



WEST DEAN PARISH COUNCIL

MEMBER ABSENCE AND APOLOGIES POLICY

Introduction

Councillors are elected to represent the interest of the whole of West Dean Parish and those of their ward. In order to fulfil this role, it is expected that all councillors will make a full contribution to the work of the Council throughout their term of office.

This will include:

- Attendance at meetings of the Full Council and Sub Committees
- Responding to correspondence from officers directly relating to Council Business.

All councillors will hopefully have satisfied themselves before standing for election/co-option that they are able to commit the necessary time to fulfilling this important role within the community. Any councillor who, whether through change of circumstances or otherwise, finds they are no longer able to give sufficient time to the role should in the first instance consult the Clerk to discuss what further support, or options may be available, but may ultimately have to consider whether, in the interests of the electorate, it is appropriate for them to continue as a councillor.

Elected/co-opted Members are expected to attend meetings, however there will be occasions when they are unable to attend for a variety of reasons. To ensure that the recording of absences is accurate this policy sets out the procedure the Council will follow for Member's absence from Council meetings and submission of apologies.

Non-attendance at Meetings

Being a councillor is about much more than just attending meetings; the role as a community leader is equally important but it is at meetings of the Council and its committees where issues are debated, and formal decisions are made. Dealing with correspondence does not equate to attendance at meetings.

Councillors should make every effort to attend all meetings of which they are a member, but where this is not possible they should submit their apologies to the Clerk in advance of the meeting and by at least 4 hours prior to the meeting.

A Councillor who is absent from all meetings of the Council and any committees of which they are a member for a period of six months automatically ceases to be a member of the Council unless they have been given a leave of absence by Council before the expiry of that six-month period – S85 (1) Local Government Act 1972.

Whilst the Clerk will make every effort to monitor attendance and forewarn any councillors who may be nearing the expiry period, it is the responsibility of the individual councillor for ensuring their compliance with the requirements of S.85.

There are some specific points and exceptions to note:

- S.85 relates to meetings of Council, committees and sub-committees. It does not apply to working parties or task or policy groups, so attendance at these types of meetings is not sufficient for the purpose of S.85.

- Absence due to service in HM Forces (including Territorial or reserve duties) will normally be disregarded, S.85 (3) Local Government Act 1972.

Legislation

Section 85 of the Local Government Act 1972 states “.. if a member of a local authority fails throughout a period of six consecutive months from the date of their last attendance to attend any meeting of the authority, they shall, unless failure was due to some reason approved by the authority before the expiry of that period, cease to be a member of the authority.”

If a councillor is unable to attend a meeting of full council or a committee or a sub-committee they are required to give notice of this to the Clerk. If a councillor is not present at a meeting that they have been summoned to attend, their absence will be confirmed in the minutes of the meeting.

Where a council is considering reason for absence, some written explanation of the absence must be known, and this must be approved by affirmative resolution at the earliest possible moment before the end of the six-month period. If at that moment the council fails to consider the request, the office falls vacant without further ado, and the vacancy must be declared and filled in the proper manner.

There is nothing to prevent council from approving a reason for absence in advance.

The Council should resolve and vote on the approval of absence.

The receiving and noting of apologies at meetings is not Council approval of absence.

Procedure for Member Absence and Apologies

The name of members present at a meeting will be recorded and this record will form part of the minutes of each meeting.

The name of the members absent will be recorded and will form part of the minutes.

If a member cannot attend an upcoming meeting they must send their apologies to the Clerk with a supporting reason at least 4 hours before the meeting starts but preferably the day before the meeting is scheduled. These apologies will be reported to the meeting and recorded in the minutes.

Apologies must not be passed to the meeting via another councillor.

A councillor can request formal approval for a period of leave of absence;

- Any councillor whose absence from meeting is likely to extend to six months or more should request a leave of absence by writing to the Clerk stating:
 - The reasons for the absence
 - The anticipated period of absence
 - Whether the councillor will be available to continue performing any Council functions during this period e.g. continuing to deal with ward matter by telephone or email
 - Request will normally be considered by Full Council and should therefore be made in sufficient time, having regard to the programme of meetings, to allow this to happen before the period of six months expires.

Granting leave of absence;

- Each request for leave of absence will be considered on its own merits having regard to:

- The reasons for the proposed absence, from future meetings, and the extent to which is unavoidable
- The duration of the proposed absence
- The extent to which the member will be able to continue carrying out any functions of a councillor notwithstanding their absence from meetings
- The suitability of any alternative arrangements that are proposed for ensuring that a Councillor's duties continue to be fulfilled (e.g. representation on an outside body)
- Requests for leave of absence will normally be granted in cases of:
 - Serious illness for periods of up to 12 months in total
 - Maternal/paternal/adoptive/parental (for the equivalent period during which an employee of Council would normally be entitled leave)
- A leave of absence may be granted for such periods as the Council thinks is reasonable in all circumstances. Once that leave of absence expires, the clock re-starts so far as S.85 is concerned and the councillor has a further six months in which to attend a meeting (or seek a further leave of absence).