

# **BUSINESS SUPPORT OVERVIEW AND SCRUTINY COMMITTEE**

**20 AUGUST 2020**

## **REMOTE MEETINGS**

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### **Summary**

This report provides the Committee with an update on how formal meetings have been held during the Covid-19 pandemic.

In particular, it sets out the lessons learned from the introduction of the legislation and technology to allow the Council to hold remote meetings, including possible further Member development needs and the extent to which the Council might wish to use this technology post recovery to facilitate the democratic process.

### **1. Budget and policy framework**

1.1 Meetings which have taken place remote participation by Members during the pandemic have been held in accordance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

### **2. Background**

2.1 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on 4 April 2020 in response to the emerging pandemic. These are temporary regulations and will cease to take effect no later than 7 May 2021.

2.2 The Regulations enable local authorities to hold meetings remotely including by (but not limited to) telephone conferencing, video conferencing, live webcast, and live interactive streaming. The Council uses MS Teams for holding meetings with remote participation.

- 2.3 The Regulations also removed the requirement for local authorities to hold annual meetings and to enable requirements for public and press access to local authority meetings and associated documents to be complied with through remote means and website access. The Council, on 23 April 2020, agreed not to hold an annual meeting for the 2020/2021 municipal year. The effect of this was that the existing Mayor and Deputy Mayor will continue in their respective posts until the Annual Meeting in May 2021.
- 2.4 Where a meeting is held remotely a Member will be considered as being in attendance if they can hear, and where practicable see, and be heard and, where practicable, be seen by other members and the public. This allows for meetings to be held by remote means including via telephone conferencing, video conferencing, live webchat and live streaming. MS Teams Live Events allows for Members to be heard and seen by other Members and the public (via a livestream).
- 2.5 Whilst the Regulations allow Local Authorities to make new standing orders about remote attendance at meetings in relation to voting, access to documents and facilities, the Council agreed, on 23 April 2020, to delegate authority to the Chief Executive to agree, and amend, procedures for remote participation at Council, Cabinet and Committee meetings, following consultation with the Leader of the Council and the Leader of the Labour and Co-operative Group. The Remote Meetings Protocol was issued on 22 May 2020. The Protocol has been subsequently reviewed arising with some minor amendments.
- 2.6 The first meeting which took place with remote participation was Cabinet on 7 April 2020. This meeting was also livestreamed. Subsequently, a meeting of the Full Council took place on 23 April 2020 with a reduced number of Members attending as a result of an informal agreement between the two Political Groups.
- 2.7 Following these meetings, Committee meetings have been held with one Member based in the Civic Suite at Gun Wharf and other Members participating remotely. In addition to the usual lead officer and Democratic Services Officer providing support, staff from IT, an AV contractor and a Democratic Services Support Officer (DSSO) has also provided support. IT and DSSO support has particularly been required due to the Livestreaming of meetings. Cabinet and Full Council meetings are held with a maximum of two Members based in the Civic Suite. To support this, and in recognition that some Members did not have devices, or had devices that were not compatible with the successful use of MS Teams Live Events, Members have been offered and loaned laptops, as required. This has ensured that all Members have the opportunity to take part in virtual meetings using MS Teams Live Events. It is the intention that such kit will be loaned to all Members at the beginning of each 4 year term of office on the basis that it is used for all Council business, along with a Medway email address.

- 2.8 Significant levels of officer support have been provided to some Councillors to assist accessing and using MS Teams (IT and Democratic Services) on a 1:1 basis. Most of this support has been due to problems with Wi-Fi connection. Members may want to consider whether prospective candidates for election are advised that it is assumed that as part of their role, if successful, that they will have a wi-fi connection at their property.
- 2.9 Due to the novelty of the situation, each Committee meeting has been preceded by a full rehearsal, involving the Members due to attend the meeting as well as the DSO, DS Support, and IT staff which have taken several hours but enabled Councillors to check and practice in a safe environment that their connection works and that they understand elements of the Remote Meetings Protocol.
- 2.10 All this additional support has incurred unbudgeted and unexpected additional costs such as overtime or time off in lieu.
- 2.11 IT have engaged two extra members of staff specifically to support the ongoing requirements of remote meetings for the next 6 months.
- 2.12 The AV contractor has provided technical support and advice at all formal committee meetings since the Full Council on 23 April 2020 to enable remote participation and in particular good quality Live streaming but again the costs of this have been unbudgeted and unexpected.

