

Governance Committee

20 May 2020

Part I

Plans for Member Meetings during the Covid-19 Emergency

Report by the Director of Law and Assurance

Summary

In mid-March, at the start of the current Covid-19 public health emergency, all formal meetings at the County Council were cancelled up until the end of April. The Government issued new Regulations with effect from 4 April, enabling local authority meetings to be held virtually. The requirement is that members attending remotely should be able to hear, and be heard, by others in the meeting and by the public and that public meetings will be webcast. The Council's Standing Orders were revised through urgent action procedures to reflect these new regulations. Four virtual member meetings have now been held in line with the new requirements and plans for meetings during May are in place. This report updates the Committee on the changes to Standing Orders, outlines the arrangements for virtual meetings and sets out proposals for member meetings to the end of July 2020 for consideration.

Recommendations

The Committee is asked to:

- (1) Note and comment on new Standing Orders on Virtual Meetings (at Appendix A);
- (2) Consider and endorse proposals for meetings to the end of July 2020 (at Appendix B); and
- (3) Agree to review plans for member meetings at the next Governance Committee meeting in June, to include looking ahead to autumn 2020.

Proposal

1. Background and Context

- 1.1 Prior to the Covid-19 emergency, formal council meetings could not be held virtually; members of committees were required to be physically present. However, the Government has passed new regulations – the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) \(Regulations\) 2020](#). These came into effect from 4 April and enable council meetings to be held virtually (by video or by phone). The regulations also allow annual appointments to be delayed until May 2021. The regulations cease to apply in May 2021.

- 1.2 Meetings can be held by video or phone (appearing by video is not necessary) – the requirements are that members attending remotely should be able to hear, and be heard, by others in the meeting and by the public. The requirement is that public meetings will be capable of being heard or viewable if videoed via the internet. The regulations invited councils to amend their Standing Orders to make particular provision for voting, member and public access to documents, and the details of remote access of the public and press. New Standing Orders were produced and agreed via the urgent action procedure. These cover arrangements for virtual meetings and are set out at **Appendix A**.
- 1.3 At the start of the Covid-19 emergency all formal member meetings were cancelled. Following the adoption of the new Standing Orders four public meetings have been held to date to carry out important business:
- Children and Young People’s Services Scrutiny Committee on 14 April
 - Performance and Finance Scrutiny Committee on 15 April
 - Cabinet on 22 April
 - Pensions Panel on 4 May
- 1.4 All formal meetings will now need to be webcast live in order to ensure they meet the requirements of the regulations. This includes meetings which would not normally be webcast, such as the Pensions Panel and Boards of Appeal drawn from the Staff Appeals Panel. For such meetings, it is likely that only the start will be webcast to confirm member attendance, given the confidentiality of some business.
- 1.5 The Council is currently using audio-webcasting via Skype conference calls for formal meetings. This ensures broadcasts are robust, reliable and secure and uses a technology members and officers are familiar with and comfortable using. It avoids putting a strain on the network capacity both for critical Council services and also for those participating in virtual meetings from home. The Council is evaluating the potential for a backup conferencing solution. Some other councils are using different technologies to enable video conferencing, but these cannot currently be supported by the Council’s IT systems. However, IT are exploring the feasibility of other videoconferencing options as a priority.
- 1.6 Guidance on virtual meetings and on the technology to support these has been circulated to all members. Feedback from participants of the four meetings held so far has been positive. However, for some people participating in virtual meetings can be more tiring. It will be important to plan to do less, take time to prepare, make sure participants are clear about their roles and take meetings at a slower pace. There may be a need for pre-meeting calls to make sure everyone participating is happy with the technology and understands how the meeting will be run. Agendas are likely to need to be shorter, with concise reports and it will be important to keep to indicative timings and to use time efficiently.

2. Proposal

- 2.1 It is inevitable that there will be some constraints on how the Council manages its business due to the current emergency situation. Whilst recognising the importance of democratic accountability and oversight, there

may be limits to the organisation's capacity to support some member meetings during this period, with a need to focus on priority and essential business. Some meetings may need to be cancelled or postponed. Proposals for managing Council and committee business during this time are set out below, for the Committee's consideration.

