

## Councillor Co-Option Policy

Last Reviewed: 06/09/2022  
As adopted: 10/10/2022  
Minute ref: 327/22

### 1 Introduction

- 1.1 A casual vacancy occurs<sup>1</sup> when a councillor fails to deliver his declaration of acceptance of office at the proper time, a councillor resigns, a councillor dies, a councillor is disqualified by virtue of a criminal conviction<sup>2</sup>, or a councillor fails to attend meetings for six consecutive months without the authority of the Council.
- 1.2 For the avoidance of doubt, a meeting must be attended in-person.

### 2 Notice of Vacancy

- 2.1 If a vacancy arises within six months of an election, the Council can agree to wait until the elections to fill the vacancy.
- 2.2 In all other instances, the following process must be followed:
- 2.2.1 The Clerk will complete a Notice of Vacancy form stating who and what has caused the vacancy, e.g., resignation, the date of the notice, the deadline for electors to call a by-election (14 working days from date of notice) and the address of the Returning Officer at Stroud District Council.
- 2.2.2 The form is displayed on the Parish notice boards and the Council's website.
- 2.2.3 An email is sent to [elections@stroud.gov.uk](mailto:elections@stroud.gov.uk) to inform Stroud District Council that a vacancy has occurred with a copy of the Notice of Vacancy.
- 2.3 Stroud District Council will notify the Council if a by-election has been called. If not, the Council will be entitled to fill the vacancy by co-option.
- 2.4 If a by-election is called by 10 or more electors, then Stroud District Council will be responsible for the election process.

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<sup>1</sup> Local Government Act 1972, Section 87

<sup>2</sup> Local Government Act 2000, Section 79 and Localism Act 2011 (England), Section 34

### **3 Co-Option Process**

- 3.1 An advert should be displayed on the Council notice boards and website asking electors to apply for the role of councillor.
- 3.2 An information pack should be available by request from the Parish Clerk ([clerk@huntsgrove-pc.gov.uk](mailto:clerk@huntsgrove-pc.gov.uk)) or website ([www.huntsgrove-pc.gov.uk](http://www.huntsgrove-pc.gov.uk)). The information pack comprises:
  - 3.2.1 Council Roles information (see Appendix 1)
  - 3.2.2 Eligibility Form (see Appendix 2)
  - 3.2.3 Co-Option Application Form (see Appendix 3)
- 3.3 Application forms should be submitted to the Clerk by email ([clerk@huntsgrove-pc.gov.uk](mailto:clerk@huntsgrove-pc.gov.uk)) or by post to Hunts Grove Parish Council, PO Box 2287, Gloucester, GL3 9HA
- 3.4 The Clerk will review all applications to ensure that candidates are eligible to apply for the role.
- 3.5 Informal interviews with the Parish Council Chairman and Vice-Chairman will be arranged with all eligible candidates to ensure they are fully informed about the council role and the responsibilities.
- 3.6 Eligible candidates will be invited to attend a Council meeting, where the decision to co-opt the candidate(s) will be made. Copies of the candidate's application form will be shared with the Council at the same time as the other meeting papers wherever possible. Candidates do not have to be present at the council meeting to be co-opted.

### **4 Interview**

- 4.1 Candidates will be invited to attend a Council meeting to give a statement as to why they wish to be a councillor and answer questions from Councillors. After they have been interviewed, they will be asked to leave the meeting.
- 4.2 The candidate co-opted must receive a majority of votes of those councillors present at the meeting.
- 4.3 The Clerk will inform candidates of the Council's decision in writing after the meeting.
- 4.4 Successful candidates will be invited to join the Council from the next Council meeting when they will sign the declaration of acceptance of office.

## **APPENDIX 1 - Council Roles**

### **What is the role of a Parish Councillor?**

The main role of a Parish Councillor is to represent the views of all residents within the parish and to listen to, and understand, the views and needs of different groups in the community. There is a responsibility to be well informed, especially about diverse local views. Councillors cannot assume that they represent the interests of electors without consulting them.

Parish Councillors are elected representatives (they are neither volunteers nor employees) and serve for a 4-year term unless co-opted or elected in a by-election when they serve until the next election. They must apply the law and comply with the Code of Conduct and other adopted policies of the council. Councillors are required to act in an ethical way and to declare an interest when necessary.

Councillors contribute to the work of the council by suggesting ideas, influencing policy and strategy, engaging in constructive debate and by responding to the needs and views of the community. Councillors comment on proposals to ensure the best outcome and vote to enable the council to make decisions.