### 3. Lessons learned

- 3.1 It is important to note that a lot has been achieved in a very short period of time. The last committee to take place prior to lockdown was the Health and Adult Social Care Overview and Scrutiny Committee meeting on 12 March 2020. There followed a period of time where some meetings were cancelled as a direct result of the pandemic and then the Council formally agreed a position on the number of meetings being held, including the number of Members taking part, on 23 April 2020. During this time, officers from Democratic Services and ICT worked closely together to develop a solution at pace to enable the Council to host meetings with remote participation by Members, now more commonly referred to as 'virtual meetings'.
- 3.2 Microsoft 365 (M365) software is used by the council; MS Teams Live Events is included in the package and is therefore used to hold Live Streamed virtual meetings. This enabled us to introduce the technical solution quickly and with no additional licensing costs.
  - 3.2.1 In addition, as M365 is accessed via the Council's IT infrastructure/network it is secure and also reduces the risks that have been publicly demonstrated with alternative free software(s) that also enable virtual meetings.
- 3.3 Staff had never delivered remote formal meetings of the Council nor Livestreamed meetings prior to the introduction of the legislation.

- 3.4 Since formal committee meetings have been held remotely, none have become inquorate due to the inability of Members to remotely participate, Generally Members' levels of confidence and competence participating in remote meetings had improved over the time with repeated experience.
- 3.5 Now that the majority of Members have gained experience of participating in remote meetings it is not envisaged that rehearsals will be required in future other than by exception.
- 3.6 Those Committees that include representatives of external bodies, e.g. the Health Service, Police or independent members have and may continue to create particular challenges to remote participation as they often have devices that are not compatible or corporate policies that do not support the use of MS Teams. It is likely that further work will be required to ensure that the participation of external representatives is more successful if remote participation/Livestreaming continues beyond May 2021.
- 3.7 It is unlikely that ongoing IT and DSO support to Members on a 1:1 basis is likely to be feasible beyond May 2021 without additional funding.
- 3.8 It has been noted that most, but not all, formal Committee meetings have been longer than usual since being conducted remotely. It is not feasible for this to continue indefinitely due to the levels of overtime/time off in lieu incurred by the various staff providing support. Consideration is being given to whether changes should be introduced to the Constitution for the short and/or long-term future.
- 3.9 Since Members have been provided with loaned IT kit, more of them have agreed to use their Medway email address for Council business and the remaining Members will continue to be encouraged to do so as it is a much more secure system and makes using MS Teams much more effective and efficient.
- 3.10 Whilst Members are being encouraged to go "paperless" for Committee meetings, it should be recognised that unless they have a second device, it is almost impossible for them to view committee papers at the same time as watching and listening to a remote meeting on their laptop.
- 3.11 If a decision were made to continue to Live stream all formal committee meetings after May 2021, associated decisions would need to be taken about the extent to which the equipment was installed at Gun Wharf and St George's Centre and a recognition required that additional funding would also be required to cover the costs of someone to attend each meeting to "produce" the Live Stream as it could not be subsumed within the role for the DSO or lead officer. It is not feasible to expect to engage the AV contractor to undertake this for all formal committee meetings post May 2021.
- 3.12 Alongside the development of a technical solution, a set of rules were also required to ensure that meetings could take place to comply with the regulations. This included reviewing best practice elsewhere such as watching

other livestreamed meetings, taking account of advice from professional bodies such as Association of Democratic Services Officers (ADSO), Centre for Public Scrutiny (CfPS) and the Local Government Association (LGA) and working out what would work best for Members. The Head of Planning assisted greatly in this in the run up to the Planning Committee meeting on 29 April 2020 by road testing a set of protocols to ensure that this particular Committee could hold a virtual meeting and could consider and determine planning applications both in a way which could be followed on the livestream and which were lawful. These protocols were subsequently reviewed and formed the Remote Meetings Protocol.

