# Report

## Democratic Services Committee

**Item:**

Date:  29th April 2021

Item:  5

**Subject**  **Draft Guidance – Multi-Location meetings**

**Purpose**  To consider the draft Guidance on Multi-location meetings and make any comments.

**Author**  Head of Law & Regulation

**Ward**  General

**Summary**  The Local Government and Elections (Wales) Act 2021 ("the Act") makes provision for remote attendance at local authority meetings and electronic broadcasts of meetings open to the public, in order to achieve greater accessibility and improved public participation in local government. Section 47 of the Act requires the Council to make arrangements for remote access to meetings. This section of the Act will come into effect as from 1st May 2021.

The current arrangement uses Microsoft Teams solutions to delivery fully remote meetings but grant funding of £52k has been secured from the Welsh Government Digital Democracy Fund to develop and upgrade the technology in the Council Chamber and Committee rooms to deliver "hybrid" multi-location meetings

The Act provides for the Welsh Government to issue statutory guidance regarding the conduct and management of these multi-location meetings. They have commissioned the Centre for Governance and Scrutiny, Public Governance Wales and Cardiff University to undertake a joint project to draft this guidance. Democratic Services Committee are asked to consider the current draft guidance and make any comments

**Proposal**  **To note the report, consider the draft Guidance on Multi-location meetings and make any comments**

**Action by**  Head of Law & Regulation

**Timetable**  In line with the consultation deadline

This report was prepared after consultation with:

- Head of Finance
- Head of People & Business Change

## Background

1.      The Local Government and Elections (Wales) Act 2021 ("the Act") makes provision for remote attendance at local authority meetings and electronic broadcasts of meetings open to the public, in order to achieve greater accessibility and improved public participation in local government.

2.      Section 46 of the Act will come into effect as from 5th May 2022, after the next local government elections, and will require the Council to make arrangements for broadcasting meetings live, and ensuring that broadcasts are available electronically afterwards. A failure to comply with this requirement does not necessarily make proceedings invalid. Separate Regulations and guidance are being prepared by Welsh Government on these electronic broadcasting requirements.

3.      Section 47 of the Act requires the Council to make arrangements for remote access to meetings. This section of the Act will come into effect as from 1st May 2021 by virtue of The Local Government and Elections (Wales) Act 2021 (Commencement No. 3 and Transitional Provision) Order 2021. By bringing this section of the Act into force on 1st May 2021, Welsh Government have enabled local authorities in Wales to continue with the current practice of holding meetings remotely, while the Covid-19 social distancing restrictions remain in place. The previous Remote Meetings Regulations were made under the Coronavirus Act 2020, and did not continue beyond 1st May 2021. This has led to judicial review proceedings on behalf of English local authorities against the National Government because of concerns that remote meetings will not be lawful when the current regulations expire. However, by implementing this section of the Act in Wales, Welsh Government have given legislative powers to continue with the current remote meetings arrangements.

4.      The current arrangement uses Microsoft Teams solutions to delivery fully remote meetings, which are broadcast live through the Council website using Teams Live Event. Whilst this works during current Covid restrictions, it is acknowledged that a "hybrid" form of multi-location meeting will be required in future to meet the requirements of the Act as from May 2022.

5.      The Council has already been successful in a bid to Welsh Government for grant funding towards the costs of developing and upgrading existing systems and IT infrastructure to facilitate these hybrid forms of multi-location meeting and their live webcasting. Grant funding of £52k has been received from the Welsh Government Digital Democracy Fund to develop and upgrade the technology in the Council Chamber and Committee rooms to enable some members to dial-in remotely to face-to-face meetings, and to upgrade the Public-i webcasting system to enable these hybrid meetings to be broadcast live.  A project team has been established to take this work forward and progress reports will be presented to Democratic Services Committee as the work develops. The intention is to use the current Microsoft Teams platform, with linkage to the Public-i webcasting system, in relation to meetings based in the council Chamber and the main Committee rooms. Screens will need to be upgraded in the meeting rooms to enable members who are dialling-in remotely to be seen and heard at all times by those members who are sitting in the meeting rooms.

6.      The Act provides for the Welsh Government to issue statutory guidance regarding the conduct and management of these multi-location meetings. They have commissioned the Centre for Governance and Scrutiny, Public Governance Wales and Cardiff University to undertake a joint project to draft this guidance.

## Draft Guidance – Multi-Location meetings

7.      The latest draft guidance is attached at Appendix 1. It has been shared with the WLGA and the Heads of Democratic Services network.  The general consensus is that the draft guidance is very comprehensive and it will be helpful to access all of the relevant guidance in one document. However, there are also concerns about the length of the document and unnecessary commentary and repetition. Also, it would be helpful if the guidance could be re-arranged with

basic information for each theme and links to more detail for each subject. This would be especially helpful for elected members.  An executive summary would also be helpful.

8.     The Heads of democratic services also considered that greater clarity was required regarding which parts of the guidance is mandatory and which elements were purely advisory, and considered to be good practice.

