Please note - This is a working document, that will be updated as additional technology updates became available

**MALDON DISTRICT COUNCIL**

**Remote Meeting Protocol**

May 2020

1. **INTRODUCTION AND APPLICATION OF THE REMOTE MEETINGS PROCEDURE RULES**

1.1. This Protocol and accompanying Procedure Rules provide the means and guidance for the conduct of any remote meeting of the Council, and its various Committees and Sub-Committees, held under the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 No.392 ('the Regulations').

1.2. This Protocol and Procedure Rules should be read in conjunction with the Council Standing Orders and Procedure Rules within the Council's Constitution. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7 May 2021. This means that, wherever there is a conflict, these Remote Meetings Procedure Rules take precedence in relation to any remote meeting.

1.3. Meetings of the Council / Committees will take place using the Microsoft Teams software platform. Committee Services will prepare a detailed briefing note for the Chairman to manage the meeting electronically.

2. **NOTICE OF MEETING AND PAPERS**

2.1 A revised committee schedule will be issued, in accordance with the decision made by the COVID-19 Interim Measures Group on 29 April 2020, that Council and the District Planning Committee meetings be reinstated monthly.

2.1. The Regulations enable the Council to hold meetings without all, or any, of the members being physically present in a room. They allow for remote meetings through electronic and digital means at virtual locations using video and telephone conferencing, live webcast and live interactive streaming.

2.2. The Proper Officer will give the requisite notice to the public of the time of the meeting, and the Agenda, together with details of how to join the meeting which will be available on the Council's website www.maldon.gov.uk.

2.3. Members will be notified of a remote meeting by email and all agenda papers will be available on the Council's website and via the Modern.Gov app as relevant or other electronic means as appropriate.

2.4. The "place" at which the meeting may be held may be a council building, or where the organiser of the meeting is located, or an electronic, digital or virtual location, a web address or a conference call telephone number or could be a number of these combined.

## 3.    REMOTE ACCESS TO MEETINGS

3.1.    Councillors and members of the press and public will be encouraged to use any video conferencing facilities provided by the Council to attend a meeting remotely.

3.2.    If this is not possible, attendance may be through an audio link to view or by electronic means as referred to in Regulation 5(6)(c) of the Regulations.

3.3.    Remote access for members of the public and Members who are not attending to participate in the meeting together with press facilities, will be provided through webcasting, live audio streaming, or others means.

3.4.    If technology fails for a wholly remote meeting, and the meeting is no longer open to the public, any decisions made could be challenged as unlawful. In this case, the chair would postpone the meeting, until technology issues are resolved.

## 4.    MANAGEMENT OF REMOTE MEETINGS FOR MEMBERS

4.1.    Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and ideally seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Members participating.

4.2.    The Chairman will normally confirm at the outset and at any reconvening of a Committee meeting that they can see and hear all participating Members. Due to the number of Councillors present at a Council meeting, Members roll-called, and asked to switch their video on, and a brief pause given while the Chairman and Committee services collect this information.  Any Member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can see and hear the proceedings and the other participants.

4.3.    The attendance of those Members at the meeting will be recorded by the Committee Services Officer.

4.4.    The quorum requirements for remote meetings will be as set out in the Council's Constitution.

4.5.    In the event of any apparent failure of the video, telephone or conferencing connection, the Chairman should immediately determine if the meeting is still quorate:

- if it is, then the business of the meeting will continue; or

- if there is no quorum, then the meeting shall adjourn for a period specified by the Chairman, expected to be no more than ten or fifteen minutes, to allow the connection to be re-established.

4.6.    Should any aspect of an individual's remote participation fail, the Chairman may 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 shall continue to deal with the business whilst this happens providing the meeting remains quorate and the public are able to hear.

4.7. In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s.

4.8. If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment.

4.9. If a connection to a Member is lost during a regulatory meeting, the Chairman will stop the meeting to enable the connection to be restored. If the connection cannot be restored within five minutes, the meeting will proceed, but the Member who was disconnected will not be able to vote on the matter under discussion as they would not have heard all the facts.

4.10. Etiquette at the meeting is referred to further below.

## 5. PUBLIC PARTICIPATION

5.1. Public participation will continue, whereby members of the public are required to complete a Microsoft Form for the chair to review and read at the meeting. The form can be accessed at [https://forms.office.com/Pages/ResponsePage.aspx?id=VH_RilQmuUumwvI0YlcqFJCd4KzoXBdDs1brNZU39TJUNkY5QzBXOVFSQzdBUlZIUk1VSjAxTjVRRy4u.](https://forms.office.com/Pages/ResponsePage.aspx?id=VH_RilQmuUumwvI0YlcqFJCd4KzoXBdDs1brNZU39TJUNkY5QzBXOVFSQzdBUlZIUk1VSjAxTjVRRy4u) This is in line with government advice.

5.2 In being able to access the meetings live, the public will still be given access to view the meetings.

## 6. MEETING PROCEDURES

6.1. A meeting facilitator, (who may be the Committee Services Officer but preferably this will be a separate additional officer), is encouraged to be enlisted; whose role it will be to control the video, telephone or conferencing technology employed for remote access and attendance and to administer Member interaction, engagement and connections on the instruction of the Chairman.

