

CO-OPTING FOR DEMOCRACY

Cllr David Francis, chair of NALC's Policy Committee

It is sometimes said that democracy can only be achieved through the ballot box and that making co-options is a failure of the democratic process. However, this need not be the case, and co-options can be a positive tool. Arguably, every local (parish and town) council benefit from having a mix of counsellors drawn from various backgrounds. They are capable, enthusiastic, and engaged in reflecting on their communities.

Where elections result in shortfalls or, indeed, imbalances in their membership, making co-options can be an opportunity for councils or their committees to address them. Unlike the conduct of elections, which are subject to a massive range of rules and primarily administered by more-distant authorities, the law gives local councils a much freer rein to make co-options. This is a power and a privilege which should be exercised responsibly and creatively. The following is our advice on good practice, working within the legal provisions where they exist.

When does the power to co-opt become available?

There are two ways that co-options can occur:

- There have been insufficient candidates to fill all the available seats at an election.
- A casual vacancy has arisen between elections, and there is no demand to hold a by-election.

What is the process for co-opting a councillor?

We suggest the following simple steps:

1. The council should identify any shortfalls and imbalances in their membership. These might be based on gender, age, geographical coverage within the parish, or other characteristics.
2. It may be sensible to agree on a role description and person specification to target specific characteristics, skills, or groups. Also, highlight the skills needed to be a good councillor: good communication skills, problem-solving, analytical thinking and being a team player. However, the most important attribute is to care about the community and be willing to take an active role. Details of the statutory criteria of eligibility should also be made available.

3. The council should specify how to apply for the role, in writing, with any deadlines, with or without CVs, and stipulate how co-options will be made. For example, via a public or private interview with or without prior shortlisting.
4. Advertise the role across relevant local media platforms. For example, through social media, community newsletters, websites, and notice boards. And work with community groups to advertise the vacancy.
5. Following the deadline for receipt of applications, ineligible candidates can be weeded out, and, if applicable, any shortlisting can be undertaken. Advice on eligibility is usually available from the electoral registration officer or the county association of local councils. The council may conduct interviews, whether conducted by the entire council or by a delegated group. However, the final decision must be made by the full council.
6. Where there are more candidates than vacancies, a vote should take place. Voting can take place using show-of-hands or on paper by secret ballot. Suppose there are more than two candidates for one available position. In that case, the result must be by a clear majority, meaning that the chosen candidate must receive more votes than the other candidates' total votes.
7. Following this decision, the new councillor must sign a declaration of Acceptance of Office, and they can then join the council as a fully-fledged member. Within 28 days, the new councillor must complete a declaration of Interests form which must be sent to and published by the council's monitoring officer. The council should also consider what induction, training, and other support should be given to the new councillor.