REPORT PC26129c Amended Co-Option Policy
Author: Jon Sloan, Parish Officer
Date: September 16, 2026

1. **BACKGROUND**
   The Council's current Co-Option Policy was adopted in January 2025 and had been due for review in January 2027. The Council has been undertaking various co-option matters this year and has candidates at various stages of the co-option process as outlined in the adopted policy.

   At the June 2026 Council meeting, members thought that the current Co-option Policy would benefit from further consideration. The Clerk then reviewed the existing policy alongside current guidance from the Society of Local Council Clerks (SLCC), the National Association of Local Councils (NALC), the Wiltshire Association of Local Councils (WALC) and a number of adopted policies from other councils. He has prepared the attached draft policy.

2. **SUMMARY**
   The draft represents a significant rewrite of the current policy and, at first glance, may appear much shorter than the existing document. This has been intentional. One of the principal aims has been to separate the legal co-option procedure from good practice guidance for prospective candidates. Over time, the Council's adopted co-option policy(s) had been revised to include a number of requirements and stages that, whilst well-intentioned and helpful in introducing prospective councillors to the Council, do not form part of the legal co-option process itself.

   In preparing the draft, the Clerk has sought to ensure that:
   - The policy accurately reflects the current legal position.
   - The Council retains the ability to encourage and support prospective candidates.
   - The process remains transparent and fair.
   - No unnecessary barriers are placed in the way of otherwise eligible residents wishing to be considered for co-option.

   One area which has received particular attention is the treatment of discussions about candidates and the exclusion of the press and public. The guidance reviewed makes it clear that any exclusion must be justified by the statutory provisions relating to confidential or exempt information and cannot simply be used because Members would prefer to discuss candidates privately. Equally, the advice and examples reviewed consistently state that voting must take place once the public session has been resumed.

The Clerk appreciates that some Members may feel that the previous approach provided a structured pathway for prospective candidates. But his advice is that, whilst much of that material remains valuable, it is better presented as guidance and support rather than as requirements which could potentially restrict the Council's discretion or conflict with the legal framework governing co-option. The revised draft therefore retains opportunities for applicants to provide information about themselves and for the Council to engage with prospective candidates, whilst making it clear that these are not mandatory prerequisites for consideration.

3. **RECOMMENDATION**
   That Council resolves to adopt the revised Co-Option Policy.

Laverstock & Ford Parish Council

DRAFT CO-OPTION POLICY

Purpose	To set out a Code of Practice
Scope	All
Date adopted	
Minute Ref:	
Previous Versions	20th January 2025. Minute Ref: 25.011
Next Review	June 2029
Policy Owner	Full Council
Supersedes	None

Related Information for Candidates:

Local Government Association – Becoming a Councillor:

https://www.local.gov.uk/be-councillor/becoming-councillor-0

Laverstock & Ford Communities Neighbourhood Plan:

https://www.lfcnp.co.uk/

Laverstock & Ford Parish Council:

https://laverstockford-pc.gov.uk/

National Association of Local Councils:

https://www.nalc.gov.uk/publications

Council Assets and responsibilities

A map showing the parish boundaries and location of Open Spaces can be found at https://www.lfcnp.co.uk/wp-content/uploads/2021/05/Appendix-10-Designated-Local-Green-Spaces-V6a.pdf

Structure and workings of the council

Scheme of Delegations is available at:

https://laverstockford-pc.gov.uk/scheme-of-delegation/

Previous Agendas and minutes are available at:

https://laverstockford-pc.gov.uk/meetings

1. Introduction

1.1. This policy sets out the procedure to ensure there is compliance with legislation and continuity of procedures in the co-option of members to Laverstock and Ford Parish Council.

1.2. This policy intended to ensure compliance with legislation and to provide a fair, open and transparent process. The co-option process is managed by the Parish Council and must be conducted in accordance with statutory requirements and the Council's Standing Orders.

1.3. The co-option of a parish councillor occurs in two instances:

a) When an ordinary vacancy has arisen on the Parish Council after the ordinary elections held every four years,

b) When a casual vacancy has arisen on the Parish Council and no poll (by-election) has been called.