9.     The document suggests that a protocol is developed by the Democratic Services Committee and Heads of Democratic Services to decide what arrangements apply to each meeting

**Financial Summary**

10     There are no financial implications.

**Risks**

11     Failure to consider and respond to the draft documents will mean that the Committee loses the opportunity to influence the development of this guidance.

**Links to Council Policies and Priorities**

12     The principles of good corporate governance, accessibility and transparency are enshrined in the Council's well-being plan and objectives under the Well-being of Future Generations (Wales) Act.

**Proposed Action**

13     The Committee is asked to note the report, consider the draft Guidance on Multi-location meetings and make any comments.

# Comments of Chief Financial Officer

There are no financial implications.

# Comments of Monitoring Officer

Set out in the report.

# Staffing Implications: Comments of Head of People and Business Change

There are no staffing or HR implications.

# Background Papers

Draft Guidance on Multi-Location meetings

Dated: 23rd April 2021

Appendix 1

**STATUTORY GUIDANCE: MULTI-LOCATION MEETINGS**

Note: this paper reflects only the developing views of the Centre for Governance and Scrutiny, Public Governance Wales and Cardiff University as authors. It does not reflect the views of Welsh Government. Before the text is finalised and signed off by WG, it should not be relied upon to provide an accurate or comprehensive picture of law and practice around the operation of local authority meetings.

This draft material includes content (eg on meetings generally, on broadcast) which may not be present in the final version. This content is included in this version to highlight areas of crossover with other guidance and is therefore presented separately.

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# Introduction

## Purpose of this guidance

The purpose of this guidance is to support the provision of multi-location meetings for principal councils, national park authorities, and fire and rescue authorities in Wales (referred to as authorities).

In the spirit of the Local Government and Elections (Wales) Act 2021 ("The Act"), the overall purpose is "...to achieve greater accessibility and improved public participation in local government". Specifically: "The Welsh Government believes people should be able to watch council meetings at any time. The Bill will require principal councils to live broadcast meetings of their full council that are open to the public electronically and to make the broadcast available electronically for a reasonable period after the meeting. It will also enable more meetings to be broadcast in this way in the future." https://gov.wales/bill-revolutionise-local-government-and-democracy-passed-senedd

## How this guidance was developed

This guidance was developed in February / March 2021. As well as a review of the relevant legislation, consultation was held with councillors, officers and relevant national bodies.

## The benefits of multi-location meetings

The preparation of this guidance involved conversations across the local government sector about experiences with multi-location meetings over the course of the coronavirus pandemic in 2020 and 2021. Most felt that these experiences highlighted a range of significant benefits for multi-location meetings.

- Encouraging innovation and improvement. In particular, multi-location meetings carried out during 2020 have helped authorities to explore the productivity of those meetings, and to directly address councillors', and officers', skills and capacities. Many councils have found that partnership meetings have improved, in terms of productivity, with the advent of multi-location meetings. Finally, multi-location meetings have inevitably resulted in a dramatic reduction in the amount of paper needed and produced; the move to an "online by default" approach with regard to the production of notices and agendas will make it easier for councils to innovate around the use of formal meeting material;
- Benefits to resilience and sustainability. The Wellbeing of Future Generations Act 2015 requires authorities to have regard to the long term in the way that policy is developed and made. Multi-location meetings have the benefit of reducing the carbon footprint of physical meetings (although digital activity is not of course carbon-neutral); it can also help councils to mitigate the risk of future adverse events – such as extreme weather – which could in future present a challenge to in-person meetings. Sustainability, and the well-being of future generations, is a key principle to which authorities will need to have regard to in the design of meeting arrangements – it is explored in more detail below;
- Facilitation of the use of the Welsh medium. Councils' experience during 2020 has been that the provision of simultaneous translation facilities on platforms such as Zoom has reduced the perceived "stigma", in certain authorities, around the use of the Welsh medium.
- Making meetings more visible and accessible for the public. Although experiences have been mixed, public attendance has been higher for multi-location meetings than for meetings in person. Some councils, in particular, have found that multi-location meetings have made it possible to include external participants actively, as well as as an audience, ensuring that council committees can benefit from a greater plurality of views. Councils have reported that members of the public think that multi-locations are much less intimidated than those held in person, and that they have the potential to encourage more people to stand for public office. That said, for some, multi-location meetings will also present challenges for many – those with poor broadband connections or disabled people unable to access meetings over the internet for other reasons;

- Reducing the need for travel. For more rural authorities, for authorities covering large geographical areas and for joint committees, significant time and cost savings for councillors, officers and other participants have arisen. In turn, this makes engagement significantly easier for those councillors, and other participants, with professional and caring commitments – potentially removing some significant barriers to standing for public office for younger people;
- Better support for councillors with protected characteristics under the Equality Act. Just as barriers are being removed to public participation, multi-location meetings have made it easier for councillors who are women, or disabled, or have other protected characteristics, to engage on an equal footing in council meetings. In some cases, councillors have found the formality of physical meetings to be exclusionary, with multi-location meetings having facilitating more equal participation. Of course, this raises broader issues around the political culture within councils – these are not matters which will be resolved through multi-location meetings alone, but such meetings could be a tool that will, in due course, facilitate a wider range of people to take an active role in local democracy;
- Improved behaviours. Although experiences have been mixed, meeting management and the behaviours of participants have both improved, through more active consideration by chairs of who has made, or wishes to make, contributions to meetings and by the disruption by multi-location meetings of more traditional, "performative" behaviours around meetings held physically in public.

