

# Council Policy

## Elected Member Leave of Absence



Legislation/local law requirements	s.2.25 Local Government Act 1995
Relevant Delegation	N/A
Related policy procedures and documents	Elected Members leave of absence form

## **Introduction**

Elected Members of the City of Kwinana are encouraged to attend all Council Meetings and additional commitments required of an elected member.

Where a leave of absence is required by an Elected Member, this Policy outlines the procedure to be followed when applying for leave of absence.

Disqualification from membership of council under sections 2.25(4) and 2.25(5A) of the Act for failing to attend meetings will be avoided as long as Council grants a leave of absence prior to a member being absent from three consecutive ordinary meetings, unless all the meetings are within a two month period.

## **Purpose**

This policy outlines the City's approach to managing requests for leave of absence by Elected Members.

## **Objective**

To guide the handling of requests for leave of absence of Elected Members.

## **Scope**

This policy is applicable to all Elected Members and of the City of Kwinana.

## Policy Provisions

### Policy

1. Elected Members have a duty to attend all council meetings to ensure that electors are adequately represented.
2. Under the *Local Government Act 1995* (the Act), an Elected Member who is absent from three consecutive ordinary council meetings without leave being granted by the Council are automatically disqualified.
3. If an Elected Member needs to be absent for more than six consecutive ordinary council meetings, Ministerial approval is necessary as well as Council approval.
4. Applications for leave of absence must be approved by Council before (or at the start of) the meeting(s) the Elected Member is to be absent from.
5. Leave is not to be granted in respect of:
  - a. a meeting that has concluded; or
  - b. the part of a meeting before the granting of leave.
6. Applications by Elected Members for leave of absence from Council commitments are to be provided in writing using either the Elected Member leave form or by email to the CEO as soon as practicable after they become aware that leave is required.
7. Applications are required to include the following information, as a minimum:
  - a. Period of leave sought (dates from beginning to end).
  - b. Reason for absence (e.g. holiday, health, work related).
  - c. Expected number of ordinary council meetings held during applicable period of leave.
  - d. Any meetings, briefings or other functions conducted by the City during the requested period of leave which the Elected Member would be required or expressly wishes to attend.
8. The granting of leave, or refusal to grant leave and reasons for that refusal, is to be recorded in the minutes of the next ordinary council meeting of Council.

### OFFICER USE ONLY

Officers may amend this section without council approval.

Responsible Team	Governance and Legal
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