

<b>Committee(s):</b> Policy and Resources – For decision	<b>Date:</b> 7 May 2020
<b>Subject:</b> Remote Meetings Protocol and Procedure Rules	<b>Public</b>
<b>Report of:</b> Town Clerk & Chief Executive	<b>For Discussion</b>
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### Summary

In light of restrictions on travel and other measures which have been implemented to address the COVID-19 pandemic, the City of London Corporation has been unable to undertake its committee meetings in the usual fashion over the recent period.

Whilst new regulations have come into force which allow for and explain the legal position in respect of remote meetings, there are a number of practical matters relating to the conduct of these meetings which have had to be explored to adapt to a City Corporation context. This paper sets out practical solutions to any issues that might be encountered whilst conducting a remote committee meeting, relating to:

- preparing for and accessing remote committee meetings;
- how the general public can access remote committee meetings;
- overcoming potential connectivity issues;
- meeting etiquette, including use of the Chat Box function
- voting;
- privacy and safeguarding implications; and
- staffing implications.

### Recommendations

Members are asked to note the report and discuss their views.

### Main Report

#### Background

1. The outbreak of the COVID-19 virus has been declared a Public Health Emergency of International Concern and, on 11 March 2020, the World Health Organisation (WHO) declared the situation to be a pandemic. The situation is evolving on a daily basis leading to a number of measures being implemented to deal with the crisis, including restrictions on non-essential travel.
2. In light of these restrictions, the City Corporation introduced a number of measures to protect all staff, residents, workers and members of the public within the City and beyond. This included the substantive closure of Guildhall and subsequently the suspension of all formal meetings of Common Council and its committees and sub-committees which would, up until the introduction of new legislation, required physical attendance by elected Members and staff at meetings.

3. At its meeting on 16 April 2020, an informal meeting of the Policy and Resources Committee received a report detailing how the City Corporation would maintain democratic oversight during COVID-19. The report set out how virtual decision-making meetings could be managed going forward.

### **Current Position**

4. The introduction of the *Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020* (“the Regulations”) have now given further clarity on the legal position of holding remote committee meetings during this period.
5. The first formal virtual meeting took place on 24 April 2020 with a meeting of the Community and Children’s Services Committee which was live-streamed on YouTube. A meeting of the Police Authority Board then took place on 27 April 2020 in the same way and forthcoming meetings will be managed utilising the same approach.
6. Whilst the legal position has been confirmed and the technological and resourcing aspects associated with the management and delivery of formal virtual meetings have been addressed, there are a number of practical matters relating to the conduct of meetings (including protocol and procedures), which have had to be explored to provide a City of London Corporation context. This paper sets out practical solutions to any issues that might be encountered whilst conducting a remote committee meeting and details the intended approach to meeting management.

### **Preparing and Accessing Remote Committee Meetings**

7. 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. In addition, participants must be able to be heard by members of the public and, where appropriate, the Member must be able hear any member of the public who is entitled to attend the meeting and exercise a right to speak at the meeting.
8. All remote committee and sub-committee meetings shall be conducted through Microsoft Teams. Members and officers should access meetings through the Outlook invitation circulated or through Microsoft Teams directly. City Corporation email addresses and devices should be used to access meetings wherever possible, to mitigate against the risk of incompatibility of devices and ensure IT support to resolve issues can be dealt with expeditiously.
9. The Committee Clerk shall distribute and maintain the meeting calendar invitation and Teams meeting invitation and link.

10. An agenda for the meeting will be circulated to Members and Officers by the committee clerk as normal. The agenda front sheet shall also contain information on accessing the public broadcast (i.e. a hyperlink to the live stream).
11. Members and Officers should, wherever possible, access the meeting ahead of the stated start time in order to check their connection is working and avoid any unnecessary interruptions during the meeting. We would advise all Members and officers who intend to join the meeting, to do so not less than 5 minutes before the specified start time. During this time, any connectivity or technological issues being encountered should be raised so that they might be addressed in a timely manner prior to the meeting.
12. At the outset of the meeting, the Clerk or the Chair will open the meeting by making any housekeeping or introductory points. This time will allow for any live public broadcasting of the meeting to initiate, which can take up to 60 seconds, and for public attendees to connect to the broadcast.
13. The Committee Clerk will take the attendance of Members present at the outset of the meeting, once the live broadcast is up and running, in order that members of the public are clear about who is present. The Committee Clerk will also confirm that the meeting is quorate before moving on.
14. Any Member who declares a disclosable pecuniary interest (or other declarable interest) in any item of business that would normally require them to take their leave of discussion shall also do so for a remote meeting: the requirements of the Nolan Principles and the Code of Conduct apply in the usual way. Once the relevant item has been dealt with, the Clerk shall advise the affected Member(s) as required when it is appropriate for them to re-join the meeting / discussion.

