



Chiddingfold Parish Council

POLICY FOR CO-OPTION

There are two circumstances under which the Council may, proceed to fill a vacancy by co-option:

- Post-Election - When a seat has been left vacant because no eligible candidate stood for election at the full elections for a new council (currently every four years). The council may co-opt to fill post-election vacancies, however, if it does not do so vacancies the Borough Council may take steps to fill the vacancies after 35 days.
- Casual Vacancy – When during the life of the Council, a seat falls vacant but the required 10 electors of the ward have not called for a poll (by-election) within the legally specified time period following publication of the notice of vacancy. The council must co-opt to fill casual vacancies occurring more than 6 months before the day a councillor would regularly have retired, and do so as soon as practicable after the expiry of the window for calling a by-election has expired. It may choose to co-opt where a casual vacancy arises within 6 months of regular retirement.

Where the Council invites applications for co-option, it is not obliged to select anyone from the candidates who apply – a majority vote must be achieved by the candidate. If a majority vote in favour is not achieved, the process of advertising for co-option continues. Councillors who are elected by co-option are full members of the Council.

It is the policy of Chiddingfold Parish Council that all applicants be treated alike and that arrangements should be open and fair. The co-option process adopted by Chiddingfold Parish Council is as follows:

1. Advertising
 - 1.1 Within 21 days of an election or, in the case of a casual vacancy, receipt of the written notice of the vacancy from Waverley Borough Council, the Parish Council will advertise the vacancy (or vacancies) on the Parish notice board, on the council website and on social media. The notices will include:
 - A contact point so that people considering putting their names forward for co-option can obtain more information on the role of a parish councillor and the application process;
 - where this policy and the application document can be obtained;
 - The date for all applications to be received;
 - The date by which the Parish Council intends to make a decision.
 - 1.2 Vacancies will be advertised for a minimum of 14 days.
 - 1.3 Parish Councillors (or any parishioner) may approach individuals to suggest that they might wish to consider putting their names forward for co-option.

2. Applications Process

2.1 Candidates for co-option should, by the notified closing date, submit information about themselves by way of completing a short application form (Appendix A) and confirming their eligibility for the position of Councillor within the statutory rules (Appendix B)

2.2 All qualifying candidates will be put forward to the Parish Council for consideration. Application forms will be circulated to Parish Councillors at least five days prior to the meeting of the full council where the co-option will be considered. All such documents will be treated by the Clerk and councillors as strictly private and confidential.

3. Decision Making Process

3.1 Co-option will be decided at a full meeting of the council and Notice of the Intention to consider Co-option should be given in the agenda for the meeting.

3.2 Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, and will be informed they may, if they so wish, speak for up to 3 minutes about their application during the co-option item on the agenda at the meeting.

3.3 Prior to a vote, should the Council wish to discuss the merits of candidates and inevitably their personal attributes the Council will resolve to exclude the members of the press and public for such discussion.

3.4 Each vacancy will be considered individually and a vote taken on the candidate(s) for co-option. The Council will proceed to vote on the acceptability of each candidate utilising the Person Specification criteria as set out in Appendix C and any personal statements provided by the candidate(s)

4 Voting

4.1 Voting will be in accordance with Standing Orders.

4.2 A successful candidate must receive an absolute majority vote of those present and voting in accordance with Standing Orders. If there are more than two candidates for one vacancy and no one of them receives more votes than the aggregate of the others, the candidate with the fewest votes should be struck out and the remainder put to the vote again. The process should be repeated as necessary until one candidate has an absolute majority. If in a situation where an absolute majority has not been received and more than one candidate has the fewest number of votes and the aggregate of the others is less than a normal quorum, rather than striking off all those with least votes together there should be a vote on the candidate to be struck off.

5. After the Vote

5.1 After the vote has been concluded, the chairman will declare the successful candidate(s) duly elected. If not present at the meeting, the clerk will notify the candidates of the results as soon as is reasonably possible (usually within 24 hours). The Clerk will notify Electoral Services of the new appointment.

5.2 The successful candidate(s) must sign their Declaration of Acceptance of Office before they can act as a councillor. The Register of Members Interests form must be completed within 28 days and the Clerk will forward a copy to the District Monitoring Officer.

- 5.3 Co-opted councillors are required to sign the Code of Conduct at their first meeting, or within 28 calendar days of election, whichever is the sooner. They are expected to comply with the council's Data Protection arrangements from receipt of the Policy, which shall be provided to them within 7 days of their co-option.

Co-option Policy:	Version Number 1.0
Prepared By:	Lauren Blatherwick (Clerk)
Prepared:	30 April 2019
Adopted:	16 May 2019 Item 17.01
Review Due:	April 2020

APPENDIX A

Application for Co-option

Full name & Title	
Home Address	
Home Telephone	
Mobile Telephone	
Email Address	

About You

Please provide the council with some background information about yourself (attach extra pages if required)

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Reasons for Applying

Please provide the council with your reasons for wanting to become a Parish Councillor (attach extra pages if required)

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Signature	
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Please return your completed application and Eligibility Form (appendix B) to:

The Parish Clerk, Chiddingfold Parish Council, The Banking House, The Green, Chiddingfold, Surrey, GU8 4TU, or by email to clerk@chiddingfold-pc.gov.uk

Your application will be considered at a meeting of the Parish Council where a vote will be held to decide whether the Council agrees to co-opt you onto Chiddingfold Parish Council.

