



Oversight and Governance

Chief Executive's Department
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AUDIT AND GOVERNANCE COMMITTEE – SUPPLEMENT PACK

Monday 11 May 2020
3.00 pm
Virtual Meeting

Members:

Councillor Parker-Delaz-Ajete, Chair
Councillor Kelly, Vice Chair
Councillors Carson, P Smith and Stevens.

Independent Members:

Mr Shipperley and Mr Stewart

Please find attached additional information relating to agenda item 5.

This meeting will be broadcast live and will be available on-line for playback once the meeting has concluded. By joining the meeting, councillors are consenting to being filmed during the meeting and to the use of the recording for online viewing.

The Council is a data controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with authority's published policy.

Tracey Lee
Chief Executive

Audit and Governance Committee – Supplement Pack

5. Remote meeting protocol:

(Pages 1 - 10)

Audit and Governance Committee



Date of meeting:	11 May 2020
Title of Report:	Remote meetings protocol
Lead Member:	Councillor Peter Smith (Deputy Leader)
Lead Strategic Director:	Giles Perritt (Assistant Chief Executive)
Author:	Linda Torney (Monitoring Officer)
Contact Email:	Linda.torney@plymouth.gov.uk
Your Reference:	It/
Key Decision:	No
Confidentiality:	Part I - Official

Purpose of Report

To inform council of the temporary changes to the regulations regarding Local Authority meetings to allow meetings to take place remotely and recommend a draft protocol to apply to such meetings

Recommendations and Reasons

To adopt the draft protocol in Appendix One for the period until 7 May 2021 to provide a consistent approach to managing remote meetings.

Alternative options considered and rejected

To not have an agreed protocol.

Relevance to the Corporate Plan and/or the Plymouth Plan

The proposal laid out in this report support the prevention and spread of Coronavirus (COVID-19) and supports councillors to carry out their democratic role whilst complying with the social distancing requirements.

Implications for the Medium Term Financial Plan and Resource Implications:

None directly arising

Carbon Footprint (Environmental) Implications:

The use of mobile technology to hold meetings supports the Council's plan to reduce its carbon footprint.

Other Implications: e.g. Health and Safety, Risk Management, Child Poverty:

** When considering these proposals members have a responsibility to ensure they give due regard to the Council's duty to promote equality of opportunity, eliminate unlawful discrimination and promote good relations between people who share protected characteristics under the Equalities Act and those who do not.*

The proposal supports the prevention and spread of Coronavirus (COVID-19).

Appendices

*Add rows as required to box below

Ref.	Title of Appendix	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
		1	2	3	4	5	6	7
A	Briefing report title							
B	Equalities Impact Assessment (if applicable)							

Background papers:

*Add rows as required to box below

Please list all unpublished, background papers relevant to the decision in the table below. Background papers are unpublished works, relied on to a material extent in preparing the report, which disclose facts or matters on which the report or an important part of the work is based.

Title of any background paper(s)	Exemption Paragraph Number (if applicable) <i>If some/all of the information is confidential, you must indicate why it is not for publication by virtue of Part 1 of Schedule 12A of the Local Government Act 1972 by ticking the relevant box.</i>						
	1	2	3	4	5	6	7

Sign off:

Fin	pl.20. 21.1 3.	Leg	It/622 25	Mon Off	Click here to enter text.	HR	Click here to enter text.	Asset s	Click here to enter text.	Strat Proc	Click here to enter text.
Originating Senior Leadership Team member: Linda Torney (Monitoring Officer)											
Please confirm the Strategic Director(s) has agreed the report? Yes Date agreed: 01/05/2020											
Cabinet Member approval: [electronic signature (or typed name and statement of 'approved by email/verbally')] Date approved: 01/05/2020											

Local Authority Meetings

The regulations on local authority meetings have been changed with effect from 4 April 2020 to allow Council meetings to be held remotely, using video or telephone conferring technology until 7 May 2021.

2.0 Key changes

2.1 Councillors, the public and press will be able to have access to council meetings remotely, without the need for a physical presence at the Council House.

2.2 The requirement for public meetings to be made accessible to the public remains, but it will be up to each local authority to decide how they conduct meetings, how voting procedures work and how to ensure that the public has access.

2.3 Existing rules about the quorum of councillors required to attend to make a meeting valid will remain, and virtual attendance will count as part of this.

2.4 As a minimum all participants will need to be able to be heard – but where possible arrangements should be made so that they can be seen and the public and press must be able to hear the meeting and where possible should be able to see it.

3.0 Will we need new standing orders?

3.1 The regulations specifically say that we don't need to change the Council's constitution to be able to arrange meetings this way; but we may want to change our standing orders or introduce new protocols to make it easier for people to participate in remote meetings.

3.2 Wherever possible the Council's existing constitutional requirements will continue to apply and so for example where a councillor has a pecuniary interest in an item of Council and would need to physically leave the meeting whilst that item of business is debated we will need to have a system to exclude the councillor from that item of business.

3.3 The arrangements for giving notice of meetings have been changed to allow notice to be given by publishing notices on the website. So there is no need to have a physical set of papers available at the main office of the council, for people to come in and inspect.