Individual Parish Councillors cannot make decisions on behalf of the council, but they can actively lead and engage with local projects.

The Parish Council needs a wide range of skills and experience to work as a team. Councillors from different backgrounds better represent the whole community and possess different enthusiasms, skills, attitudes and interests.

### **What is the role of the Parish Clerk?**

The role of the Parish Clerk is to ensure that the council conducts its business properly and to provide independent, objective and professional advice and support. They are under a statutory duty to carry out all the functions, and to serve or issue all the notifications required by the law of a Local Authority's Proper Officer.

The Parish Clerk is an employee of the Parish Council. They are not an elected officer and can only make decisions which the Parish Council's elected Members delegate to them. Typically, these responsibilities are set out in the Parish Clerk's contract of employment and include most day-to-day administrative functions.

### **What is the role of the Parish Council Chairman?**

The Parish Council Chairman is elected by the other councillors and is typically elected for a period of a year.

The Chairman will often represent the council at community events and is responsible for chairing the meetings of the council, ensuring good order, and using their casting vote in the event of a tie on any matter requiring a council decision.

Beyond this, the Chairman has no other authority and cannot act independently on behalf of the council.

## APPENDIX 2

### Co-Option Eligibility Form

**In order to be eligible for co-option as a Hunts Grove Parish Councillor you must satisfy certain criteria:**

- a) **YES / NO** Are you a British subject, citizen of the Commonwealth or citizen of the European Union?
- b) **YES / NO** On the 'relevant date' (i.e. the day on which you are nominated or if there is a poll the day of the election) are you 18 years of age or over?
- c) **YES / NO** I am registered as a local government elector for the Parish of Hunts Grove.
- d) **YES / NO** I have, during the whole of the twelve months preceding my co-option, lived in the Parish of Hunts Grove or within 3 miles of it.
- e) **YES / NO** My principle or only place of work has, during the whole twelve months preceding my co-option, been in the Parish of Hunts Grove.

**Under Section 80 of the Local Government Act 1972 a person is disqualified from being elected as a Local Councillor or being a member of a Local Council if specific criteria are not met:**

- a) **YES / NO** Are you an employee of Hunts Grove Parish Council?
- b) **YES / NO** Are you the subject of a bankruptcy restrictions order or interim order?
- c) **YES / NO** Have you within the last five years been convicted of an offence in the UK, Channel Islands or Isle of Man which resulted in a sentence of imprisonment (whether suspended or not) for a period of three months or more without the option of a fine?
- d) **YES / NO** Are you disqualified by order of a court from being a member of a local authority?

### Use of Personal Information

The Parish Council will use the information provided on this form to assess your eligibility to be a Parish Councillor. All personal information shall be treated confidentially according to our Privacy Policy.

### Declaration of Consent

I \_\_\_\_\_ hereby confirm that I am eligible for the vacancy of Hunts Grove Parish Councillor, and the information provided on this form is a true and accurate record.

Signed: \_\_\_\_\_

Print: \_\_\_\_\_

Date: \_\_\_\_\_

## APPENDIX 3

### Co-Option Application Form

**NAME:** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_

\_\_\_\_\_

**EMAIL:** \_\_\_\_\_

**PHONE:** \_\_\_\_\_

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**Important:** The questions on this application form are your opportunity to bring to councillors' attention any experience, skills, and motivations that you feel will benefit the Council, and therefore our village. If you would prefer a call with an existing Councillor to capture this information, please just tick the box below.

**I PREFER A CALL**

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**For any question, please feel free to continue on an additional page if required.**

1. Please tell us something about what experience you can bring to Hunts Grove Parish Council, for example, previous local government experience, work in the voluntary or charitable sector, business, schools, or trade union experience.

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2. Please tell us something about skills you can bring to the Council, for example, professional qualifications, financial or project management expertise, community engagement etc.

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3. Please tell us what attracts you to the role of Parish Councillor.

4. Some people join a Parish Council as they want to work with a team on general matters to improve the village. Others have a particular interest they would like to develop or see achieved for the community. Is there a particular issue, project, or responsibility you would like to pursue with the Council?

5. Please include any other information you would like to add in support of your application.

6. Are there any questions you would like to ask the Parish Council prior to the meeting to consider applicants?

Signed: \_\_\_\_\_

Print: \_\_\_\_\_ Date: \_\_\_\_\_

Please complete Appendix 2 and 3 and email to [clerk@huntsgrove-pc.gov.uk](mailto:clerk@huntsgrove-pc.gov.uk) or by post to Hunts Grove Parish Council, PO Box 2287, Gloucester, GL3 9HA

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