



## **Whitland Town Council – Election and co-option policy.**

### **Introduction.**

Whitland Town Council wishes to encourage and facilitate a vibrant and active town. To that end, they aim to involve local residents in the work of the Council, whether as councillors, staff, volunteers, or partners. This policy is to provide a procedure for the filling of Councillor vacancies on the Council.

### **Legislation.**

Whitland Town Council is aware that there is legislation regarding aspects of the election and co-option of local Councillors, and will abide by that legislation, including any amendments that are made by Government. If there is doubt as to the correct and precise procedure to follow, the electoral staff in Carmarthenshire County Council will be consulted, and if Council requests it One Voice Wales and/or SLCC. This may lead to an agenda item being passed onto the next meeting's agenda without a decision being made.

### **Elections**

In an election year when positions on the Council are up for election by residents, the Clerk shall co-ordinate the process, with guidance and information from the electoral staff in Carmarthenshire County Council.

The Clerk will supply the necessary documentation to the existing Councillors, and be available to advise all candidates on the procedure for completion and return of documents.

Following the return of candidate documentation, the Clerk will follow the procedures as stated by the electoral staff in Carmarthenshire County Council.

Should there be vacancies after the election process has completed, then the Council shall move to co-opt suitable residents, as per the co-option process detailed below.

### **Casual vacancy**

A casual vacancy is one that occurs when a Councillor is no longer taking that role. This is usually as a result of resignation, although there are other reasons specified in legislation such as death in post. Should a casual vacancy occur that is not directly related to a full Council election, then the following procedure shall be followed.

The Clerk will inform the electoral staff in Carmarthenshire County Council of the vacancy, and shall receive a statutory notice to display informing the electorate of the option to request an election for the vacancy by application to Carmarthenshire County Council within 14 days of the notice. This notice will be displayed in a public place as agreed in the Council meeting when the vacancy was notified to Whitland

Town Council, including the Council website and potentially any or all of the Facebook page, the Post Office, the Memorial Hall noticeboard, Library window etc.

Should ten of the electorate request an election for the vacancy, the Council and Clerk will be guided by the electoral staff in Carmarthenshire County Council and follow the procedure they provide.

Should there be no request for an election, the vacancy will go to the co-option process as detailed below.

### **Co-option process.**

The Clerk will inform the Council at the next meeting of the situation that there are vacancies that have not been filled after an election, or that no election has been requested, as relevant.

The Clerk will then prepare the Whitland Town Council formal statutory notice of co-option as provided by the electoral staff in Carmarthenshire County Council. The form will be dated as the first day it is displayed, and will give the electorate 14 days to make enquiries about it, and to put themselves forward for co-option. They will do this by contacting the Clerk.

Any candidate putting themselves forward for co-option should contact the Clerk giving a brief written history of themselves and reasons why they feel they could bring benefit the Council and Whitland.

Should any person contact a Councillor directly about this, they should always be directed to contact the Clerk for more information or to put themselves forward. All Councillors should avoid getting involved in the entire election and co-option process so that they are as unbiassed as possible when it comes to selecting the candidate.

For the next meeting after the end of this co-option period the Clerk will put co-option on the agenda as an item. This will usually be a normal meeting, but may be at an extra ordinary meeting if requested and minuted by Council at the earlier meeting when no election had been requested so co-option became the next stage.

### **Single vacancy**

No Councillor will have advance sight of the statements made by the candidates before the meeting at which the successful candidate is chosen.

At the relevant point in the meeting the Clerk will provide the written statements to each Councillor of each candidate, and reasonable time should be given for all to read them.

The Code of Conduct will apply – if a Councillor considers they would have a personal or prejudicial interest in a particular candidate, they should return the relevant statements to the Clerk, not participate in any discussion on that candidate and not include them in their voting.

If the meeting has specifically agreed at the start of this agenda item that there can be a short discussion on the candidates, this can be done. This could be beneficial to clarify aspects known to some but not all Councillors. If this has not been agreed before the candidates statements are provided to Councillors, then it should not be done.

Councillors will then mark their preferred candidate. A Councillor has the option to mark none i.e. abstain. Once each Councillor has made their decision the paper will be passed without another Councillor seeing their choice to the Clerk, who will tally the results. If a Councillor has selected more than one, then the Clerk should state this has happened, and it will be up to the Chair to decide if the whole vote should be repeated, or if just that selection should be eliminated from the counting.

If there is a tie, then the Chair may use their casting vote to choose between the two candidates who are tied only.

If there is a tie between more than two candidates, then the full voting process for all candidates will be run again, either by marking slips of paper, or by a show of hands.

The Clerk will then announce the successful candidate, that being the one who has garnered the most votes. The voting papers and candidate statements will then be all passed to the Clerk for confidential disposal.

The Clerk will subsequently write formally to all the candidates, informing them whether they are successful in being co-opted or not, and thanking them for applying. The Clerk will also inform them that they are required to make and sign their declaration of office within two months.

If a Councillor is absent, they may not vote – no proxy voting is allowed.

### **Multiple vacancies**

Should there be multiple vacancies directly after an election, then the Council will move to the co-option process, stating on the notices how many vacancies there are that can be applied for.

The co-option procedure above will be followed for multiple vacancies, except in that the successful candidates will be those who have gained the highest number of votes from Councillors. Each Councillor may rank up to the number of vacancies that there are – so if there are two vacancies, they may select their two preferred candidates. A Councillor has the option in this situation to only rank one, or none.

If there is a tie, then the Chair may use their casting vote to choose between only the tied candidates.

If there is a tie between more than two candidates which means that the correct number of successful candidates cannot be fairly determined, then the full voting process will be run again, either by marking slips of paper, or by a show of hands.

Should there be multiple vacancies arise as a result of resignation/death/ineligibility in a short space of time (e.g. between one normal meeting and the next) then these should be considered as a group. In this case the ‘vacancy open to election’ notice will specify that there are ‘vacancies’ and the co-option notice will state the number of vacancies that can be applied for.

Should there be one or more vacancy that is already substantially through the ‘vacancy open to election, then co-option’ process, and another arises, then that shall be treated separately. In this instance the Council may decide that the Clerk should highlight to any co-option candidates that there will be / could be another vacancy to fill shortly – if this is done, it will be minuted.

Once all statutory notices have been displayed appropriately for the required period, it is legally acceptable to consider filling multiple casual vacancies in one group.

### **Ongoing vacancies**

Should there be a vacancy that has not been filled by election or co-option, then the Council should regularly be advertising for co-option candidates. This should be done at least every six months.