It is important to recognise that multi-location meetings are not "second best", with all-physical meetings representing the "gold standard". Physical meetings may be convenient and effective for those most familiar with and comfortable with their operation – but they may be inaccessible to many. In time, ongoing experience with multi-location meetings will improve their performance and reduce the amount of resource required to support them.

## What this guidance covers

This guidance focuses particularly on arrangements for the convening and broadcast of formal local authority meetings under the Local Government and Elections (Wales) Act 2021, and the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021.

Together, this legislation seeks to update arrangements for the management of these meetings and to enhance transparency and public access.

This guidance also engages with other enactments relating to this issue, as well as with the wider local democratic context within which the Act sits.

This guidance is issued further to:

- Section 47(5) of the 2021 Act, insofar as it relates to attendance at local authority meetings;
- Section 254 of the Local Government Act 1972, insofar as it relates to the management of meetings generally and the requirement to give notice of local authority meetings and provisions relating to access to documents;
- Section 38 of the Local Government Act 2000, insofar as it relates to the management of meetings generally and to Regulations made under s105(2) of the 2000 Act (in particular, the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) Regulations 2001, as amended by the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021.

Chapter 4 of Part 2 of the Act covers local government meetings. In respect of principal councils, corporate joint committees, national parks authorities and fire and rescue authorities, it covers:

- Electronic broadcasts of meetings. Councils must make arrangements for broadcasting meetings live, and ensuring that broadcasts are available electronically afterwards. A failure to comply with this requirement does not necessarily make proceedings invalid (s46). Separate Regulations and guidance are being prepared on this matter;

- Attendance at meetings: Councils must make arrangements for "multi-location" meetings, at which participants can hear and (in respect of meetings which must be broadcast) see each other (s47);
- Notice of meetings, and publication of agendas: Councils must publish certain information, including notices of meetings, electronically, and electronic information relating to meetings must remain available in this format for six years following the date of the meeting (Schedule 4, Part 1, amending the Local Government Act 1972).

This guidance uses the phrase "multi-location meeting" to describe any meeting which involves one or more meeting participant joining a meeting from a location other than the committee room of an local authority. This includes meetings of the type described below:

- Meetings of a committee where all participants are in the same physical location except one individual who joins from another location, with a physical public gallery being provided;
- Meetings of a corporate joint committee where attendees from one local authority are physically present in that authority's civic centre, while other participants join through remote means;
- Meetings of a committee where a roughly equal number of councillors are present in a physical space and joining through remote means; those joining through remote means may include the chair;
- Meetings of a committee where all members are joining through remote means but nonetheless a physical public gallery has been made available in council premises;
- Meetings of a committee taking place wholly through remote means where no physical arrangements have been made.

Provision for broadcast is explored in separate Regulations and separate guidance. Authorities are likely to need to consider the requirement to broadcast alongside the need to make provision for multi-location meetings. This is the reason for suggesting that meeting arrangements take account of both requirements.

## Who this guidance is for

These provisions apply to principal councils, national park authorities, and fire and rescue authorities. This guidance also covers meeting arrangements for corporate joint committees (CJCs). This guidance does not cover the arrangement of meetings by community councils, the organisation by other public bodies of their own formal meetings, or the organisation by public bodies (including councils) of public meetings or any other gathering.

This guidance is intended for:

- Officers providing support to formal meetings in authorities covered by the legislation;
- Officers with adjacent responsibilities – for example, those responsible for drafting and clearing reports, attending meetings to present reports to members and officers with supervisory responsibilities on governance matters;
- Officers with these responsibilities in fire and rescue authorities and national park authorities;
- Councillors in principal authorities, NPAs, FRAs and corporate joint committees (CJCs).

The authorities to which this guidance applies (principal authorities, NPAs, FRAs and corporate joint committees) are required to "have regard to" it. Where authorities are under a statutory obligation to carry out an act the guidance says that they "must" do something; where there is no such obligation but the guidance presents a suggestion on a possible course of action, the guidance says that a council "can" or "may" do something.

# General principles

While the details of meeting arrangements are for authorities to determine, they should pay regard to the following principles when making those arrangements.

All of the below relate to legal obligations. In developing meeting arrangements, authorities will need to explicitly assure themselves that these principles are understood, taken into account and acted on, possibly through being the subject of specific discussion at a Democratic Services Committee or other body.

## Transparency

Formal meetings of local authorities, and of other authorities and bodies, are spaces in which democratic debate and decision-making happen. It is fundamental that these meetings are held in public (subject to the specific exceptions available), and that the public are able to access and engage with them. Councils and authorities will need to think about their wider legislative obligations around transparency, and accessibility, and what that means for the way that they carry out meetings. These meetings allow public and media involvement as observers whether they are held in person or virtually.