4.0 Meeting etiquette

4.1 Remote meetings by their nature will have a different culture from those held in person. Many people will find it hard to maintain focus for long periods of time and may be unfamiliar with the technology being used. It will therefore be helpful for councillors, to adopt a structured approach to meetings, to make sure that everyone is able to participate and to take breaks where appropriate. The Centre for public scrutiny recommends that participants in remote meetings should:

- Mute their microphone when they are not talking.
- Only speak when invited to do so by the Chair.
- Speak clearly (and please state their name).
- When referring to a specific page, mention the page number.
- Switch off their microphone after they have spoken.
- **The chat facility should not be used for private conversations** between councillors as this will become part of the formal record of the meeting
- Any camera (video-feed) should show a non-descript background or, where possible, a virtual background and members should be careful to not allow exempt or confidential papers to be seen in the video-feed

Appendix One

DRAFT PROTOCOL – REMOTE COUNCIL MEETINGS



1. Introduction

- a) The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations permit remote attendance in Local Authority meetings. These are effective without the need for any changes to Council constitutions and where there is a conflict between the regulations and the Council's constitution the regulations apply.
- b) The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).
- c) Remote attendance is permitted as long as certain conditions are satisfied. All Councillors participating in a meeting must be able to hear (and ideally see) all other Councillors in attendance, and must, in turn, be able to be heard (and ideally seen) by those other Councillors participating.
- d) In addition, all Councillors must be able to hear (and ideally see), and in turn hear be heard (and ideally seen) by any members of the public who attend the meeting and have a right to speak.
- e) Where members of the public do not have a right to speak at the meeting, they need to be able to hear (and ideally see) the participants in the meeting.

2. Access to documents

- a) Democratic Services will publish the agenda and reports for committee meetings on the Council's website and will notify councillors by email in line with usual practice. Paper copies of agendas will only be made available to the Chair of a virtual meeting.
- b) Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

3. Starting the Meeting

- a) The Chair will ask all participants to turn off microphones, unless they are speaking. This prevents background noise, coughing etc. which is intrusive and disruptive during the meeting. Members would then need to turn their microphones back on when they wish to speak.
- b) Formal Committee meetings will be recorded. The recording is not like a webcast, because what is being recorded can be different to what you see on screen. So, participants could be being filmed, even if they are not speaking, simply by virtue of having their video switched on. Attendance of members of the meeting will also be recorded by the Democratic Services Officer.
- c) The Chair will confirm at the outset and at any reconvening of a committee or cabinet meeting (apart from cabinet and council) that they can see and hear all participating councillors. They will also ask each councillor to introduce himself/herself at the start of the meeting.

4. Quorum

- a) The normal quorum requirements for meetings as set out in the Council's Constitution will also apply to a remote meeting.

5. Public Participation

- a) Participation by members of the public will continue in line with the Council's constitutional arrangements.
- b) Members of the public can listen, to or observe the proceedings of a committee, unless a decision has been taken to hold the meeting, or part of the meeting, in private.

6. The Meeting and Debate

- a) The Council's Rules of debate will continue to apply.
- b) The councillor's code of conduct and the planning code of conduct will continue to apply.
- c) Members of the Committee who wish to speak in the debate should click on the meeting chat facility and simply write x. The Chair will then be aware you wish to speak and can take the requests in the appropriate order.
- d) It is important that the chat function is used solely for this purpose or to raise a point of order, as comments on the chat function are available to all members and officers attending the meeting and can otherwise be very distracting.
- e) It is helpful if you start any comments by giving your name, so that members of the public, particularly those who are using audio, are aware of who is speaking.
- f) When referring to reports or making specific comments, please refer to the report and page number so that all Members of the Committee have a clear understanding of what is being discussed at all times.
- g) If the debate appears to be coming to an end, the Chair may ask if any other Member of the Committee wishes to speak before concluding the debate.
- h) If a councillor has a disclosable pecuniary interest in any item of business he or she will need to leave the meeting whilst that item is dealt with.

7. Meeting Etiquette Reminder

- a) Remote meetings by their nature will have a different culture from those held in person. Many people will find it hard to maintain focus for long periods of time and may be unfamiliar with the technology being used. It will therefore be helpful for councillors, particularly Chairs to adopt a structured approach to meetings, to make sure that everyone is able to participate and to take breaks where appropriate.

8. Voting

- a) We are building a voting system within the Teams facility, to allow councillors to vote by pressing the relevant for/against or abstain button on Teams.
- b) Prior to the voting system becoming available the chat function may be used to ask the Committee to take a vote. When it comes to taking the vote, the Democratic Services Officer will type in the chat... 'All those in favour'. Those in favour of the proposal should type in Yes/No/Abstain as appropriate.
- c) If a Chair does not wish to use this mechanism, and for formal meetings of the planning and licensing committees the Chair will ask each Member (of the Committee) to vote in turn. The Democratic Services Officer will record the outcome of votes and announce these to the meeting.