1.4. The Parish Council is composed of three wards: Laverstock & Milford; Ford, Old Sarum & Longhedge; and Bishopdown Farm.

2. Ordinary vacancy

2.1 An ordinary vacancy occurs when an ordinary election does not result in all council seats being filled. In a warded parish, this arises where the number of validly nominated candidates for a particular ward is less than the number of seats available in that ward. Candidates validly nominated for that ward are elected unopposed and any remaining seats become ordinary vacancies. Subject to the Council remaining quorate, those vacancies may subsequently be filled by co-option.

3. Casual vacancy

3.1 A casual vacancy occurs when:

- A councillor fails to make his declaration of acceptance of office at the proper time,
- A councillor resigns,
- A councillor dies,
- A councillor becomes disqualified,
- A councillor fails for six (6) months to attend meetings of a council committee or sub-committee or to attend as a representative of the council a meeting of an outside body.

3.2 The Parish Council must notify Wiltshire Council of a casual vacancy and then advertise the vacancy and give electors for the ward the opportunity to request an election. This occurs when ten (10) electors write to Wiltshire Council stating that an election is requested.

3.3 If a by-election is called, a polling station will be set up by Wiltshire Council, and the people of the ward will be asked to go to the polls to vote for candidates who will have put themselves forward by way of a nomination paper. Laverstock and Ford Parish Council will pay the costs of the election. The people of the ward have fourteen days (not including weekends, bank holidays and other notable days), to claim the by-election, but the Electoral Services Office of Wiltshire Council will advise the Clerk of the closing date.

3.4 If more than one (1) candidate is then nominated, a by-election takes place but if only one (1) candidate is put forward they are duly elected without a ballot.

3.5 If ten (10) residents do not request a ballot within fourteen (14) days of the vacancy notice being posted, as advised by the Electoral Services Office, the Parish Council is able to co-opt a volunteer.

4. Confirmation of co-option

4.1 On receipt of written confirmation from the Electoral Services Office that no by-election has been claimed, the casual vacancy can be filled by means of co-option.

4.2 The Clerk will:

- Advertise the vacancy for four weeks or such other period as the Parish Council may agree on the Parish Council notice boards and website,
- Advise Wiltshire Council that the co-option policy has been instigated.

4.3 This procedure may also apply in the case of an ordinary vacancy where the Electoral Services Office has confirmed that there were insufficient nominations to fill all the seats but there are sufficient parish councillors elected to constitute a quorum.

4.4 The Council may also invite expressions of interest from individuals who wish to be considered. As part of encouraging participation and informed decision-making, the Council may:

- Provide information about the role of a Councillor
- Direct candidates to relevant policies and documents
- Offer opportunities for informal discussion with the Chair, Clerk or Councillors

Such steps reflect good practice but are not mandatory.

Commented [TD1]: Should this be a statement and not a Bullet point.

5. Eligibility of candidates

5.1 The Parish Council can consider any person to fill a vacancy provided that:

- He/she person is 18 or over,
- He/she is a British citizen, an eligible Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen or an EU citizen with retained rights;

and at least **one** of the following apply:

- He/she is an elector for the Parish and continues to be an elector,
- Or has resided in the Parish for the past twelve months or rented/tenanted land in the Parish,
- Or has had his/her principal or only place of work in the Parish for the past twelve months,
- Or has lived within three miles of the Parish for the past twelve months.

5.2 There are certain disqualifications for being a parish councillor, of which the main are (see s.80 of the Local Government Act 1972):

- Holding a paid office or employment under the Parish Council,
- Being subject to a bankruptcy restrictions order or interim order,
- Having been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the preceding five years and the ordinary period allowed for making an appeal or applications in respect of the conviction has passed,
- Being disqualified under the Representation of the People Act 1983 (which covers corrupt or illegal electoral practices).

Commented [TD2]: has this sentence been cut short?

Commented [L&FPC2R2]: Yes, fixed.