(Local Government Act 1972, s100 et seq, Schedule 12 and 12A and related legislation)

## Accessibility

Democratic systems need to be organised and arranged to account for barriers that members of the public might experience. We have noted above that multi-location meetings have the potential to enhance and improve access for councillors and other participants, but meeting arrangements will need to be designed to explicitly facilitate this.

In particular, authorities' meeting arrangements and rules relating to multi-location meetings will need to have regard for the protected characteristics under the Equality Act, and for ensuring that the impact of its decisions on democratic arrangements are understood from an equality perspective.

(Equality Act 2010)

## Good conduct

In line with the Nolan Principles, virtual meetings, as with any other public meeting, should demonstrate high standards of conduct.

Virtual meetings provide a window through which the public view governance meetings and are an important opportunity for people to form a judgement about how authorities operate. Multi-location meetings have in many places led to changes in conduct, and an improvement in behaviours. Meeting arrangements can account for the need to entrench more positive behaviours – particularly where multi-location meetings involve a number of people together in a single physical location, where different dynamics may arise.

Councils will also need to have regard to the Model Code of Conduct (and to local codes of conduct, and standards arrangements) in how they develop their meeting arrangements.

(Code of Conduct (Model Code of Conduct) (Wales) Order 2016)

## Welsh Language

Arrangements need to support and promote the Welsh Language, ensuring that use of the English and Welsh mediums is treated equivalently. For multi-location meetings this may involve provision for simultaneous translation and/or subtitling. The use of the Welsh medium can be facilitated in multi-location meetings – and normalised in a wide range of settings – in ways which might historically have proven challenging for physical meetings.

(Welsh Language (Wales) Measure 2013)

## Local needs

Local authorities are democratic institutions. Decisions about local democracy – and the best approaches to promote and encourage engagement in local democratic systems – are best made at a local level. Authorities' approaches to meeting arrangements should therefore be aligned with their public participation obligations. An understanding of the specific needs of a wide range of local people is a part of this.

(Local Government and Elections (Wales) Act 2021, on public participation).

## Future generations

In determining arrangements, authorities must give regard to the well-being goals and ways of working set out in the Well-being of Future Generations (Wales) Act 2015. Many of the improvements which could be brought about by multi-location meetings – innovation around the transaction or meetings, reductions in the use of paper, enhanced public accessibility and so on – will serve the objective of making local democratic systems more sustainable.

However, councils will still need to ensure that the Act's principles are actively embedded in arrangements for meetings. Digitisation has the potential to significantly reduce the carbon footprint of local democratic systems, but only where cloud services and server storage is procured from carbon neutral providers – digital services are not carbon neutral by default.

# Core requirements

This section sets out the things that authorities ***must*** do in respect of multi-location meetings.

These are set out to help ensure legal compliance. The expectation is that authorities will want to use these requirements as a starting point from which to innovate and experiment with different arrangements for facilitating multi-location meetings, in the context of the wider needs of local democracy.

The Act requires that "arrangements" be made for both the broadcasting of meetings, and the convening of meetings involving participants in multiple locations. In this guidance we describe these two sets of arrangements, collectively, as "meeting arrangements". We suggest that councils develop these sets of arrangements together and that they form an integrated part of the Constitution, and subject to oversight from the Democratic Services Committee. For other authorities, the full authority meeting together, or the authority's Governance and Audit committee, may provide the right space for this oversight. The reason for integrating these arrangements into a council's Constitution is that they articulate how the council is run, and will need to be integrated in some form into the rules of procedure of committees and other formal bodies. Non-council bodies subject to the legislation will need to consider how to integrate meeting arrangements and associated policies and procedures into their governing documents.

Authorities will need to develop these arrangements for themselves – there is no single prescription for what arrangements should look like in detail. This guidance sets out a framework within which authorities can explore their options and determine what is right for them and the communities they serve.

Provision was first made in legislation to allow for "remote meetings" in section 4 of the Local Government (Wales) Measure 2011. The Act continues many of those arrangements but with some important distinctions. In particular, the Act does not refer to these meetings as "remote", but that they are attended by "persons who are not in the same place". We call these "multi-location" meetings. This includes meetings where some people are participating from a single place (for example a council committee room) while others join from another location "through remote means"; these arrangements are sometimes called "hybrid meetings".

Other conditions for these meetings are that:

- Where these are also meetings required to be broadcast, under s46, participants must be able to be seen and heard by each other. These are meetings (open to the public) of a principal council (and a committee or sub-committee of a council), of the executive of a principal council (and a committee or sub-committee of an executive), and of a joint committee. Fire and rescue authorities, National Park authorities, joint committees and joint boards are not covered by this requirement automatically but the power does exist for Ministers to introduce such a power by regulation;
- Where these are not meetings required to be broadcast under s46, participants must be able to be heard by each other but do not need to be seen.

