

SHIPLEY TOWN COUNCIL
POLICY FOR THE CO-OPTION OF COUNCILLORS TO CASUAL VACANCIES

This policy outlines the procedure to be followed by Shipley Town Council when a casual vacancy arises by virtue of a councillor's resignation, disqualification or death or following an ordinary election or following the cancellation of an ordinary election.

Electoral Services at City of Bradford Metropolitan District Council is to be informed of the vacancy. Assuming there is no valid election petition, the Town Council will fill the vacancy by co-option using the following procedure:

1. The Town Clerk will erect a notice in a conspicuous place in the civil parish (to include at least one website and one notice board), inviting people who are interested in being a town councillor to write to the Council in not more than 500 words to explain their reason for wanting to be a councillor and their suitability for the office.
2. The notice advertising the vacancy will contain a closing date for receipt of applications, to be set at 30 days from the date of the confirmation that no valid petition for a by-election has been received or in other circumstances, as the Council may determine at a meeting of the Full Council specially called for the purpose.
3. Upon receipt of the written application letters, the Town Clerk must check, insofar as is reasonably practicable, that all candidates are eligible to be and not disqualified from being councillors in accordance with the Local Government Act 1972 and the Local Government and Housing Act 1989.
4. Those applicants that are eligible and not disqualified will be invited to attend the next ordinary Full Council meeting, if it is possible to provide a period of 30 days' notice to all applicants, otherwise to attend the next ordinary meeting after that.
5. All applicants will be contacted to discuss any reasonable adjustments they may require.
6. The Full Council meeting at (4) above shall include an agenda item "To receive written applications for the office of town councillor and to co-opt a candidate[s] to fill the existing vacancy[ies] in accordance with the agreed procedure", detailed as follows:

7. The Council will request all those submitting a written letter of application to attend the meeting and to provide a 5-minute presentation as to their suitability for the office, prior to resolving to co-opt the most suitable candidate.
8. Following presentations, councillors may ask questions to clarify points of fact. This will be regulated at the discretion of the chairman of the meeting.
9. Once points of fact have been clarified, the consideration of candidates' suitability is likely to entail disclosure of personal data and additionally, any disclosure of an assessment of character is likely to be prejudicial to the public interest. Any such deliberations will therefore be recommended for consideration in closed session according to the provisions of the Public Bodies (Admission to Meetings) Act 1960.
10. Councillors must subsequently vote in the usual way, with a proposer and by show of hands. This must be open to the press and public to observe, record and report on. If the Council has more than two applicants for a vacancy, it needs to ensure that the successful applicant receives not just most of the votes cast but an absolute majority. The difference is that the person elected must receive more votes than all the others added together. A preferential voting system must be used whereby the applicant with the least votes is eliminated and the voting is repeated with the remaining applicants until one candidate achieves 50%+1 of the votes, which may include the Chairman's casting vote should it be needed.
11. If there is only one applicant at any point in the process, Council should still undertake the full process and is not obliged to co-opt the single applicant even if they are the only person. The Council may re-advertise the vacancy.
12. The successful applicant will sign a Declaration of Acceptance of Office before they can act as a town councillor. Upon signing, the successful candidate can take their seat and participate fully with immediate effect.
13. The Town Clerk will provide the new councillor with the Council's Code of Conduct and the Induction Pack.