



Co-option policy

Prepared for: Reepham Town Council

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SUMMARY

This procedure is based on NALC Legal Briefing L15-08 – Good practice for selection of candidates for co-option to local Councils.

Parish and Town 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.

The National Association of Local Councils (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.

Whenever the need for co-option arises, Reepham Town Council will consider advertising the vacancy to seek and encourage 'expressions of interest' by a specified date from anyone in the town of Reepham who is eligible to stand as a Town Councillor. All potential candidates will be requested to complete an application form (See Appendix A & B) and invited to meet with a current councillor. They will also be encouraged to attend a meeting as a member of the public prior to submitting an application.

Qualifying Criteria

Individuals must meet the eligibility criteria in accordance with Local Government Act 1972, s79 and 80(1)(aa). The Town Council should be satisfied by its own investigation or, if this is not possible, by evidence provided by the proposed candidate that the candidate:-

- Is at least 18 years old
 - Is a British citizen, an eligible Commonwealth citizen or a citizen of any other member state of the European Union, and
 - Meets at least one of the following four qualifications:
 - A. Their name must appear on the register of local government electors for Reepham at the time of their application and throughout their term of office should they be co-opted.
 - B. They have occupied any land or other premises as owner or tenant in Reepham during 12 months before the day of their application.
 - C. Their main or only place of work during the 12 months prior to the day of their application has been in the Reepham area. They do not have to have paid employment to qualify, as long as their main or only place of work is in the Reepham area.
 - D. They have lived in the Reepham area or within three miles of it during the 12 months before they apply.
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Disqualifying Criteria

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:-

- They are employed by Reepham Town Council or hold a paid office under the Town council (including joint boards or committees).
- They have been declared bankrupt in the last five years and has made a composition or arrangement with his/her creditors (but see below)
- They have been convicted of a criminal offence and sentenced to at least three months imprisonment (including any suspended sentence) within the previous five years.
- They are disqualified due to corrupt practices under Part III of the Representation of the People Act 1983 or the Audit Commission Act for corrupt or illegal practices.

The disqualification for bankruptcy ceases in the following circumstances:

- i. If the bankruptcy is annulled on the grounds that either the person ought not to have been adjudged bankrupt or that their 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,

Eligibility of the candidates will be confirmed by the Clerk prior to the co-option or election meeting.

Co-option Process

The process for co-option must be open, fair and transparent. The vacancy will be advertised within the town via the noticeboards, Town Council website and local publications.

1. The advertisement to co-opt shall:-
 - Give a brief outline of the role and responsibilities of a Town Councillor.
 - Explain that further information is available on the website , including detailed information about the roles and responsibilities of a Town Councillor and the eligibility criteria.
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- State the method(s) by which an interest can be expressed.
 - Include a closing date for applications.
- i. Eligible candidates will be directed to a nominated current councillor who will discuss the role in depth and ensure all questions and concerns are answered and that the candidate is prepared for the role, both for the candidate and the Town council. It is expected that they will have attended a full meeting as a member of the public at this stage.
 - ii. All members will receive copies of the candidate's application along with, or before, the summons to attend the next full council meeting following the application deadline. All applications are strictly confidential and will not be discussed in a public forum.
 - iii. Councillors will discuss the candidate in a closed meeting at an agreed date/time before the full council meeting.
 - iv. The Chairman to offer the opportunity for debate on the order of priority to offer co-option.
 - v. Eligible candidates will be invited to attend the next full meeting following the application deadline and will be notified, either by email or by letter, of the date of the meeting and the co-option process.
 - vi. If the candidates are unable to attend the meeting, depending on whether or not a reasonable explanation of the absence has been received, the Council may appoint the candidate in his/her absence or decide to defer the agenda item until a subsequent Council meeting.
 - vii. Only Town Councillors present at the meeting may vote upon a person to fill the vacancy. Councillors will have only one vote per vacancy to be filled.
 - viii. Councillors should declare a prejudicial interest and withdraw from the meeting where any existing relationship (of a personal or business nature) with the candidate may cause bias.
 - ix. The Town Council will appoint the co-opted members by voting according to Standing Orders.
 - x. A successful candidate must have received an absolute majority vote by those councillors present.
2. 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. The council is not obliged to fill all vacancies, but must take steps to advertise for further co-options or hold an election to fill vacancies.
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4. The co-opted members will be asked to sign a Declaration of Acceptance of Office and a Declaration of Acceptance of the Town Council's Code of Conduct. The Council will then formally ratify the appointment. The new Councillor may then take their seat at Council.
 5. As soon as is practicable following their co-option members will be given the opportunity to attend an induction session and to meet more of their fellow councillors than the co-option Councillor they will, by this stage, be familiar with. They will be offered the opportunity to attend a course for new Councillors, or other suitable course, according to the member's knowledge and experience, at the expense of Reepham Town Council.
 6. A copy of the Good Councillors Guide will be provided to all new Councillors, in either printed form or email form, according to their specified preference.
 7. The Clerk will seek written permission from all Councillors prior to publishing their contact information on the website.
 8. The Clerk and Finance Officer will ensure compliance and that all signatures and personal information required is sought and obtained in a timely manner.
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APPENDIX A