# Practical considerations

This section sets out considerations that authorities must give regard to but which do not form part of the explicit legislative framework. Welsh Government considers these considerations to be matters of good practice. Specific solutions are suggested but authorities are expected to consider local circumstances in considering what approaches are ultimately adopted, in a process which should be led by councillors at a local level. While meeting arrangements should fit local preferences and circumstances, there should be a clear process for considering the issues highlighted below. The Democratic Services Committee is expected to lead this process.

***To ensure clarity for councillors, officers and the public, each authority should include a multi-locations meetings policy in its constitution. This policy will draw together how the authority has determined to respond to the issues raised in this guidance. This policy may form a part of an authority's wider "meeting arrangements", or may be a standalone set of material. Authorities are likely to find that whatever form it takes, such a policy will best form an integrated part of the Constitution, other elements of which may need to change to account for it.***

Authorities can take whatever process they choose in designing and adopting this policy, but councillors will need to be satisfied that these arrangements take into account the needs of local accountability, of equality, of accessibility and of any other relevant statutory requirements. Because of the public-facing nature of this work authorities may consider it necessary to adopt a set of provisional arrangements, and then to work with councillors and the public to develop and refine these arrangements over time. Live review of arrangements as they operate will offer the best opportunity to reflect and refine.

The process of developing a multi-location meeting policy should (in a council) be led by the Democratic Services Committee, supported by the Head of Democratic Services. For other authorities, the full authority or a Governance and Audit committee may provide the best place.

The policy should include:

- The process to be followed to determine which meetings will have physical provision made for them, and which will be conducted wholly through remote means. (section 4.1);
- The online meeting platform or platforms which will be used (section 4.2);
- Provisions for formal notices, and the publication of agendas and minutes (section 4.3);
- Dealing with exempt matters (section 4.3);
- Meeting attendance, including determining where a member is "present" (section 4.4);
- Arrangements to support councillor participants to be able to access and participate in the meeting (including support and advice on technology, behavioural and conduct issues) (section 4.5);
- Arrangements to support other participants (including the public) to be able to access and participate in the meeting (4.6);
- Facilitating broadcast by members of the public (4.7)
- Chairing (4.8)
- The taking of votes (4.9);
- Training, peer support (4.10)

It is also important to ensure that councillors, and the public, have access to easy to understand information which explains how they can and should engage in multi-location meetings – this documentation can be part of the meeting arrangements but should also be available separately, and may constitute a simple explanation of some of those arrangements for the casual reader.

## Making different arrangements for different meetings

***Some councils may determine that all meetings will be conducted through remote means by default. Councils may wish to adopt different approaches for different bodies, and for different circumstances. Joint committee arrangements, for example, may favour multi-location arrangements over in-person meetings.***

<u>In general</u>

A multi-location meetings policy may make provision that different kinds of meeting be convened, by default, with all participants joining through remote means, or with some physical accommodation being made. Policies should recognise that the Act requires that the facility for participants to join meetings through remote meetings must be available for all formal meetings. It will not be permitted for authorities to purport to resolve in standing orders that all meetings will be held entirely physically.

Some councils may want to make particular provision for "hybrid meetings" – multi-location meetings where a number of participants are in the same physical space, while others join through remote means. The legislation makes no distinct provision for these "hybrid meetings" – they are still multi-location meetings – but authorities will need to be aware of the unique circumstances that apply to them and to take account of these in the meeting arrangements.

In determining which meetings may be held wholly through remote meetings and for which physical arrangements might be made available, authorities might consider:

- The extent to which meeting participants might prefer to attend physically. Councillors in a local authority may for example resolve that full Council should take place predominantly physically;
- The subject matter, and number of participants attending, certain meetings. This may relate to the general matters usually under discussion at a given committee (or other body) rather than the specific agenda for an individual meeting;
- The need to ensure that meetings are fully accessible to councillors (as active participants). Accessibility may under certain circumstances require physical provision;
- Connected to this, whether physical provision for a public gallery, or for the attendance of certain officers, or certain members, is necessary if the majority of a meeting's participants are joining through remote means. This is discussed in more detail in section 4.x;

Authorities may have concerns about equality of access and participation in "hybrid" multi-location meetings. On considering the risks and other circumstances they may determine that, by default, meetings can take place either wholly by remote means, or that, where a number of participants express a preference for a meeting being held physically, that support should be given to all participants to attend physically. However it is worth reiterating that authorities will not be able to require that all participants attend physically under these circumstances.

<u>Accessibility and involvement</u>

Some councillors may wish to join council meetings from another location as a matter of default – because they have working or caring responsibilities which make attending meetings in person difficult. Some councillors may have a legitimate preference for physical meetings, and/or personal protected characteristics, or circumstances, which limits their ability to participate online.

Multi-location meetings where some or most participants are present in a single location can pose challenges around accessibility and involvement. An important principle will lie in ensuring that those present in a committee room are able to participate on the same footing as those participating in other locations. This may be a particular challenge where certain participants may join on audio only. For these kinds of meetings, there is a risk that those not physically present in a room play less of a part in discussion; that they end up being "forgotten" by those who are physically present. For a chair, following the visual cues of those in the same room, and those joining from other locations, is likely to be a challenge. This will need thought particularly where the chair themselves is joining a meeting from another location.