- Being subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003, and the ordinary period allowed for making an appeal or application in respect of the order or notification has passed.
- Being convicted of an intimidatory criminal offence motivated by hostility towards a candidate, future candidate or campaigner or holder of a relevant elective office.

A person may also be disqualified from being or becoming a member of certain authorities following a conviction under the Localism Act 2011.

6. Principles of co-option

6.1 The Council recognises that co-option is a lawful and legitimate method of appointment and forms part of the democratic process. Once appointed, co-opted Councillors have the same rights and responsibilities as elected members. Except they are ineligible to claim the councillor's allowance.

Commented [TD3]: ineligible to claim councillors allowance I assume?

Commented [L&FPC3R2]: Yes. thanks.

6.2 In exercising its power to co-opt, the Council will:

- Act in an open and transparent manner
- Ensure that the process is fair and non-discriminatory
- Encourage participation from a broad cross-section of the community
- Take decisions only at a properly convened meeting of Full Council

6.3 The Council shall not impose requirements which would prevent an otherwise eligible person from being considered for co-option.

7. Applications

7.1 Although there is no Statutory Requirement to do so, candidates will be requested to:

- Submit information about themselves, by way of completing a short application form (Appendix A)
- Confirm their eligibility for the position of Councillor within the statutory rules (Appendix B).

7.2 However, it is important to note that:

- Submission of an application form is not a legal requirement;
- A person who has not submitted an application may still be nominated at a Council meeting; and
- The absence of an application must not prevent consideration of an eligible candidate.

7.4 Candidates will be sent a full agenda of the meeting at which they are to be considered for appointment, together with a copy of the Code of Conduct, Standing Orders and Financial Regulations of L&FPC. Candidates will also be informed that they will be invited to speak about their application at the meeting.

8. Co-option procedure at the Council meeting

8.1 Agenda

The co-option of a Councillor shall be included as an agenda item at a properly convened meeting of the Council.

8.2 Nominations

At the meeting, any eligible person may be nominated for co-option.

A valid nomination must be proposed and seconded by Councillors present at the meeting. A Councillor is not obliged to nominate or second any candidate.

Candidates do not need to have submitted an application in advance and do not need to be present at the meeting in order to be considered.

8.3 Candidate Address

Candidates may, if they wish, be invited to address the Council and provide a brief statement outlining their interest in the role.

This is typically limited to a short period (for example, up to three minutes), but attendance and speaking are not mandatory.

8.4 Discussion of Candidates and Exclusion of Press and Public

The press and public may only be excluded by formal resolution of the Council where this is justified in accordance with:

- The Public Bodies (Admission to Meetings) Act 1960; and
- Schedule 12A of the Local Government Act 1972

Exclusion may only take place where the business to be transacted involves:

- Confidential information; or
- Exempt information, including information relating to an individual (for example, personal background, circumstances, or other sensitive personal data).

In the context of co-option, exclusion may be appropriate where the Council is discussing:

- Personal details contained in applications;
- Sensitive matters relating to a candidate's background;
- Comparative assessment of individuals where disclosure would be unfair or prejudicial.

Any such exclusion must:

- Be properly proposed and resolved;
- Clearly state the grounds for exclusion; and
- Be recorded in the minutes.

The decision to exclude must be proportionate and only applied where necessary.

8.5 Voting

Following nominations and any discussion, the Council shall proceed to vote in accordance with its Standing Orders. Any vote to co-opt a councillor shall take place in public session. Where the press and public have been excluded for consideration of exempt or confidential information relating to candidates, they shall be invited to return to the meeting before voting commences.

The Chair shall place the names of all properly nominated candidates into alphabetical order before voting commences.

Where there is only one candidate for a vacancy, that candidate must receive an absolute majority of those Councillors present and voting in order to be declared elected.

Where there is more than one candidate for a vacancy, each Councillor present and voting shall have one vote. To be elected, a candidate must receive an absolute majority of those Councillors present and voting. If no candidate receives an absolute majority on the first vote, the candidate receiving the fewest votes shall be eliminated and a further vote taken. This process shall continue until one candidate receives an absolute majority of those present and voting.

