



Meeting Date:	27 July 2022
Report Subject:	Disqualification from Office for Sexual Offence
Contact:	Chairman/Clerk

RECOMMENDATIONS: 27 July 2022

Policy No. 35

That HWPC accepts the importance of this matter and fully adopts the advice from DAPTC. As a consequence, any councillor who believes that they might be disqualified following this legislative change, should approach the BCP Monitoring Officer to clarify their position.



Dorset Association of Parish & Town Councils

GUIDANCE & SUPPORT

Topic: Councillor Disqualification for Sexual Offences

Background:

The [Local Government Disqualification Act 2022](#) was made on 28 April 2022 and came into force two months later, on 28 June 2022.

1. When a candidate stands for election, they complete the nomination paper, and this includes a declaration that to the best of their knowledge and belief they are not disqualified from being elected by reason of any disqualification set out in the relevant sections of the Local Government Act 1972 and the Localism Act.
2. For future elections, these disqualifications have now been extended to include those in the new section 81A and extracts from the legislation should accompany the nomination form.
3. The Act does not disqualify retrospectively before the Act came into force from office anyone covered by the new Section 81A. The Act took effect immediately from 28 June 2022 and not at the next date of ordinary elections. This means that if any current councillor is the subject of relevant notification requirements or subject to a relevant order under the Sexual Offences Act then they are disqualified with effect from 28 June 2022.

What do I need to do?

The Electoral Service Team and Monitoring Officer at Dorset Council and BCP Council has no process for identifying parish and town councillors who are disqualified. Therefore, any councillor who believes that they might be disqualified following this change, should approach the Monitoring Officer to clarify their position

Key contacts:

Contact	
Elections Team Dorset Council	elections@dorsetcouncil.gov.uk
Elections Team BCP Council	elections@bcpcouncil.gov.uk

Other useful links:

Source	
The Electoral Commission	https://www.electoralcommission.org.uk/i-am-a/candidate-or-agent/localelections-england
NALC Legal Topic Notes of Interest https://www.nalc.gov.uk/	Number 8 - Elections and Co-options July 2022 Number 80 – Members’ Conduct and the Registration and Disclosure of Their Interests (this will be updated in the coming weeks)