

## **Future Meetings – Remote and Virtual Working**

### **Report of the County Solicitor**

***Please note that the following recommendation is subject to consideration and determination by the Committee before taking effect.***

### Recommendation

That Council be asked to

- (a) note the update Report around the current legislation, the Council's Virtual Meetings and Audio-Visual capabilities and Member meetings which permit remote attendance;
- (b) officers be asked to consider the most effective medium for holding a meeting in the future, supporting and encouraging remote meetings when it is appropriate to do so;
- (c) support those Members who wish to attend future meetings remotely, with relevant training and provision of necessary equipment; and
- (d) ask Procedures to undertake a further review of any legislative changes surrounding remote meetings and make any necessary changes to the Constitution and working practices.

## **1. Introduction**

- 1.1 At the Council meeting on 23 July, Councillor Biederman submitted a Notice of Motion relating to the Council's future working practices relating to Member meetings.

*'That Devon County Council make a commitment to holding more virtual meetings, briefings and task groups post Covid-19. They have clearly been very successful, have made a huge saving to the Council in budgetary terms and they also help in the Council's climate emergency aims, by reducing our carbon footprint. Council therefore asks the Procedures Committee to consider a Report on meetings in the future and what Committees, briefings and task groups could meet virtually.'*

## 2. Background

- 2.1 This is not the first time the Procedures Committee has raised this matter. On the 10 September 2018 (Minute \*45), Members discussed the use of Skype for various Council and Member meetings and asked Officers to explore the opportunities afforded by Skype and newer technologies and report back to the Committee in due course.
- 2.2 The Report was initially delayed due to a planned upgrade of the Committee Suite (including the Daw Room) and Council Chamber, where facilities for installing Skype were being undertaken, to help facilitate and enable more efficient working practices. The upgrade also enabled MS Teams which is in effect the new Skype to operate from the DAW room.
- 2.3 However, early in the year the COVID-19 pandemic hit the UK, after having an already massive impact globally, and of course there was a seismic shift in working practices in terms of how Local Authorities conducted their business. For Democratic Services, this meant holding remote meetings for the first time, which presented a number of challenges as well as a number of opportunities.

## 3. Legislation

- 3.1 Prior to 4<sup>th</sup> April 2020, there was no legal provision in England or Northern Ireland to allow Councillors to attend meetings remotely. The law did not have any concept of remote attendance, neither permitting nor forbidding it.
- 3.2 However, the Local Government Act 1972 provides that “no business shall be transacted at a meeting of a principal council unless at least one quarter of the whole number of members of the council are present”. This ruled out the possibility of holding meetings remotely in England.
- 3.3 Legislation states that in order to vote on decisions or recommendations a Member must physically be present at the meeting at which the matter is considered. Similarly, in order to be counted towards the quorum of a meeting a Member must physically be in attendance.
- 3.4 Up until April 2020, despite lobbying DCLG by other authorities to amend the legislation, allowing Members to be considered present at a meeting when attending virtually has remained unchanged.

- 3.5 On the 4<sup>th</sup> April 2020, due to the COVID-19 pandemic, Local Authorities received the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 which for the first time permitted remote attendance.

#### 4. Temporary Permission for Remote Attendance in Local Authority Meetings

- 4.1 The new Regulations were clear in permitting remote attendance. A meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place. The reference to a “place” includes reference to more than one place including electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).
- 4.2 A Member ‘in remote attendance’ can attend the meeting as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting. The regulations would prefer a visual solution, but audio is sufficient.
- 4.3 This also relates to members of the public attending the meeting being heard, but preferably seen.
- 4.4 To be clear, the above caveats (in relation to Members of the authority and the public) includes a person who is attending by remote access.
- 4.5 The Regulations clarify that any reference to being “present” at a meeting includes being present through remote attendance, and a “place” where a meeting is held, or to be held, includes reference to more than one place (including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers).

#### 5. Current ICT Council Strategy

- 5.1 In common with many other organisations, COVID-19 had a significant impact on planned activities. However, it also allowed the Council to test some of the ambitions of the Strategy, particularly about enabling and supporting people to work remotely and investing in the right skills and tools.