Information provide will be treated confidentially

APPENDIX B - Co-option Eligibility Form

1. In order to be eligible for co-option as a Chiddingfold Parish Councillor you must:
- be a British subject, or a citizen of the Commonwealth or the European Union;
 - be 18 years of age or over; and
 - able to meet one of the following qualifications set out below.

Please tick which applies to you:

- a) I am registered as a local government elector for the parish;
or
- b) I have, during the whole of the twelve months preceding the date of my co-option occupied as owner or tenant land or other premises in the parish;
or
- c) My principal or only place of work during those twelve months has been within the parish;
or
- d) I have during the whole of those twelve months resided in the parish or within 3 miles of it

2. Please note that under Section 80 of the Local Government Act a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if he/she:

- a) 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; or
- b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
- c) Has within five years before the day of election, or since his/her election, been convicted in the UK, Channel Islands 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; or
- d) Is otherwise disqualified under Part III of the representation of the People Act 1983 for corrupt or illegal practices.

This disqualification for bankruptcy ceases in the following circumstances:

- i. If the bankruptcy is annulled on the grounds that either person ought not to have been adjudged bankrupt or that his/her debts have been fully discharged;
- ii. If the person is discharged with a certificate that the bankruptcy was caused by misfortune without misconduct on his/her part;
- iii. If the person is discharged without such a certificate.

In i and ii above, the disqualification ceases on the date of the annulment and discharge respectively. In iii, it ceases on the expiry of five years from the date of discharge.

Declaration

I.....hereby confirm that I am eligible for the vacancy of Chiddingfold Parish Councillor, and the information given on this form is true and accurate record.

Signature.....

APPENDIX C

CO-OPTED COUNCILLOR PERSON SPECIFICATION

COMPETENCY	ESSENTIAL	DESIRABLE
Personal Attributes	Interested in local affairs and the local community	Able to bring a new skill, expertise or key local knowledge to the Council
Experience, Skills, Knowledge and Ability	<p>A good team player</p> <p>Ability to pick up and run with a variety of projects</p> <p>Ability and willingness to represent the Council and their community</p> <p>Good interpersonal skills and able to contribute opinions at meetings whilst willing to see others views and accept majority decisions</p> <p>Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff</p> <p>Ability and willingness to work with Council's partners (e.g. voluntary groups, other parish Councils, principal authority, charities)</p> <p>Ability and willingness to undertake induction training and other relevant training</p> <p>Access to the internet and the ability to use email</p>	<p>Experience of working or being a member in a local authority or other public body</p> <p>Experience of working with voluntary and or local community/interest groups</p> <p>Basic knowledge of legal issues relating to town and parish Councils or local authorities</p> <p>Experience of delivering presentations</p>
Circumstances	Able and willing to attend meetings of the Council (or meetings of other local authorities and local bodies) some of which may be in the evening and at weekends	



Chiddingfold Parish Council

PRIVACY NOTICE

APPLICANTS FOR CO-OPTION

In accordance with the requirements of GDPR the council is required to inform data subjects of what will be done with their personal information.

1. Personal Information

- 1.1 Applicants for co-option provide personal data, including names, addresses, telephone numbers and email.
- 1.2 The Parish Council may in addition use information from publicly available sources to further consider an applicant's suitability.

2. The Data Controller and Processor

- 2.1 Chiddingfold Parish Council is the Data Controller. It is contactable by writing to the Clerk at The Banking House, The Green, Chiddingfold, Surrey GU8 4TU.
- 2.2 The information provided as part of the application process may be held in hard copy and / or computerised. The council has a *Data Protection Policy*.

3. Legal Basis for Processing Information

- 3.1 The information provided is used for the process of co-option.
- 3.2 Your information is processed under the following lawful categories
 - compliance with legal obligations
 - necessary for the performance of a task carried out in the public interest or in the exercise of official authority vested in the Parish Council
 - for the purposes of legitimate interests pursued by the council
 - your consent (this may be withdrawn at any time)

4. Who Accesses Information?

- 4.1 The Clerk and councillors will have access to the data.

4.2 Your personal information will be not shared or provided to any other third party other than where there is a related statutory or lawful requirement, or with your consent.

5. Retention

5.1 Information will be held for the duration of the co-option process.

5.2 If co-opted, certain personal information becomes a matter of public record, such as your name. Other personal information, such as contact details will be processed by the Parish Council in accordance with the council's *General Privacy Notice, Councillor Privacy Notice and Data Protection Policy*.

6. Your Rights

6.1 You have the following rights in relation to personal information held by the council:

- the right to be informed – this privacy notice is part of your right to be informed
- the right of access
- the right to rectification
- the right to erasure (Please note that we cannot delete information where there is a compelling reason to continue to process it e.g. we are required to have it by law or it is necessary for the exercise or defence of legal claims)
- the right to restrict processing
- the right to object based on grounds personal to your situation (this right is overridden where there are legitimate grounds for the continued processing)

(Note - the council does not process personal information based on automated decision making and profiling)

7. Complaints

7.1 Any individual who believes that the council has breached any of the requirements of data protection laws should raise the matter with the council through the Clerk at The Banking House, The Green, Chiddingfold, Surrey GU8 4TU. Alternatively, a complaint can be made to the Information Commissioner, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.