9. Confidential or Exempt Reports and Debate

- a) There are times when council meetings are not open to the public, when confidential, or "exempt" issues (as defined in Schedule 12A of the Local Government Act 1972) are under consideration.
- b) Each councillor in remote attendance must make sure that there are no other persons present who are not entitled to see or hear discussion of these items of business. They should verbally declare this at the start of any meeting that is held in private and take care to make sure that any confidential papers they have are not visible to anyone watching the recording.

- c) Any councillor in remote attendance who fails to disclose that there were in fact persons present who were not so entitled would, be likely to be in breach of the Members' Code of Conduct responsibilities.

10. Interpretation of standing orders

- a) Where the Chair is required to interpret the Council's existing standing orders in light of the requirements of remote participation, they shall take advice from the Democratic Services Officer or Monitoring Officer prior to making a ruling. However, the Chair's decision shall be final.

11. Disturbance from Members of the Public

- a) If any member of the public interrupts a meeting the Chair will warn them accordingly.
- b) If that person continues to interrupt or disrupt proceedings the Chair will remove them as a participant from the meeting, democratic services officers will provide technical support to do this.

12. After the meeting

- a) At the conclusion of the meeting, the recording of the meeting will be available from the council's website.
- b) Please ensure you leave the meeting by clicking on the red phone button to hang-up.

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APPENDIX ONE – JOINING THE MEETING AND OTHER TECHNICAL ISSUES

1. **Microsoft Teams**

Microsoft Teams ('Teams') is the system recommended for hosting remote / virtual meetings. It has functionality for audio, video, and screen sharing and you do not need to be a member of an organisation (or have a Teams account) to join a Teams meeting.

2. **Joining the Meeting Councillors**

- a) Councillors are encouraged to check that they can join earlier in the day in order to check your remote links are working and avoid disrupting the meeting.
- b) Councillors should use the link within the calendar invite for the meeting which will say 'Join Microsoft Teams Meeting', which will open the Microsoft Teams app on the laptop/tablet automatically.
- c) Councillors are encouraged to blur the background, or show a virtual background on their video feed for their own privacy and should be careful to avoid exempt or confidential papers from being seen in the video-feed.
- d) It is good practice to turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

3. **Access to the meeting by members of the public**

- a) External users can join the meeting by following the link on the Council's website – "Watch our meetings."
- b) A conference call number and ID will also be made available to external people who are calling in as participants in the meeting. Alternatively, they can be added to the meeting by the Democratic Services Officer as a voice call using either a landline or a mobile phone.
- c) When a member of the public is addressing a meeting, they will be invited to speak at the appropriate time.
- d) They will need to ensure their microphone is enabled so the meeting can hear them. If they have video capability on their laptop / device, then they should turn this on so the Committee can see them.
- e) The microphone must be switched off again after they have made their contribution.

4. **Loss of connection**

Occasionally when using remote technology the screen and audio will freeze, usually if you do nothing, you will be reconnected after twenty seconds.

5. ***Loss of connection to members of the public in a public meetings***

- a) If the Chair is made aware that the meeting is not accessible to the public through remote means, due to any technological or other failure of provision, then the Chair will adjourn the meeting immediately.
- b) If the provision of access through remote means cannot be restored within ten minutes, then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting

6. ***Loss of connection to a remote councillor or councillors***

- a) A councillor will be deemed to have left a meeting if his or her remote connection to the meeting fails.
- b) In such circumstance the Chair will:

- count the number of Members in attendance remotely to ensure there is a quorum;
 - if there is a quorum, continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.
 - if there is no quorum, adjourn the meeting for ten minutes to permit the remote connection to the meeting to be re-established;
- c) If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment. In meetings of committees carrying out planning or quasi-judicial functions, a councillor who was disconnected will not be able to vote on any items under discussion whilst they were disconnected as they will not have heard all the facts.
- d) If the provision of access through remote means cannot be restored within ten minutes; then the remaining business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, the remaining business will be considered at the next ordinary meeting.

7. Loss of connection to a participant in the meeting who has a right to speak

- a) Members of the public attending a meeting remotely must, be able to be heard (and ideally be seen) by all councillors attending the meeting, when they are speaking. The Members of the public participating in the meeting must also be able to hear (and ideally see) the councillors in the meeting and any other members of the public who are attending the meeting and entitled to speak in the meeting.
- b) Submissions, petitions or questions received from members of the public can be read out by the Chair or a Democratic Services Officer where permitted under the council's constitution. In relation to the Planning Committee if a speaker has submitted a written submission and has confirmed their acceptance, this can be read out if their connection cannot be restored and they are unable to access the committee through other means. This would enable the application to continue to be determined. If they are not in agreement the application would have to be deferred.
- c) Should any aspect of a member of the public's remote participation fail, the Chair will call a short adjournment of up to five minutes to determine whether the connection can quickly be re-established, either by video technology or telephone in the alternative. If the connection is not restored within that time, the meeting will continue to deal with the remaining items of business, whilst attempts are made to restore the remote connection; providing the meeting remains quorate and the public are able to hear.
- d) If the provision of access through remote means cannot be restored within ten minutes; then that item of business will be considered at a time and date fixed by the Chair. If he or she does not fix a date, that item of business will be considered at the next ordinary meeting.

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