Where it is determined that physical arrangements will be made for certain meetings or classes of meetings, a multi-location meetings policy will need to determine what those arrangements will be. They may include:

- The availability of a meeting room which is publicly accessible, along with the provision of a physical public gallery (and press gallery);
- The provision of facilities for councillors or other meeting participants to attend physically and to be seen by those joining from other locations (a requirement under the Act), which will require planning where multiple councillors wish to attend physically and where camera facilities in a room may be less than ideal for this purpose;
- The availability of officer support in the room, or through remote means;
- The streaming of broadcast footage from the meeting to those present through the use of one or more display screens (and the use of audio equipment).

Even where all participants join a meeting from another location a council may still wish to provide a physical space for members of the public to watch proceedings and to participate. This is covered in section 4.x below.

## Multi-location meeting platforms

***Multi-location meetings require additional technology and this has implications for an authority's capacity to procure and use this technology effectively. Finding and utilising the right platform should be a wide ranging and ongoing conversation.***

This guidance does not prescribe any specific product. Authorities have made, and will make, their own arrangements in line with their IT and procurement policies.

In general, it is helpful to consider, however:

- The changing market for products and the need to be aware of what is available;
- Security arrangements;
- Integration with committee content management systems (CCMSs);
- Accessibility and usability particularly with regard to requirements such as translation;
- The ongoing development of individual products and the need to keep up to date and engaged through user groups, for example;
- How best to capture the ongoing experiences of councillors, officers and the public so that these can be fed into the use of current products and future procurement;
- Keeping in touch with other authorities to exchange good practice tips and experiences

Specifically, any product, or combination of products, should provide:

- The ability for participants to be able to see and hear each other, and the facility for outbound and inbound video and audio to be switched on and off either by a participant themselves or potentially also for a meeting organiser;
- The ability for participants to be named / labelled so that others can easily identify them;
- The ability for participants to be able to join via mobile, or tablet, without losing significant functionality;
- The ability to provide for simultaneous translation. Councils should ensure that they use a meeting platform which provides for simultaneous translation and that members are comfortable with its use. Councils will need to decide whether to broadcast a feed in English, in Welsh, or in both – this is covered in more detail in guidance on broadcast;
- The ability to both record and broadcast the meeting and for participants to know where recording and broadcasting is taking place;
- The ability to caption or subtitle, either live (which may be partially or fully automated) or through editing after the meeting has taken place;
- A "chat" facility (the use of which we discuss in section x.x below), visible only to meeting participants, and which can be turned off by the meeting organiser if necessary;
- Sufficient security measures to ensure that the meeting cannot be accessed by unauthorised persons, and to ensure that unauthorised persons can be ejected from the meeting where necessary;
- A user interface which is intuitive and easily understood.

Other factors will include:

- Where and how meetings will be broadcast – for example, on the council's own website or on Facebook Live or YouTube, or in some other way (covered in separate guidance). It is not recommended that councils effect the broadcast requirement by granting public access to online meeting platforms themselves;
- Arrangements where joint meetings are held between authorities which, by default, use different platforms;
- Arrangements for when difficulties with technology emerge, or other circumstances might make it impossible to broadcast a meeting (covered in section xx);
- Provision for electronic voting.

## Notices, agendas, reports and providing for exempt matters

*Alongside virtual meetings, authorities will need to continue to provide notices, agendas and reports. There are both issues and opportunities associated with this.*

- Transparency around committee work programmes. Agendas and papers are expected to be published five clear working days in advance of meetings (and the detail of notice requirements are covered in more detail in the section below), but councils may wish to consider how the interests of transparency and accessibility can be served by earlier notification of proposed agenda items – through more accessible and visible work programmes and through attention being given to the visibility and accuracy of the Forward Plan;
- Arrangements to ensure that those viewing a broadcast can be easily signposted to the agenda, reports and (in the case of recorded meetings) the minutes, and to any relevant background documentation (covered in separate guidance and in section xx);

Full detail of notice requirements for meetings (and other formal requirements for the publication of agendas, reports and minutes) can now be found at the Local Authorities (Executive Arrangements) (Decisions, Documents and Meetings) (Wales) (Amendment) Regulations 2021.

The principal object of these Regulations is to remove the requirement for the production of hard copy paperwork relating to formal meetings (except for a couple of specific purposes), and to require authorities to

make formal information available electronically, on their website. The Regulations amend Regulations first laid in 2001 but do not replace those Regulations.

All authorities will already do this, and most will have a committee content management system (CCMS) which will permit them to upload information and present it in an accessible format.

The new arrangements can be summarised as follows:

<u>Notice of meetings</u>

- Public notice of executive meetings must be published on the authority's website three clear days before the meeting (at the time it is convened, if it is convened at shorter notice);
- Notice must include details of how to access the meeting if it is being held by remote means only, and the place in which the meeting is held if it is partly or wholly taking place physically;
- Notice requirements also apply where a formal meeting is taking place which is not open to the public.

