



GRENDON UNDERWOOD PARISH COUNCIL

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CASUAL VACANCY POLICY

CP03.01

Authorised & Adopted: GRENDON UNDERWOOD PARISH COUNCIL

Reviewed as shown in the Policy Review Record CD08A

CHANGE LOG	
v.1 March 2025	To formalise relevant personnel terms of reference; recruitment guidance Adopted by resolution of full Council at a properly constituted general meeting held 25 th March 2025 - minute;

I PURPOSE

1. Pursuant to relevant section(s) of the Localism Act 2011, Grendon Underwood Parish Council ('the Council') is a duly authorised local authority coming under the Grendon Underwood Ward of Buckinghamshire County unitary authority with a mandated requirement to maintain a minimum number of Members as designated by the unitary authority.
2. This Policy addresses those legal and regulatory obligations such as to maintain and ensure a sustainable, effective membership for the consistent delivery of Parish Council statutory duties and obligations
3. This Policy provides the framework within which Council will effectively manage and conduct its administrative arrangements in relation to the requirements of the relevant legislation for the filling of casual vacancies either by election or by co-option of Members such as to ensure the timely and efficient compliance with its statutory obligations and delivery of its duties in regard to the expectations of the residents of the Parish.
4. In addition, it is also designed to ensure co-option of Members, as necessary from time to time, is carried out in a demonstrably public, fair, equal and transparent manner such as to maintain a viable working membership.
5. Council has made every effort to ensure all relevant statutory requirements to which a council is subject are encompassed in this Policy but confirm that, in any event, those requirements apply whether or not they are incorporated herein.
6. This Policy has been drawn up within the context of the Parish Council's Personnel Policy, its Freedom of Information Policy, its Equality Policy and its Data Protection Policy, which should be read in conjunction with this policy, and every effort has been made to ensure this Policy is consistent with other Council Policies where relevant.

NOTES:

- 'Council' means Grendon Underwood Parish Council.
- 'County' means the Democracy Dept of Buckinghamshire Council Unitary Authority.
- Unless otherwise expressed, a reference to a Member of the Council means elected Members and co-opted Members, with or without voting rights.
- A 'co-opted member' is a person who is not an elected member of the Council but who has been co-opted onto the Council, or a committee or sub-committee properly constituted by Council, by a majority of elected Councillors conforming to the requirements of this Policy, and who is entitled to vote on any question that falls to be decided at any meeting of Council or that committee or sub-committee.
- A 'meeting' is a properly constituted meeting of the Council, any of its committees, sub-committees, joint committees or joint sub-committees.
- Where gender specific wording is used, meaning is intended to be gender neutral.

II SCOPE

Buckinghamshire Council has designated the viable membership of Grendon Underwood Parish Council at seven (7) seats.

A Casual Vacancy will arise in the event of membership falling below this maximum, for any reason, at which time Council is obliged to attempt to supplement the current membership, subject to prevailing circumstances, up to the designated maximum.

The default method for filling a casual vacancy is by election where practical and in the public interest. Should an election be either impractical due to a paucity of applicants or by time constraint, Council may fill the vacancy by co-option.

Council is mandated to initiate this Policy whenever Council decides to fill a casual vacancy by co-option.

III POLICY

1. In the event of a casual vacancy for a Member arising, resulting in the Council being reduced to less than the maximum number of active Members and that the Council feels it should fill for the effective delivery of its statutory and discretionary services to the community, Council shall, within

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seven (7) working days of notification of the vacancy, publicise the vacancy on local council notice boards and its web site ONLY. Council shall use the County approved Notice of Member Vacancy, CD23, stating a closing date and requiring all applicants to register their interest by email to the Parish Clerk in the first instance.

2. In event more than one applicant wishes to become a Member, or at the request of at least 10 residents, Council will notify County requesting they organise an election, unless the vacancy has fallen within 6 months of County-wide elections.
3. In the event of the vacancy falling within 6 months of an election or that only one application is received, Council will initiate its co-option procedure as defined in this Policy

Co-option Procedure –

4. Council will nominate two Councillors, not including the Chairman, to lead the co-option process in line with this Policy.
5. On the day after the closing date, the Clerk will consolidate all applications received and forward them to all Councillors.
6. In the event a Member recognises an applicant as having some relationship, association or dealings outside the Council with the Member or with his/her close family, the Member must immediately notify the Chairman of the association and its nature and exclude him/herself from any debate determining the progression of the candidate to co-option.
7. On the day after the closing date or as soon as practicable, the Clerk will acknowledge receipts and issue a co-option pack, comprising an Application/ Eligibility form and a Declaration of Pecuniary Interests to every applicant advising their interest will be considered by Council at its next meeting.
8. The acknowledgement will invite the applicant to attend the next Council meeting to enable introductions and ask/answer any questions or clarifications. This will NOT constitute a formal interview.
9. The applicant will be advised that any demonstration of commitment to the local community, such as having attended at least three council meetings and demonstrating an awareness of Council Policies especially the Code of Conduct and Standing Orders and visiting the council web site, will enhance their application and allow them to assess how they could best contribute to the workings of the Council to the benefit of the community.
10. The lead councillors will scrutinise the application form, confirm eligibility for co-option and consider any disclosable pecuniary interests (DPI) for relevance to the Council or its work.
11. At the discretion of Council, the lead councillors may request a formal interview, using council document CD12A for impartiality and consistency, if the applicant is not well known or who has not worked with Council previously.
12. The lead councillors will submit a recommendation regarding the suitability, or not, of the applicant for co-option to the next properly constituted, full council meeting. The full Council will decide, by resolution, through a majority vote which shall be final. In the event of a tied vote, the Chairman will have the casting vote.
13. The resolution minute will summarise the basis of the decision for notification to the applicant.
14. The Clerk will be instructed to advise the candidate of the Council decision.
15. If accepted, the Clerk will email the candidate a Declaration of Acceptance form for signature.
16. The Clerk will also advise County of the co-opted councillor details and forward their completed forms.
17. The co-opted Councillor adopts voting rights at the next council meeting.
18. As soon as practically possible after co-option, the Chairman will issue the co-opted Member with an email address together with Council Policy CP07 Electronic Communications Policy, defining the stipulations governing its use exclusively for Council business, the prohibiting of its use for private business or for any illegal, casual or recreational purpose, or for purporting to represent the Council in the absence of an active, authorising, minuted council resolution.
19. As soon as practically possible after co-option, the Clerk will point the co-opted Member to the council web site encouraging familiarity with the Member/employee protocol, Council Policies, Standing Orders and Code of Practice.

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