- (a) Non-urgent or non-time critical matters be postponed or dealt with informally, with briefings and updates to be provided to members via email and published through the website if appropriate.
- (b) Informal member development sessions be paused and subject to review; all members have been sent details of recommended online training for completion, including on data protection, cyber security and safeguarding, and completion rates will be monitored. The need for these has not reduced.
- (c) Cabinet meetings will be held monthly for collective key decision-making as well as for updates on the response to/impact of Covid-19. Scrutiny Chairmen and the leaders of the main minority groups will continue to be invited to attend and speak at these meetings.
- (d) Scrutiny should focus on key decision preview as well as monitoring the most important service improvement programmes. Given the current emergency situation, scrutiny of the Council's Covid-19 response will need to be part of the recovery phase, to identify learning for the future and any ongoing impacts and service resetting. However, the Performance and Finance Scrutiny Committee will be provided with updates on the impact of Covid-19 through the Total Performance Monitor. This will provide the opportunity for overview of the financial implications for the Council.
- (e) County Local Committee (CLC) and Joint Arun Area Committee (JAAC) meetings due to be held in June and July should be cancelled. Whilst these are important community-based meetings, it will be difficult to hold 11 such meetings during the current emergency. Service effort needs to be focused on providing community support through the current Covid-19 emergency. Community Initiative Fund (CIF) and Traffic Regulation Order (TRO) decisions may be considered by CLC members informally and confirmed through urgent action procedures. Members are encouraged to continue to engage with their communities and respond to specific issues/needs on a case-by-case basis. It should be noted that the focus for CIF allocation going forward will be on building sustainable support for communities and addressing any support gaps identified in response to the Covid-19 emergency.
- (f) County Council meetings scheduled for April and May have been cancelled. There is no pressing business for Council to debate or determine. Under the regulations there is no requirement for an annual meeting of any council, and committee appointments are being managed by agreement between group leaders. A number of notices of motion scheduled for April and May debates could be planned for a future meeting but members may wish to consider whether their subject matter indicates a need for urgent public debate in the current situation. It is not possible at this time to predict whether there will be

enough progress through the current situation to inform any debate on County Council future business and priorities at the next scheduled meeting of Council on 17 July. The Committee is therefore invited to take a position on whether that should remain in the calendar.

- 2.2 A list of formal meetings due to be held between May and July 2020 is attached at **Appendix B**. The Committee is asked to endorse the proposed approach to meetings it sets out. A key issue for discussion is whether the County Council meeting in July is required.

3. Resources

- 3.1 There are no significant resource implications relating to the proposals contained in this report. There will be some minor savings to the Democratic Services budget due to the cancellation of meetings from March 2020. The Partnerships and Communities Team, which provides support to CLCs, is carrying out significant levels of Covid-19 related work including delivering the Community Hub response with a priority on work to support the vulnerable. The Team's capacity is likely to remain stretched for an extended period. Democratic Services staff, like all Council staff, have been involved in supporting the corporate response to Covid-19. There is therefore reduced capacity within the Service to support member meetings.

Factors taken into account

4. Consultation

- 4.1 It has not been possible to consult all members on the proposals set out in this report, due to the nature of the current emergency situation. Group leaders have been invited to discuss the proposals with group members. Liaison is ongoing with the chairmen of relevant committees/panels on future plans.
- 4.2 The Cabinet Members for Fire & Rescue & Communities and Highways & Infrastructure have been consulted on the proposal to cancel CLC/JAAC meetings, given the nature of decisions taken at these meetings. The Cabinet Member for Fire & Rescue & Communities has not raised any objections. The Cabinet Member for Highways and Infrastructure is keen to ensure that any TROs continue to be dealt with appropriately. Arun District Council has been informed of the proposal to cancel the JAAC meetings as these are joint arrangements. Any feedback received from Arun will be reported verbally to Governance Committee.
- 4.3 The Council's Executive Leadership Team has been consulted on staff capacity to support meetings as well as on the priority of business due to be considered both from the Forward Plan and the Covid-19 activity and impact.

5. Risk Implications and Mitigations

Risk	Mitigating Action (in place or planned)
Lack of democratic debate on issues	Plans will be led by members following consultation within groups

Risk	Mitigating Action (in place or planned)
Insufficient capacity to support meetings	Decisions will be informed by advice on resources and impact on critical services.

6. Other Options Considered

6.1 Options will be considered within the Committee's debate

7. Equality Duty

7.1 There is no equality duty impact arising from this report. The needs of individuals who may wish to participate in member meetings will need to be considered in planning the technology and methods of communication for all council business.

8. Social Value Crime and Disorder Act Implications and Human Rights Implications

None

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Appendices

Appendix A – New Standing Orders on Virtual Meetings

Appendix B – Member Meetings to July 2020

Background Papers

None