Usually notice of meetings would be provided on a CCMS calendar; councils may also make arrangements through their CCMS for notifications to be sent to councillors, and interested people via subscription, automatically on the uploading of agenda papers; councils may also make use of social media to highlight the publication of notice (although notification on social media will not constitute notice for the purposes of the Regulations).

<u>Agendas and reports</u>

- The agenda and reports for public meetings (including late reports) must be published on the website of the authority;
- Paper agendas do need to be made available to members of the public attending meetings held partly physically;
- Recording of decisions by the executive collectively or individually require that the names of individuals be recorded; in the interests of clarity this does not require that a member's or members' signatures are required to be recorded – such documents must be published on authorities' websites;
- Background papers must now be proactively published on a council website, not merely be available. This is an important change; it involves the automatic placement in the public domain of specified documents which may previously have only been, in practice, published on application. Councils will therefore need to think carefully about how background papers are identified, produced and prepared for publication.
- The transaction of paperless business generally. Multi-location (and hybrid) meetings are likely to be paperless. Regulations now specify that formal information relating to meetings be published on a council's website, with the requirement of hard copy material being on public deposit having been removed; we cover the new requirements in more detail in section xx;

<u>Innovation in how agendas and paperwork are produced and presented</u>

The removal of the general requirement to provide information in hard copy by default invites the possibility for more innovation and creativity.

Councils may wish to consider how information might be made more accessible through creative use of committee content management systems to present information differently – for example, by moving away from the production of "agenda report packs" as a single PDF and towards the use of more accessible files, and file formats, which help both councillors, other meeting participants and members of the public to engage in formal business. This may include thinking

about the way that minutes are drafted and presented, providing links to the substantive reports discussed, and also with the relevant section of the recording or broadcast of the meeting.

Hard copy archiving

Councils should however consider the needs of hard copy archiving. It is common practice that councils retain and bind, or otherwise store for historical purposes, the records of formal proceedings of the council. Making such arrangements – to ensure that information relating to the proceedings of the council can be retained for perpetuity – is important and the Regulations should not be read as overruling what may be an expectation by the public, by researchers and by historians that such information will be retained in this form and manner.

Exempt matters

Bodies covered by the legislation will need to be able to consider exempt matters in private. Exempt matters are ones covered by Schedule 12A of the Local Government Act 1972. Agendas with exempt items on the agenda are often divided into a Part I – held in public – and a Part II – held in private.

A separate call on the online platform should be set up for those joining a meeting by remote means. This reduces the risk that exempt material may be inadvertently made public through broadcast. The original, public, call should be left open and should continue to broadcast (with an appropriate slide to notify viewers that the committee or body is in private session), so that the Chair and other participants can return to formally close the meeting, or transact any other business.

Information provided to councillors and other meeting participants covering exempt matters should be dealt with in the same way as they would be for physical meetings. Bearing in mind that information will now be managed electronically by default under the notice and agenda arrangements highlighted above, councils may want to ensure that consistent and prominent warnings be placed on exempt material, or whether a different colour can be applied to the background of such material to reflect the fact that, in hard copy, exempt material is usually printed on different colour paper.

## Meeting attendance

*Multi-location meetings provide additional challenges in terms of meeting attendance. It is important for the integrity of voting procedures and attendance records that expectations and procedures are clear.*

Meeting arrangements should make clear when a member is considered to be "present". There are a variety of circumstances in which this might become an issue. Meeting arrangements may not engage with the detail of these issues (and others) because not all circumstances can be anticipated in advance. Instead, the Monitoring Officer and/or democratic services officer in attendance at a meeting should be able to use agreed principles to provide a chair with consistent advice over whether a member should or should not be regarded as "present".

This is particularly important for the taking of votes but also has salience for member involvement in committee meetings more generally. It is likely also to have salience if the need to determine if a member has been present at a meeting is relevant for the purpose of determining whether they have attended a council meeting in the past six months (s85, Local Government Act 1972).

Particular circumstances might include:

- Connection problems. The connection may drop, making it difficult for some participants to follow debate and discussion. A loss of connection may not be immediately apparent to others present. Members of certain committees may resolve matters through a general expression of consent rather than a roll call vote, meaning that some members may lose the opportunity to express dissent;
- Councillors in video meetings may seek to disable video to stabilise their connection or because they are temporarily indisposed - it may be unclear whether some councillors are present or not. Councils will need to consider whether the requirement to be both seen and heard, for most meetings, allows for brief, temporary action like this;
- Where a councillor is in the "waiting room" on an online platform. Here, councillors will probably not be considered "present" as they cannot be seen and heard by others, cannot see and hear others (other than through a broadcast stream) and can play no active part in the meeting.

Councils may consider that an officer could check to ensure ongoing presence at a meeting by requiring members to "sound off" in the meeting chat at the beginning of each substantive item, as we suggested in section xx. This could also provide a way to check presence in advance of a vote, as we suggest in section 4.x.