### **Public Access to Remote Committee Meetings**

15. All remote committee and sub-committee meetings should retain the level of public access offered previously. The public section of the agenda shall be published in good time and the public session of the committee meeting shall be broadcast online, via the City of London Corporation's YouTube channel, with instructions for accessing this broadcast to be provided with the agenda. A link for public access to a particular meeting will be published on the agenda front sheet. The public will also be able to look for and access meetings via a YouTube search.
16. Where a Committee moves into non-public discussion during a meeting, with the agreement of the Committee, the live stream via YouTube will end. In the interests of both good practice and to avoid technological issues associated with pausing the live stream, there should be no switching between public and non-public items – all public items should be dealt with prior to the move into non-public session. Up to 30 seconds should be allowed before the Committee begins non-public discussion to ensure the live broadcasting has stopped.
17. For the Licensing and Planning & Transportation Committees, public speaking in as close to the usual fashion as possible can be facilitated using the Microsoft Teams function. Separate protocols are being drafted to be issued in such

circumstances, so as to provide the public with clear instructions on how to use the technology and participate..

### **Potential Connectivity Issues**

18. Whilst it is hoped that there will not be connectivity issues, the all those participating in a meeting should have contact details for the relevant Committee Clerk or IT Support Officer available in case of any technical issues. Please note that, often, connectivity issues are not to do with the City Corporation's infrastructure but instead with local connectivity.
19. Where practicable, the Clerk and the Chair should be able to contact each other outside of Teams by email, 'phone, or instant messaging. The Committee Clerk will check with the Chair before the meeting to discuss the best means through which to communicate as the meeting takes place. Use of the Skype function has worked well to date and allows the Committee Officers to advise the Chair about any connectivity issues, problems with the live stream, and also to queue Members for questions (as they indicate in the Chat function).
20. The clerk will be assisted by at least two colleagues behind the scenes, one of whom will be able to take over the meeting in the event of any technical issues which cannot immediately be rectified. The Chair will be advised where this happens.
21. In the event of any technical issues which cannot immediately be rectified for the Chair, the Deputy Chair should be advised and should lead the meeting until the Chair's connection is restored.
22. In the event of any technical issues which cannot immediately be rectified for the Chair and Deputy Chair, the Clerk should be advised and the Committee shall be asked to agree to adjourn the meeting until the connection is restored. If it is apparent that the problem is more significant and connection cannot be re-established within an acceptable timeframe, the Committee shall be asked to move a senior Member into the Chair until such time as the problem can be resolved.
23. If a Member (or multiple Members) experiences technical issues which cannot immediately be rectified, they should contact IT Support immediately and, where possible, inform a colleague so the meeting may be advised.
24. If the number of Members affected means that the meeting is rendered inquorate, the meeting should be adjourned in accordance with Standing Order 36(3) and the live stream paused for a time (up to 10 minutes) to allow connection to be restored. If the connection cannot be restored in this time, then pursuant to the aforementioned Standing Order the meeting will be dissolved with any remaining business deferred until the next meeting of the Committee, in the normal way. In such an event, the Clerk shall communicate the situation over the live stream for the benefit of members of the public, prior to ending the stream.
25. Should the Microsoft Teams software or the City Corporation's IT system fail or be disrupted during the meeting, the meeting should be adjourned for a time (up to 10

minutes) with, where possible, a notice placed onto the YouTube page indicating the position, to allow connection to be restored. If the connection cannot be restored in this time, the meeting would not be able to proceed as a formal meeting and would be dissolved.

26. If possible, the Committee Clerk should advise all participants of any central technical issues via Outlook rather than via the Chat function (given the likelihood that the Chat function is also likely to be affected).
27. Where there have been issues, time should be allowed at the end of each item or at the end of the meeting to clarify any queries or points raised or not raised during periods affected by technical problems.
28. As with physical meetings and consistent with Standing Order 35 (1), any Member is entitled to attend any meeting of a Committees or Sub-Committee of which they are not a Member but must not vote or, without the permission of the Chair, speak on any matter.
29. Where a Member wishes to participate with the Chair's consent, or wishes to be present for the non-public part of the agenda (i.e. not use the YouTube stream), they should contact the relevant clerk or the wider Committee & Member Services Team, who will send on the Teams meeting invitation.

### **Meeting Etiquette**

30. Remote meetings should be conducted in a manner as similar to a traditional committee meeting as is practicable.
31. All Members and Officers should use their City of London Corporation email accounts to access remote committee and sub-committee meetings. Where this is not possible, every effort should be made to ensure that Members or Officers can be identified quickly and easily on the list of participants.
32. For the benefit of the public broadcast, the Members in attendance at a meeting should be made clear at the start of the meeting. This could, for example, take the form of individual introductions at smaller committees, or a roll call undertaken by the Town Clerk using the list of participants at larger meetings.
33. The Chair or Clerk should make clear throughout the meeting which item is being discussed, and when the meeting is moving to a new item.
34. All participants should have their microphone muted until invited to speak and return to mute once they have spoken. Members and Officers are also asked to switch off the camera function when not speaking as this can help connectivity, especially where a larger number of people are joining the meeting.
35. All participants should also seek to minimise disruption from alerts and notifications from other sources by setting their Teams status to 'Do Not Disturb' and closing or disabling notifications on other programs such as Skype or Outlook.

