

Apologies and non-attendance at meetings

Councillors have agreed to represent their communities on the Parish Council and part of this commitment is attending meetings to ensure they are fully aware of council business and can contribute to decisions on behalf of their community.

In recognition of the importance of attendance at meetings, statute (Local Government Act 1972, s.85) provides for the **automatic** removal of councillors from office after 6 consecutive months throughout which they failed to attend, unless:

- that councillor has a 'statutory excuse' (such as membership of the armed forces in time of war) or
- absence was due to a reason approved by the council or
- the councillor attended on a body as a representative of the council (such as attending a meeting of ~~Suffolk~~ ^{Norfolk} Association of Local Councils) during that period.

The issue that raises most enquiries is the need have absence approved. In the interests of fairness, all councillors should be aware of the need to provide apologies and to give reasons for absence. The reasons should be recorded along with whether that reason was approved, not accepted or the absence should be merely noted (for example, where apologies were not provided). This system of recording absence and reasons ensures that automatic removal from office will only take place in those instances where the council has not approved absence (or where there no statutory excuse and no attendance as a representative of the council). It would seem unfair for a council to, in effect, allow a casual vacancy to arise, owing to a councillor's ignorance of the need to have their apologies approved to avoid removal from office.

However, if this did arise, the council has no discretion - the councillor by law is removed from office. A record of the names of Councillors present at meetings is required by law to be recorded (Schedule 12 para 40 Local Government Act 1972) and this should be incorporated into the minutes.

You can record the reasons for absence and whether that reason was approved in the minutes or you can record reasons in an attendance register. If reasons are recorded in minutes, you might want to ensure some discretion and sensitivity, through careful wording, in the event, for example, that a reason is highly personal or where the reason might alert anyone reading the minutes to a property being unattended.

A variety of meetings qualify as meetings attended for the purpose of showing attendance within the 6 month period:

- council meetings
- committees or sub-committees or
- meetings of other bodies with transferred or delegated council functions of which the councillor is a member.

All Councillors are summoned to meetings. This is a statutory requirement and further evidence of the importance placed on attendance at meetings. Under Sch 12 (paras 10(2)(b) and 26(2)(b)), a summons, signed by the clerk, must be sent to or left at the usual residence of every member of the council, ~~or~~

Sent by email