6.2. The Authority will endeavour to put in place a technological solution that will enable councillors participating in meetings remotely to indicate their wish to speak via this solution, replacing the physical practices or rules concerning raising one's hand or standing to be recognised or expressing a desire to speak.

6.3. In respect of Council and Committee meetings, it will assist the meeting if those Members who wish to speak on a particular item could indicate their wish to speak to the Chairman and to the Committee Services Officer in advance of the start of the meeting where possible. Political groups are also

encouraged to co-ordinate this activity where possible in respect of Council and other meetings likely to result in a high number of requests to speak. This is particularly important if councillors are unable to participate via video conference.

6.4. The Chairman will follow the rules set out in the Constitution when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.

6.5. The Chairman, at the beginning of the meeting, will explain the protocol for Member and public participation and the rules of debate. The Chairman's ruling during the debate will be final.

6.6. Members are asked to adhere to the following etiquette during remote attendance at a meeting:

- Committee Members are asked to join the meeting no later than fifteen minutes before the start to allow themselves and Committee Services the opportunity to test the equipment

- 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.

- Members should type their name on joining the meeting in full, i.e. "Cllr Joanne Smith" (where the technological solution employed by the authority enables this).

- At the start of the meeting, the Chairman will carry out a roll call of all Members present. Confirmation will be given by each Member switching their video on and unmuting their microphone to confirm they are present and turning video off and muting once confirmed.

- All Members to have their video turned off and microphones muted when not talking.

- Rather than raising one's hand or rising to be recognised or to speak, Members should avail themselves of the remote process for requesting to be heard:

   o [e.g., where available] Members are to use any chat facility to indicate to the Chairman that they wish to speak. Members will unmute their microphone and turn their cameras on when the Chairman invites them to speak. The chat facility must not be used for private conversations between councillors.

- Only speak when invited to by the Chairman.

- Only one person may speak at any one time.

- Turn on the microphone and also the video-feed (if available or unless speaking to a diagram, presentation slide or drawing), then state your name before you make a comment.

- When referring to a specific report, page, or slide, mention the report, page, or slide so that all Members have a clear understanding of what is being discussed at all times.

- The Chairman may also request Committee Services to mute or turn off cameras for attendees to assist with the smooth running of the meeting.

- All Members and Officers are reminded to disable smart speakers, for example Google assistant and Alexa during the meeting.  This will avoid potential disruptions and background noise.

- Any Member returning after a disconnection is asked not to interrupt when returning to announce their return.  Members can use the chat function to confirm this, if required.

6.7.    When the Chairman is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed he/she will progress to a decision.  Unless a Recorded Vote is called, the method of voting will be at the Chairman's discretion and will be by one of the following methods:

- The Chairman or an officer will call out the name of each Member present in alphabetical order with:

  o    Members should unmute their microphone and state 'for', 'against', or 'abstain' to indicate their vote when their name is called, muting their microphone once their vote has been given;

  o    the Committee Services Officer clearly stating the result of the vote and the Chairman then moving onto the next agenda item; or

  o    by the general assent of the meeting; or

- A Vote by electronic means.

6.8.    Details of how Members voted will not be kept or minuted unless a Recorded Vote is called.  Where a Recorded Vote is requested the Chairman will ask Members in turn to signify verbally whether or not they support that request (in accordance with the Council's Procedure rules).

## 7.    DECLARATION OF INTERESTS

7.1.    Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting.  Their departure will be confirmed by the Committee Services Officer who will invite the relevant Member by link, email or telephone, to re-join the meeting at the appropriate time.

## 8.    EXCLUSION OF PUBLIC AND PRESS

8.1.    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.  Where the technology is available, the Committee Services Officer or meeting facilitator will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

8.2. Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.

8.3. Any Member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of the Members' Code of Conduct responsibilities.

## 9. PUBLIC ACCESS TO MEETING DOCUMENTATION FOLLOWING THE MEETING

9.1. Members of the public may access minutes and other relevant documents through the Council's website. Requests for access to the list of background papers and other relevant documents should be by email or by post.

## 10. PETITIONS

10.1. During the Covid-19 crisis it will not be possible to accept paper petitions. An electronic petition will be acceptable provided it meets the requirements as set out in the Council's Petition Scheme. Should the Petition meet the criteria for presentation at a Council / Committee meeting, the member of the public submitting the petition will be invited to submit a speech in writing as there will be no opportunity to present the petition in person.

## 11. COUNCIL / COMMITTEE FORWARD PLAN / DECISIONS

11.1. The COVID-19 Interim Measures Group will consider the Forward Plans for all Committees and identify which key operational issues require referral to the Council. These operational issues will be graded, and determined according to the following:

- High importance – needs to be considered by the Council at the next meeting;

- Medium importance – will be considered by the Council, but at a later date to be determined;

- Low importance / no decision required – will not be taken to the Council, will either uploaded to the Modern.Gov document library or removed from the Forward Plan.

11.2. Monitoring or information items will not be considered and made available through the document library facility within Modern.Gov.

PLEASE NOTE: In line with the Regulations, this protocol is designed to provide a guide to remote formal meetings of the Council / its Committees during the COVID-19 crisis. This has been agreed by the COVID-19 Interim Measures Group and will be kept under regular review.