36. Where the Chair, a Member, or an Officer is asked to respond to a query, extra time needs to be allowed for a response, bearing in mind there may be a delay in the connection, or the respondent may initially be muted.
37. Upon speaking for the first time on an item, it is advised that a participant introduces themselves or confirms their identity before speaking.
38. Officers may opt not to be visible on camera.
39. The Chair retains the authority to remove any participant from a meeting if they are disruptive, consistent with Standing Order 39.

#### Chat Function

40. The 'chat' function should be used during the meeting to avoid interruption and maintain an order of speaking. If a Member or Office would like to ask a question or raise a point, this can be indicated for the Chair to come to in turn. If a Member does not have this feature available, they should, where necessary, advise the Chair or a colleague separately that they wish to speak.
41. Please note that chats during live broadcasts can be subject to Freedom of Information requests.
42. For transparency purposes, please avoid engaging in a written exchange or discussion over the chat function but wait for the Chair to call on you to contribute.
43. The Chair or the Clerk can use the chat function for any housekeeping points or to aid the conducting of the meeting where necessary, such as putting a question to Members to be voted upon.

#### **Voting in Remote Meetings**

44. As previously, Committees should make their decisions by consensus as far as is possible, with the Chair asking for the agreement of Members on resolutions or a report's recommendations.
45. Where a formal vote is required, this should be facilitated by the Clerk, along with the Chair, using technology as required. The method by which a vote will be taken must be agreed in advance of the meeting. For the time being this will be done via a rollcall where the committee Clerk calls out a Member's name (where they are permitted to vote) and the Member responds "yes/agreed", "no" or "I abstain".
46. There is scope to introduce voting via on-screen display and this is being tested to ensure that there can be no future challenge to the outcome of voting via an online solution within Microsoft Teams.
47. Chairs, clerks and representatives of the Comptroller & City Solicitor's Department should be alive to the potential issues surrounding voting in respect of the relevant Committee; for instance, where a Member is required to be present throughout the consideration of an item in order to be eligible to vote. This is particularly pertinent given the requirements in respect of decisions taken by the Planning &

Transportation Committee. Where technical issues are so significant as to affect a Member's ability to take into account all relevant matters, the Member should recuse themselves from voting in appropriate cases.

### **Privacy and Safeguarding Implications**

48. Participants need to be alive to the fact that, if they share their household with others (including children), there are privacy and safeguarding implications when committee meetings are taking place and being live streamed. In these circumstances, participants should use the "Blur Background" function in Teams.
49. Additionally, when a committee is discussing non-public items, participants should use headphones to minimise the amount of private information being overheard in the home.
50. Where participants are dialling in using telephone, there is also a risk that the number may appear in lieu of a name on the screen (and, subsequently, live stream). This can be avoided by participants utilising the "141" prefix when dialling the relevant number and guidance issued to participants will outline this facility.

### **Staffing Implications**

51. It should be noted that, although work has been undertaken to provide legal and technical solutions to remote meetings, there are operational implications that also need to be considered. For example, a meeting would usually require at least two committee clerks to support it (to manage the meeting and support the Chairman and to write the minutes, as well as providing a contingency in case of technical issues affecting one clerk's participation). In addition, the presence of a member of the IT team is currently required to manage and facilitate the live stream, whilst a further individual may be necessary to assist with technical problems being encountered by individual Members. It is expected that the provision of additional hardware, together with increased familiarity with the new systems, will minimise these requirements in the longer term. However, the lack of immediate access to requisite equipment and training should be noted as having an impact.
52. Additionally, officers' workloads in some departments has significantly increased to respond to providing critical public services. The result of this is that officers might not have the same level of capacity to write reports and attend virtual meetings.
53. Consideration should, therefore, continue to be given as to whether a formal virtual meeting is critical, there is sufficient business to warrant the calling of the meeting, and it should therefore take place.

### **Conclusion**

54. Remote committee meetings require protocols and guidelines so that business is conducted in an efficient and transparent manner. This report outlines the approach and steps to be followed at meetings and in the event of any issues.

## **Appendices**

- Appendix 1 – Association of Democratic Services Officers (ASDO) and Lawyers in Local Government (LLG)'s Guidance Document on the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020
- Appendix 2 – Good Practice for Virtual Board and Committee Meeting Guidance Note by the Chartered Governance Institute

## **Background Papers**

- Policy and Resource Committee Paper – 15 April 2020 – Democratic Oversight During COVID-19

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