LOCAL AUTHORITY **REEPHAM TOWN COUNCIL**

DESCRIPTION OF OFFICE.....

COMPETENCY	ESSENTIAL	DESIRABLE
<p>Relevant Knowledge, Education, Professional Qualifications & Training</p>	<ul style="list-style-type: none"> • Sound knowledge and understanding of local affairs and the local community. • Other requirements to be specified 	<ul style="list-style-type: none"> • A levels/Degree level and/or • Vocation or professional qualification (e.g. accountant, teacher, policeman) may be specified
<p>Experience, Skills, Knowledge and Ability</p>	<ul style="list-style-type: none"> • Solid interest in local matters. • Ability and willingness to represent the Council and their community. • Good interpersonal skills. • Ability to communicate succinctly and clearly both orally and in writing, • Ability and willingness to work closely with other members and to maintain good working relationships with all members and staff. • Good reading and analytic skills. • Ability and willingness to work with the Council's partners (e.g. voluntary groups, other parish councils, principal authority, charities). • Ability and willingness to undertake relevant training. • Ability to work under pressure. 	<ul style="list-style-type: none"> • Experience of working or being a member in a local authority or other public body. • Experience of working with voluntary and/or local community/interest groups. • Basic knowledge of legal issues relating to town and parish councils or local authorities. • Good standard of computer literacy. • Experience of delivering presentations. • Experience of working with the media. • Experience in financial control/ budgeting. • HR experience.
<p>Circumstances</p>	<ul style="list-style-type: none"> • Ability and willingness to attend meetings of the council (or the meetings of other local authorities and local bodies) in the evening and events in the evening and at weekends. • Flexible and committed to the Council • Enthusiastic. 	

APPENDIX B

APPLICATION FORM

LOCAL AUTHORITY **REEPHAM TOWN COUNCIL**

DESCRIPTION OF OFFICE **TOWN COUNCILLOR**

FULL NAME	
HOME ADDRESS	
TELEPHONE NUMBER (HOME AND MOBILE)	
EMAIL	

LEGAL QUALIFICATIONS FOR BEING A PARISH COUNCILLOR

(To qualify you must be able to answer 'yes' to both questions below)

Are you a British citizen, a Commonwealth citizen or a citizen of an EU Country?	YES / NO
Are you 18 years of age or over?	YES / NO

(to qualify you must be able to answer 'yes' to at least one of the questions below)

Are you on the electoral register for the ward of Reepham?	YES / NO
Have you lived in Reepham, or within 3 miles of its boundary, for at least a year?	YES / NO
Have you been the owner or tenant of land in Reepham for at least a year?	YES / NO
My principal or only place of work during the last 12 months has been within Reepham.	YES / NO

REEPHAM TOWN COUNCIL

DISQUALIFICATIONS

(You must be able to answer 'NO' to all of the questions below to be eligible to serve as a councillor)

Are you the subject of a bankruptcy restrictions order or interim order?	YES / NO
Have you, within the last five years, been convicted of an offence in the UK, The Channel Islands or the 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?	YES / NO
Are you disqualified by order of a court from being a member of a local authority?	YES / NO

PLEASE COMPLETE THE FOLLOWING (This is not a legal requirement but is helpful in informing our decision)

Please briefly outline why you are interested in being a Town Councillor

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Please tell us something about the life experience you will bring to the Council

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Please tell us something about the skills you feel you will bring to the Council, for example, professional qualifications, financial or project management expertise, listening and organisational skills

Is there any other information you would like to disclose regarding your application?

Do you have any questions you would like to ask the council, or the clerk?

Please return your completed application form to any current Reepham Town Councillor, or the clerk, by the date specified.

REEPHAM TOWN COUNCIL

Data Protection Act. The information on this form will remain strictly private and confidential and will only be used for the purposes of co-option to Reepham Town Council.

I,..... hereby confirm that I am eligible to apply for the vacancy of Reepham Town Councillor and that the information given on this form is a true and accurate record.

SIGNED..... DATED.....

