

Batheaston Parish Council: New member co-option policy and procedure

Policy

Parish Councils are permitted to exercise the power to co-opt a person on to the Council to fill a casual vacancy when the requirements to hold an election have not been met (i.e. the vacancy has been the subject of a public notice and less than 10 registered electors have requested an election by a deadline date specified by the District Returning Officer).

Although seeking 'expressions of interest' is not a legal requirement, NALC recommends that Councils always give public notice of vacancies because this makes the process of co-option open and transparent and should attract more potential candidates.

The decision-making process below is framed to take place in open sessions of full council meetings, as advised by NALC. Although this creates the possibility of awkward situations where negative decisions are made, such occasional difficulties are the price of open decision-making.

Procedure

Whenever the need for co-option arises, the Clerk will first notify B&NES Electoral Services of the vacancy and seek authority to advertise for a co-opted member. Subject to there being no applications to hold an election, the vacancy will be advertised by seeking expressions of interest from anyone eligible to stand as a Parish Councillor, by a specified date.

Having initially contacted the Clerk, applicants will be offered an informal conversation with the Chair as an opportunity to inform themselves about BPC's work and current priorities, and not part of the selection process. Enquirers will also be sent an initial information pack including the NALC guidance note on *Being a Parish Councillor* and the BPC member's *Code of Conduct*.

In advance of the Full Council meeting at which co-option is to be considered

Applicants will be requested to provide a written personal statement which:

- a) confirms in writing that the applicant meets legal eligibility requirements, that s/he understands and commits to maintaining the standards set out in the BPC members' *Code of Conduct*, and that their telephone and/or e-mail contacts will become public information if they become a Councillor;
- b) sets out the qualities and skills that the applicant can bring to the role, which should address the criteria of the general person specification.

Applicants will be informed when BPC is due to consider their application. Attendance at that meeting is not expected or necessary (but equally, the applicant's attendance cannot be refused).

Procedure for co-option item at the Full Council meeting:

- i. Clerk to confirm that each candidate is qualified to become a Councillor and is not disqualified from being a Councillor as set out in the Local Government Act 1972 s79 and s80;
- ii. Having compared personal statements to the desirable criteria, members will vote, either on the appointability of a single candidate, or where there is more than one candidate, for their favoured candidate. An absolute majority vote is required for any candidate to be appointed (LGA 1972 Sch. 12. Para 39). In case of a tie, the Chair has the casting vote.
- iii. After the meeting the Clerk is authorised to approach and offer co-option to candidate(s) agreed via (ii). If a candidate drops out at this stage, the item will come back to the next full PC meeting, including review of any unsuccessful applications.
- iv. The Clerk to notify B&NES Electoral Services of the new Councillor appointment, initiate 'acceptance of office' paperwork and 'registration of interests' on the Parish Council website. New Councillors will also be sent full induction materials and upcoming training opportunities, and are expected to attend the general introductory training for new PC members, preferably within the first six months of appointment.

Batheaston Parish Council

Applications and Personal Statements from potential new co-opted Parish Councillors

General Guidance

Before completing the application form/personal statement template overleaf, applicants are strongly advised to read the NALC guidance note on *Being a Parish Councillor* and the BPC members' *Code of Conduct*. Both are available on request from the clerk.

Eligibility The application form asks you to confirm your eligibility to become a parish councillor. You must meet the criteria for eligibility set out in s. 79 of the 1972 Local Government Act, and not be disqualified under s.80 of the same Act. What this means in practice is that on the day of the scheduled co-option meeting (which will be advised by the Parish Clerk) you must be at least 18 years old and be a citizen of the UK or a European Union country, or a qualifying Commonwealth citizen (who does not require leave to enter or remain in the UK), and:

- (a) be a local government elector for the area of the parish; or
- (b) during the whole of the twelve months preceding occupied land or other premises in the parish; or
- (c) have had your principal or only place of work during that twelve months in the parish; or
- (d) have during the whole of those twelve months resided either in the parish or within three miles of it.

In addition, you must not be disqualified for any of these reasons:

- (e) holding a paid office or employment which is made or confirmed by the parish, or in a company under the control of the parish; or
 - (f) being the subject of a bankruptcy restrictions order or interim order; or
 - (g) having within the past five years been convicted in the UK of an offence involving sentence of imprisonment (whether suspended or not) of three months or more, without the option of a fine.
- Please note that the definitions above are abbreviated versions of the full legal statements of eligibility and disqualifications.*

Application and Personal Statement for consideration as a co-opted Parish Councillor

1. Personal Details

Full Name	
Preferred title	
Address	
Telephone and email contacts	
How did you hear of this vacancy?	

2. Eligibility and commitments

I confirm that I am eligible to become a parish councillor under the provisions of s. 79 of the 1972 Local Government Act, and I am not disqualified under the provisions of s.80 of the same Act.

☐

I understand and commit to maintaining the standards set out in the BPC members' *Code of Conduct*, and that my telephone and/or e-mail contacts will become public information if I become a Councillor.

☐

3. Personal Statement

Please set out briefly under the headings below the qualities and attributes that you feel make you suitable to fill the role of Parish Councillor.

3.1 Personal Attributes

Criteria to address:

- ☐ Some knowledge and understanding of local affairs and the local community.
- ☐ Able to offer my time and bring relevant skills, expertise or local knowledge.

3.2 Experience, Skills, Knowledge and Ability

Criteria to address:

- ☐ Having good interpersonal skills, with the ability to listen constructively, contribute opinions and communicate clearly at meetings.
- ☐ Being a good team player in terms of considering the views of others and accepting majority decisions, and able to work closely and maintain good working relationships with all members and staff.

- ☐ If applicable, please flag any experience you have of working within another public body, or other voluntary/community interest group.
- ☐ Similarly, please indicate your level of awareness of the legal status and key areas of parish council business (although induction and training in these issues will be provided)

3.3 Circumstances

Criteria to address:

- ☐ Able to attend meetings as per the Council's current normal meeting schedule, and willing to consider attending ad-hoc meetings and duties at other times.
- ☐ Able to engage with the Council's business via electronic communication.
- ☐ Ability and willingness to undertake induction and other relevant training.

Signature
Date

PLEASE RETURN YOUR APPLICATION TO THE PARISH CLERK, EITHER ELECTRONICALLY (TO batheastoncouncil@gmail.com) OR IN HARD COPY TO THE PARISH COUNCIL OFFICE:--

9 Abbey View Gardens

Bath

BA2 6DQ

Thank you ☺