy.

Co-option is the process by which the Parish Council selects a new Councillor and it is done as an agenda item within a monthly Parish Council meeting. The Parish Council entirely manages the process of co-option and strives to demonstrate that it is fair and equitable by following the procedure set out below:

1. The Parish Council posts a notice on the Parish Council Noticeboard inviting interested candidates to write to the Clerk, by a specified date, explaining why they would like to be a councillor and listing the principal skills and experience that they could bring to the role.
2. Upon receipt, the Parish Clerk will check (as far as reasonably possible) that the candidate is eligible in accordance with the Local Government Act 1972, section 79-80.
3. Following receipt of eligible applications, the next Parish Council meeting will have an agenda item 'To receive written applications for the office of parish councillor and to consider co-opting a candidate to fill the existing vacancy'.
4. If there is only one eligible applicant for a vacancy, the applicant is automatically co-opted to the Parish Council following a majority vote.
5. If there is more than one candidate for a vacancy the letters received are circulated to Councillors ahead of the meeting at which a Parish Councillor is to be co-opted.
6. At the Parish Council meeting the candidates are invited to say something about themselves. Each candidate will be allocated a maximum of three minutes for this. Councillors will also have the opportunity to ask questions of the candidates.
7. In a closed session of the Parish Council, without the public or press present, members consider the candidates and, following a discussion, the public are invited back into the meeting before the voting takes place.
8. The Chairman will request the Councillors present to nominate any of the candidates. Candidates will require a proposer and seconder to progress to the voting stage. If there is only one vacancy to be filled, a Councillor may only nominate or second one candidate.

9. The Chairman places the names of those nominated into alphabetical order and proceeds to the vote. Councillors will have one vote per vacancy to be filled.
10. If the Parish Council has more than two applicants for one vacancy the successful applicant must receive an absolute majority of the votes. This means that the person elected must receive more votes than those for all the other candidates combined e.g. 4 people standing for one seat with 14 councillors voting:
  - Candidate A receives 5 votes
  - Candidate B receives 4 votes
  - Candidate C receives 2 votes
  - Candidate D receives 3 votes

There is no majority here because none of the candidates have more votes than all the other votes combined. In this situation Candidate C would be eliminated from the process and the Parish Council would vote again on Candidates A, B and D. It may mean that a similar process is repeated in second and subsequent rounds of voting.

11. Voting will be in accordance with Standing Orders by a show of hands and will continue until one candidate has received an absolute majority of those Councillors present. At this stage, the successful candidate will be declared co-opted and, after signing the Declaration of Acceptance of Office form, will be invited to join the meeting.
12. Within 28 days of being elected, the new councillor will also need to complete a Register of Interests form.
13. The person co-opted will be a councillor in their own right. A co-opted councillor is no different to any other member as co-option is a legitimate form of election as part of the election process.