In the event of an equality of votes, the Chair may exercise a casting vote in accordance with the Council's Standing Orders.

8.6 Appointment and Formalities

The successful candidate will be declared elected by the Chair.

If present, a candidate who is co-opted will sign a Declaration of Acceptance of Office, including an undertaking to abide by the Code of Conduct, and may take office thereafter. If not present, a co-opted candidate will sign the Declaration of Acceptance of Office either before or at the next meeting of the Parish Council.

The successful candidate must also complete a Register of Interests Declaration within 28 days of appointment.

9. Post co-option support

The Council recognises the importance of supporting new Councillors and will normally provide:

- An induction to the Council’s work
- Access to training opportunities
- Ongoing support from the Clerk and fellow Councillors

Such support reflects good practice and helps ensure effective participation.

APPENDIX A

Application for Co-option

Thank you for your interest in becoming a Parish Councillor. Please provide the below information to assist the council in making their decision.

Data Protection
Laverstock & Ford Parish Council will process the personal information provided in this application in accordance with the UK General Data Protection Regulation (UK GDPR), the Data Protection Act 2018 and the Council's Privacy Notice.

The information provided will be used solely for the purpose of administering the co-option process, determining eligibility for appointment as a Parish Councillor and fulfilling any associated legal or administrative requirements.

Application forms and any supporting information will be retained and disposed of in accordance with the Council's adopted Document Retention and Deletion Policy. Information will only be shared where required by law or where necessary for the administration of the co-option process.

By submitting this application, you acknowledge that your personal information will be processed for these purposes.

Full Name / Title

Home Address

Home Telephone

Mobile Telephone

Email Address

About You
Please provide the council with some background information about yourself.

Reasons for applying.
Please provide the council with your reasons for wanting to become a Parish Councillor.

Signature

I understand that the personal information contained in this application will be processed by Laverstock & Ford Parish Council for the purposes of administering the co-option process. I understand that such information will be handled in accordance with the UK GDPR, the Data Protection Act 2018, the Council's Privacy Notice and the Council's adopted Document Retention and Deletion Policy.

Signed: _____

Date: _____

APPENDIX B

Co-Option Eligibility Form

1. In order to be eligible for co-option as a Laverstock & Ford Parish Councillor you must be a British citizen, or an eligible Commonwealth citizen, a citizen of the Republic of Ireland, a qualifying EU citizen or an EU citizen with retained rights; and on the 'relevant date' (i.e. the day on which you are nominated or if there is a poll the day of the election) 18 years of age or over; and additionally able to meet one of the following qualifications set out below. Please tick which applies to you:

a) I am registered as a local government elector for the parish; or
b) I have, during the whole of the twelve months preceding the date of my co-option, occupied as owner or tenant, land, or other premises in the parish; or
c) My principal or only place of work during those twelve months has been in the parish; or
d) I have during the whole of twelve months resided in the parish or within 3 miles of it

2. Please note that 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 he/she:

a) Holds any paid office or employment of the local council (other than the office of Chairman) or of a joint committee on which the Council is represented; or
b) Is a person who has been adjudged bankrupt or has made a composition or arrangement with his/her creditors (but see below); or
c) Has been sentenced to a term of imprisonment (whether suspended or not) of not less than three months, without the option of a fine during the preceding five years and the ordinary period allowed for making an appeal or applications in respect of the conviction has passed; or
d) Is otherwise disqualified under Part III of the Representation of the People Act 1983 for corrupt or illegal practices.
e) Is subject to the notification requirement of or under Part 2 of the Sexual Offences Act 2003, and the ordinary period allowed for making an appeal or application in respect of the order or notification has passed.
f) Has been convicted of an intimidatory criminal offence motivated by hostility towards a candidate, future candidate or campaigner or holder of a relevant elective office.
g) Is disqualified from being or becoming a member of certain authorities following a conviction under the Localism Act 2011.

This 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 his/her 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.

DECLARATION

I……. hereby confirm that I am eligible for the vacancy of Laverstock & Ford Parish Councillor, and the information given on this form is true and accurate record.

Signature: _____

Date: _____/_____/_____