



# Chailey Parish Council

## Procedure for the co-option of Councillors

### Introduction

1. This document sets out the procedure to be adopted by Chailey Parish Council (“the Council”) when seeking to fill one or more vacancies on the Council by co-option.
2. The procedure set out herein shall apply whether the need to co-opt arises because a casual vacancy has occurred or otherwise.

### Advertisement of the vacancy

3. The Clerk to the Council (“the Clerk”) shall make arrangements for the vacancy to be advertised by placing an appropriate notice on the Council’s noticeboards and on its website. The Clerk shall also, subject to copy deadlines, make arrangements for the vacancy to be mentioned in the “Village News” or similar sections in The Mid Sussex Times, Sussex Express and Chailey News.
4. The notice shall explain briefly the eligibility rules for being a Councillor.
5. The notice shall require anyone wishing to be considered as a candidate to fill the vacancy to submit to the Clerk a brief curriculum vitae and a written statement explaining why he/she wishes to join the Council and the skills and experience that he/she would contribute to the work of the Council (“the Required Information”).
6. The notice shall give a date by which all those wishing to be considered as a candidate to fill the vacancy should submit the Required Information to the Clerk.

### Consideration of applications

7. As soon as possible after the date referred to in paragraph 6 the Clerk shall send to all members of the Council’s Personnel Advisory Committee (“the PAC”) a list of all those who have expressed interest in being considered as a candidate to fill the vacancy and who have submitted the Required Information, together with a copy of the Required Information for each candidate.
8. All applications received shall be considered by the PAC at a meeting convened solely for that purpose (“the Meeting”). The objective of the Meeting shall be for the PAC to form an opinion as to which candidate(s) (if any) should be considered by the Full Council as being suitable to be co-opted as a Councillor.

9. The PAC Chairman and the Clerk shall together make the practical arrangements necessary to convene and hold the Meeting and to invite to it those candidates whom the PAC Chairman, after consulting the other members of the PAC, considers should be asked to attend the Meeting. Unless there is good reason otherwise, all candidates who have complied with the requirements of paragraphs 5 by the date set under paragraph 6 shall be invited to attend.
10. At the Meeting the PAC shall interview separately all those candidates who have been asked to attend the Meeting. It is expected that interviews will be conducted informally.
11. When reaching the opinion referred to in paragraph 8 the PAC shall take account of any information obtained during and considerations arising from its interviews with candidates, as well as the Required Information.
12. The PAC shall, as soon as practicable after the Meeting, send to the Chairman of the Council and to the Clerk its recommendation(s) for which candidate(s) (if any) should be considered by the Full Council as being suitable to be co-opted as a Councillor. The recommendation(s) shall be in writing and shall be accompanied by brief reasons for the recommendation(s) together with any other comments the PAC thinks appropriate.

#### **The co-option decision**

13. All decisions as to whether or not to co-opt a Councillor or Councillors and who should be co-opted lie solely with the Council.
14. When deciding whom to co-opt as a Councillor the Council is not bound to consider or give any preference to previously unsuccessful candidates or to those who have at one time served as a Councillor on the Council.
15. Any person being considered for co-option must meet the qualifications for being a Councillor and must not be disqualified from so acting.
16. All recommendations made by the PAC under paragraph 12 shall be considered at a meeting of the Council. When deciding whether or not to co-opt a Councillor or Councillors the Council shall take account of all recommendations made by the PAC but is not bound to follow them.
17. To be co-opted as a Councillor a candidate must receive an absolute majority of those Councillors present and voting at the relevant meeting of the Council. Voting is by show of hands.
18. If there is more than one vacancy and the number of candidates equals or is lower than the number of vacancies, all the vacancies may be filled by a composite resolution. If the number of candidates exceeds the number of vacancies, each vacancy must be filled by a separate vote or series of votes.
19. If there are more than two candidates for one vacancy and none receives an absolute majority, the candidate with the fewest votes shall be eliminated from the process and the remaining candidates shall be put to the vote again. This process shall be repeated until two candidates remain and an absolute majority for one candidate is obtained.

20. If there are two candidates for one vacancy or if two candidates remain after the process set out in paragraph 19 has been followed, then the candidate receiving the higher number of votes is successful. If the number of votes for each candidate is the same, the person presiding at the Council meeting (whether or not the Chairman of the Council) shall have a casting vote.
21. If there are more than two candidates for one vacancy, none of them receives an absolute majority and those with the fewest votes have the same number of votes, the Council shall, by negotiation, decide which of the candidates with the fewest votes shall be eliminated from the process. If agreement cannot be reached, the order in which the candidates with the fewest votes shall be eliminated shall be determined by a vote. The person presiding at the Council meeting (whether or not the Chairman of the Council) shall have a casting vote.

**The protection of personal data.**

22. Information given by candidates as part of the co-option process is, or may be, personal data which shall be handled by the Council and Councillors in accordance with the normal Data Protection principles. Councillors who are made privy to personal data (whether by receiving Required Information or otherwise) shall ensure that such data is kept safe and, immediately following the conclusion of the co-option process, is destroyed and/or deleted from any electronic storage system.