CO-OPTION POLICY AND PROCEDURE

1.0 Introduction

1.1 There are two instances where the Town Council may fill a vacancy by co-option.

a) Insufficiency of candidates at an ordinary election (currently every 4 years) provides the Town Council with authority to exercise its rights to co-opt any person or persons to fill any vacancies provided this is done within 35 days following the date of said ordinary election.

b) The co-option of a Town Councillor occurs when a Casual vacancy has arisen on the Council and no poll (by-election) has been called.

A Casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time;
- A councillor resigns;
- A councillor dies;
- A councillor becomes disqualified; or
- A councillor fails for six (6) months to attend meetings of a council committee or subcommittee or to attend as a representative of the Council a meeting of an outside body.

1.2 The Town Council must notify B&NES Council of a Casual Vacancy and then advertise the vacancy and give electors the opportunity to request an election. This occurs when ten (10) electors registered in the Keynsham Ward concerned write to B&NES stating that an election is requested.
They have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the electoral officer will advise the Clerk of the closing date.

1.3 If more than one (1) candidate is then nominated, a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot.

1.4 If a by-election is called, polling station(s) will be set up by B&NES and the people of that Keynsham Ward will be asked to go to the polls to vote for those candidates who have put themselves forward by way of a nomination paper. The Town Council will pay the costs of the election.

1.5 If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by B&NES, the Town Council is able to co-opt a volunteer.

1.6 On receipt, of written confirmation, from B&NES Electoral Services, the casual vacancy can be filled by means of co-option by the following procedure.

1.7 The co-option policy/procedure will be reviewed every 4 years.

2.0 Co-option Application Process

2.1. Whenever the need for co-option arises Keynsham Town Council will seek and encourage applications from anyone in the Town who is eligible to stand as Town Councillor. Councillors or Parishioners can legally approach individuals to suggest that they might wish to consider putting their names forward for co-option.

2.2 The Town Council will advertise the vacancies in the local area via the Town Council noticeboards, the Town Council website and a media release (if time allows) for a minimum of 3 weeks

2.3 The advertisement to co-opt will include:

- The method by which applications can be made;
- The closing date for all applications
- The date of the Town Council meeting at which co-option will occur
- A contact point to obtain more information;
- Show that further information is available electronically via the website

2.4 The Town Council can consider any person to fill a vacancy provided that: • he/she is an elector for the parish; or • has resided in the parish for the past twelve months or rented/tenanted land in the parish; or • had his/her principal place of work in the parish; or • has lived within three miles (direct) of the parish.

2.5 There are certain disqualifications for election, of which the main are (Local Government Act 1972):

• holding a paid office under the local authority;
• bankruptcy;
• having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the five years preceding the election;
• being disqualified under any enactment relating to corrupt or illegal practices.

2.6 Eligibility of the candidate(s) will be confirmed by the Clerk.

2.7 All eligible candidates shall be invited, by letter, to attend the next full Town Council meeting following the application deadline. If candidates are unable to attend, this meeting will not be rearranged.

2.8 Although there is no Statutory Requirement to do so, Applicants for co-option will be asked to:

a) submit information about themselves, by completing a short application form (Appendix 1) together with a CV and written summary covering: their reasons for wishing to be a Councillor; previous community/council work; any other skills they can bring to the Council, their interests and recent career history, similar to that which they would produce if standing for election. and

b) confirm their eligibility for the position of Councillor within the statutory rules (a copy of the confirmation of eligibility form is attached as Appendix 2).

2.9 To assist candidates with their application, a person specification form will be included with the application pack (Appendix 3)

2.10 Copies of the applicant's application form and written summary will be circulated to all councillors by the Town Clerk at least seven days prior to the meeting of the full Council, when the co-option will be considered. All documents will be treated by the Clerk and all Councillors in accordance with Data Protection requirements where they contain personal information

2.11 Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with copies of the Code of Conduct, Members & Officers Protocol, Standing Orders and Financial Regulations of the Council.

2.12 Applicants can withdraw not later than 24 hours prior to the meeting where the co-options are to be considered

3.0 Co-option and Voting Procedure at Meetings

3.1 An agenda item will be tabled immediately following Approval of Minutes for candidates to make a brief verbal presentation to members, outlining their relevant skills and experience. Each candidate will be allocated a maximum of three minutes.

3.2 If a Candidate is a relative of a Councillor, that Councillor may declare a prejudicial interest and withdraw from the meeting

3.3 After presentations, members may ask candidates a few questions before proceeding to vote. (If a candidate is unable to attend the meeting, this process will still take place and voting will subsequently be based on this meeting and the application form)

3.4 The process will be carried out in the public session and there will be no private discussions between members prior to a vote being taken.

3.5 However, where the Council is discussing the merits of candidates and inevitably their personal attributes, this could be prejudicial and the Council should resolve to exclude the members of the press and public for the duration of the discussion

3.6 The Chair will then place the names of candidates in alphabetical order and proceed to vote. Press and public will be readmitted to the meeting.

3.7 Only Town Councillors present at the meeting may vote upon a person to fill the vacancy. Councillors will have one vote per vacancy to be filled.

3.8 Voting will be according to Standing Orders and by a show of hands (LGA 1972 Sch. 12. Para 39). A recorded vote may be requested by a councillor under Standing Order 22 (3) to show whether each Councillor present and voting, gave his/her vote for or against a candidate. Such request must be made before the vote. A secret ballot may be requested by a Councillor under Standing Order 21. Such request must be made before the vote.

3.9 A successful candidate must have received an absolute majority vote by those Councillors present.

3.10 If there are more than two candidates for one vacancy and not one of them at the first count receives a majority over the aggregate votes given to the rest, steps must be taken to strike off the candidate with the least number of votes and the remainder must then be put to the vote again.

3.11 This process must, if necessary, be repeated until an absolute majority is obtained.

3.12 If no candidate secures an absolute majority of votes cast for an individual vacancy, then that vacancy remains unfilled (eg. 14 councillors are present and 8 abstain from voting then there is no absolute majority).

3.13 The Chair has the casting vote.

3.14 If there is more than one vacancy and the number of candidates equals the number of vacancies, all the vacancies may be filled 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.

3.15 The Council is not obliged to fill all vacancies, but will take steps to advertise for further co-options.

3.16 Successfully co-opted candidates become Councillors in their own right, and are no different to any other member.

3.17 The co-opted members will be asked to sign a Declaration of Acceptance of Office and agree to be bound by the Council's adopted Code of Conduct. They may then take their seat at Council and be appointed to a committee and as a representative to local organisations in the usual way.

3.18 As soon as practicable following their co-option, members will be invited to attend an Induction and Training session with the Town Clerk.

Approved by Town Council May 2019