- 5.2 The Council is in the last six months of the delivery of the current ICT Roadmap (finishes in March 2021), and work is underway to finalise the new Digital & Technology Strategy which takes the Council into 2024 with services that are joined up and simple to use.
- 5.3 Digital is about more than just technology, it's about changing the way people live, connect, communicate and work and the Strategy complimented a wider range of activities happening across the Council.
- 5.4 Whilst the Strategy covers a number of themes reflecting the changing working patterns of many staff, it also looks to understand and support the new meeting experience and refresh "technology enabled meeting rooms" to ensure people can connect wherever they are based. This would include the completion of the migration from Skype for Business to Microsoft Teams.

## 6. Current Facilities

- 6.1 A number of improvements have been made to the Committee rooms since 2019 including a complete technical upgrade to the DAW room with new voice enhancement suits being installed in the light fittings as before, the old scissor lift being replaced by a pole and new projector, new desktop microphones and Skype integrated into an easy to use panel that controls all the systems.
- 6.2 In the Clinton and Fortescue rooms, there is also a new voice enhancement and a new smart TV and projectors.
- 6.3 Skype / Teams has been enabled in the main Chamber.
- 6.4 Other enhancements are the ability to cast a devices screen onto any or all of the screens in the DAW room or the ability to connect a device using WiFi or through the use of a wired solution (cables).
- 6.5 100 new power sockets with USB ports have been installed in the main Council Chamber with additional power sockets currently being installed in the committee rooms.

## 7. Lobbying and Representations at a National Level

- 7.1 The Association of Democratic Services Officers has written to the Local Government Association with regard to the extension for remote meetings more generally beyond May 2021. A response to this letter is awaited.
- 7.2 Members will be updated in relation to any permanent change in the legislation and of course a Report would be brought to the Procedures Committee Members to determine future working practices.

## 8. What can be done in the Future

- 8.1 Whilst the outcome of the legislative changes are awaited, this would only apply to the Council's Committees formally constituted under the Local Government Act.
- 8.2 It is clear that there are a number of other meetings that could be conducted remotely in the future such as the regular one to one meetings between Officers and Members, Chairs and Vice Chairs of Scrutiny meetings, Masterclasses and Scrutiny Standing Overview Groups.
- 8.3 Work is also being prepared for some of the induction sessions for a new Council to be conducted in formats such as webinars, so people are able to view in their own time. This will not be appropriate for all induction training sessions, but for example for the departmental briefings, it could work well.
- 8.4 Formal Committee meetings can work well remotely, as has been demonstrated, but some Members miss the face to face interaction so a hybrid solution could strike the balance between those who prefer a face to face meeting and those who have less time to travel etc and give the option of a remote attendance for Councillors of the future.
- 8.5 From a Scrutiny perspective, task groups and spotlight reviews are more difficult. The activities of the group generally mean speaking to a range of people, many of whom are public, and the quality of the information does tend to come from building trust. There would need to be a balance struck between obtaining good quality data and evidence and using the best mechanism by which to do this.
- 8.6 Other service areas would be best placed to see what sort of meeting format works for them, depending on the context.

## 9. Financial considerations

- 9.1 Whilst the most important aspect of this conversation is open and transparent democratic processes, there could be considerable budgetary saving in the Members travel and expenses budget.
- 9.2 Given the geography of Devon, it is not uncommon for a round trip to be in excess of 100 miles, not to mention the time commitment required.
- 9.3 The current savings in Members expenditure April – October 2020 (the figures assuming that Members submit claims monthly in arrears)

Narrative	Saving compared to Mth 1-7 19/20	Saving compared to 20/21 Mth 1-7 budget
Public Transport	£2,615	£4,319
Travel	£30,041	£32,809
Catering	£5,081	£7,000
Subsistence	£1,647	£486
<b>Total</b>	<b>£39,384</b>	<b>£44,614</b>

## 10. Risk management considerations

10.1 No unimaginable risks have been identified that have not been considered as part of the risk assessment process.

## 11. Equality Impact

11.1 A number of equality and environmental impacts could be identified. From an equalities perspective, the role of Councillor could be more appealing to those with caring responsibilities or those who are employed alongside their Councillor role. To allow more flexibility in Local Government may increase the attractiveness of the role with more candidates who are of working age and also women.

## 12 Environmental Impact

12.1 With the Council's sign up to the climate emergency to become carbon neutral by 2030, to permit remote attendances contributes to this agenda with significant reductions in travel and carbon emissions.

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### **Electoral Divisions: All**

Local Government Act 1972: List of Background Papers:  
None

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