3.13 The main point to reflect on is that there was very little notice to develop a technical solution and a set of rules to hold virtual meetings. Typically, this kind of project would have an agreed timetable, project plan and outcomes.

3.14 By the beginning of May, an ICT Equipment for Members Project (officer) Group, chaired by the Chief Finance Officer, had been formed with officers from Corporate Finance, ICT, Democratic Services, Elections and Members Services, Communications and Marketing and HR. This initially helped facilitate the roll out of laptops to Members. Subsequently, it has considered wider aspects such as training for Members in making full use of the laptops they have been provided for emails, diary management etc., use of [medway.gov.uk](mailto:medway.gov.uk) email addresses as well as considering feedback arising from remote meetings.

#### 4. Advice and analysis

4.1 The regulations are in force until May 2021, however, it is generally unclear what will happen as a result of the ongoing pandemic and the Council's overriding position is to comply with Government regulations and advice with regards to the holding of meetings. Officers will continue to monitor the latest position and will keep Members updated. Holding virtual meetings will contribute to keeping Members safe by enabling to attend meetings from home and will allow the press and public to follow proceedings via livestreams.

4.2 If the current legislation allowing remote meetings is not extended or renewed, it will not be lawful for formal committee meetings to be conducted in that way. However, there are no such restrictions on meetings being Live streamed and a decision would need to be made formally to continue to do so after May 2021.

4.3 To support Members in making full use of the laptops, and all council staff with the use of technology introduced since the pandemic, a digital champions group has been introduced. Officers from across the Council will work closely to develop appropriate training to ensure devices and software are used to their full potential by both Members and officers.

## 5. Risk management

- 5.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community. The following table considers any significant risks arising from the report.

Risk	Description	Action to avoid or mitigate risk	Risk rating
<b>Reputational damage</b>	Criticism, particularly on social media if Live streaming of formal committee meetings is not continued	Audio recording of Full Council meetings continues	D3
<b>Lack of resources</b>	Lack of staff resources in IT or Democratic Services leading to support directly to Members being unavailable to participate successfully in remote meetings	Most Members are now experienced and require little assistance. Rehearsals are unlikely to be required other than by exception.	C2
<b>Lack of resources</b>	Live-streaming meetings requires input from ICT and Democratic Services. This additional work has been provided from current resource; however, this is having an impact on service delivery and is not sustainable for the staff involved.	Additional resource has been agreed for a six-month period to support meetings and alleviate pressure. However, if live-streaming meetings will be 'business as usual' going forward, then the extension of this resource will be required	D2

## 6. Consultation

- 6.1 All Members are advised of the latest position on the holding of meetings by the Chief Legal Officer. Officers have taken feedback from Members into account in formulating and developing the Remote Meetings Protocol.

## 7. Climate change implications

7.1 [The Council declared a climate change emergency in April 2019](#) - item 1038D refers, and has set a target for Medway to become carbon neutral by 2050.

7.2 The holding of committee meetings remotely and being Livestreamed could be said to have had a positive impact on the environment by reducing travel to Gun Wharf and/or the St George's Centre. It is the longer-term aim to reduce the number of paper copies of committee agenda papers and reports printed although this is complicated as set out in paragraph 3.10.

## 8. Financial implications

8.1 There are no financial implications arising directly from this report, however if 'virtual meetings' are to continue and to be livestreamed there would need to be modest investment in additional resources across both ICT and Democratic Services. It is envisaged that this additional investment would be covered from the savings generated from the wider transformation that this project will ultimately contribute to, including reduction in paper and the review of office accommodation.

## 9. Legal implications

9.1 The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 provide the basis for the holding of meetings with remote participation.

## 10. Recommendation

10.1 The Committee is asked to note the report.

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## Appendices

None

## Background papers

None