



SALC

SOMERSET ASSOCIATION OF LOCAL COUNCILS LTD

5. The co-option meeting and voting

- 5.1 Co-option should follow a transparent process carried out in public at a quorate meeting of the full council, not in confidential session.
- 5.2 Voting should follow standing orders, which is usually by a show of hands. However, many councils include a provision in the council's standing orders to allow it to use a paper ballot. In this case, the clerk should be prepared for this eventuality and will issue a voting slip to each councillor at the meeting. Each councillor present and voting has one vote per vacancy. To ensure nobody votes more than once, the voting slip should be signed by the councillor.
- 5.3 The council or standing orders should require destruction of the ballot papers at the conclusion of the meeting, or they risk being available for production as a public document under the Freedom of Information Act, which undermines the use of the paper ballot.
- 5.4 The meeting must resolve by an absolute majority of those present and voting, who to elect to the council. Each candidate must be proposed by an existing councillor, and, if required by standing orders (which is almost always the case), seconded. This process must be followed even if there is only one candidate for a vacancy.
- 5.5 If the number of candidates is equal to or less than the number of vacancies, then, subject to the process above, all the vacancies can be filled with a composite vote.
- 5.6 Where there are more candidates than vacancies, each vacancy is taken in turn, and each councillor present and voting has one vote per vacancy.
- 5.5 Immediately after the vote, the clerk, observed by the chairman (or other), should collect and check the voting slips and confirm to the chairman the name of the successful candidate, for the chairman to declare.
- 5.6 After conclusion of the co-option, arrangements should be made, and a resolution passed, for the new councillor to sign a declaration of acceptance of office, including an undertaking to abide by the Code of Conduct. If the new councillor is present, the declaration can be signed immediately, and they are then entitled to take part in the remainder of the meeting. If the co-opted councillor is not

present the council should resolve that the declaration must be signed on or before the next meeting of the council.

- 5.7 The newly co-opted councillor has the same status as any other councillor and remains a councillor until the next ordinary election (subject to the other intervening events). A co-opted councillor is not able to claim an allowance other than for travel and subsistence.
- 5.8 The council must notify the principal council's electoral services office of the co-option of the new councillor and make arrangements with the new councillor to complete the parish council's register of members' interests within 28 days.

6. Multiple candidates per vacancy

- 6.1 Where there are multiple candidates per vacancy and, after the first vote, none of the candidates for co-option have received an absolute majority of votes in their favour, the person having the least number of votes shall be struck off the list and a fresh vote taken. This process continues until an absolute majority of votes is given in favour of one person (*50%+1 of all votes cast*).
- 6.2 In the event of a tied vote, the chairman has the casting vote. The casting vote may be chosen by the chairman personally or by the toss of a coin; the chairman has no choice but to resolve the tie.
- 6.3 The purpose of the vote is to ensure that the will of the council has been carried out. To avoid abstentions preventing the will from being clear, it can be useful to include in the co-option policy that an absolute majority of votes means an affirmative vote of a majority of the councillors in attendance at the meeting.
- 6.4 For the purposes of full transparency, the results of the entire voting process must be recorded in the minutes.

• Example of voting procedure

The council has one vacancy and there are three candidates, Mr A, Ms B, & Dr C. Eight councillors are present and voting, which means an absolute majority requires 5 votes for one candidate. In the first round of voting, the votes cast are:

Mr A	Ms B	Dr C
4 votes	3 votes	1 vote

No candidate has secured an absolute majority of 5 votes. Dr C is eliminated as they received the fewest votes. A second round of voting takes place, and the votes cast are:

Mr A	Ms B
5 votes	3 votes

Mr A has received an absolute majority of votes is declared co-opted.