<u>The withdrawal of members with a prejudicial interest</u>

Where a member has declared a prejudicial interest in an item they will be required to leave the meeting for the duration of the relevant item. For a physical meeting it is usual practice for a councillor declaring such an interest to leave the room entirely while discussion is underway, as the mere act of ongoing presence of that individual could be seen as influencing the committee's action.

Where a councillor is joining by remote means, and has declared a prejudicial interest, they should leave or be removed for the duration of consideration of that item. Other participants should however be aware that the councillor will be able to observe the broadcast of the meeting while outside. Councils may seek to include in their policies and meeting arrangements a requirement that councillors with prejudicial interests undertake not to observe a broadcast for the reasons set out above, although we note that there is no definitive way to police this requiremtn.

Once the matter has been concluded the clerk or support officer to the committee should immediately notify the relevant councillor so that they can rejoin the meeting, and the meeting should not continue until they have rejoined (otherwise they should be marked as not present for any further items).

## In meeting support

***Multi-location meetings present additional challenges in terms of in meeting support. The chair may need to establish alternative ways to seek advice from officers, or to communicate with their vice chair, or other committee members, to ensure the smooth running of the meeting.***

Online platforms used by councils to convene meetings will usually have a "chat" function. Meeting arrangements should provide for the use of this function – including banning it, should that be thought appropriate, either in all meetings or in some, specified, meetings.

<u>Pros of chat functions</u>

- Allow advice to be given without disrupting the meeting;
- Allows the Chair to "cue up" and acknowledge requests by committee members to contribute without disrupting the flow of questioning;

- Allows members to generally express assent or agreement with another participant, or with a proposal to resolve a given issue, in a manner which gives the chair confidence to proceed;
- Allows the chair or clerk to check whether a particular member is still "present", as we outline in section xx

Cons of chat functions

- Can be seen as undermining the transparency of the meeting;
- Can risk participants becoming less engaged in the substantive business of the meeting;
- Risk that "personal" communication becomes inadvertently visible to other participants and to the public;
- Risk that chat will involve substantive conversation about the matters under discussion without that discussion being visible to others, or recorded properly. Virtual meetings policies may need to determine the status of material recorded in the chat, and whether it can be used by the clerk to assist in the preparation of minutes;
- Risk that the chat becomes a place for general chit-chat or political needling.

Depending on the availability of a chat function the clerk or support officer will need to have mechanisms in place to provide ongoing advice, including advice of a legal and procedural nature, to Chairs.

The chat function will usually need to be limited to committee members and the governance officer – but committee members should treat conversations in chat as if they are happening in public.

Councillors may have taken to use WhatsApp or other messaging platforms to communicate over the course of the meeting. These platforms are not in the control of the council; care should be taken in how these tools are used. For example, if used within a political group, certain uses of WhatsApp could be seen as coming into conflict with the ban on the use of political management (whipping) at scrutiny committees.

Officer support arrangements

Different meetings will require different kinds of officer support. In the short term, as councils adopt to multi-location meetings (and, in particular, adapt to meetings where some may join through remote means and some by physical presence) it may be necessary to think about additional support for formal bodies, as new approaches bed in. In due course, familiarity and confidence with new systems (and training and development for both officers and members) will reduce this need.

Nevertheless meeting arrangements should specify the kind, and level, of support necessary for specific meetings, and the circumstances where support can be provided by remote means and where officers might need to be physically present.

## 4.5 Supporting councillor participants to be able to access and participate in the meeting

***Meetings viewed live and available to view later maybe watched by a large audience and carefully scrutinised by the public including via social media. It is important that these meetings demonstrate good governance and high standards of conduct.***

Meeting arrangements need to take account of standards, conduct and behavioural issues, and will need to be drafted to closely align with other constitutional provisions on these matters, such as the Code of Conduct.

Some of these issues may apply equally to any type of meetings; some may be particularly relevant for multi-location meetings.

As a matter of general principle, the issues below, are especially important:

- People being clear about their respective roles. We cover more on this in the section below;
- Recognising that meeting remotely (and where some, but not all, participants are remote attendees) requires a different approach to the agenda and to behaviour than a meeting in person;
- The need to think carefully about – and plan for – how everyone involved in the meeting will be able to actively contribute;
- Having a clear focus on the actual outcome of the meeting.

Councillors and officers will understand that formal committees can often be "performative". People's physical presence in the same space has a significant impact on behaviour. Behaviour which might seem normal when everyone is in the council chamber – heckling, applause, the raising of points of order and so on – may feel odd and unusual when all or most people are joining through remote means. Councillors and others have talked about the "atmosphere" of multi-location meetings being different.

An understanding of the different behavioural dynamics of different types of meeting – from executive meetings to scrutiny committees, from full Council to a planning committee – will help to define how multi-location arrangements, and arrangements for people to join meetings through remote meetings, can best be managed.

Research carried out by the Centre for Governance and Scrutiny in 2020, and carried out in preparation for the production of this guidance, highlights the need for a shift in mindset associated with meetings where people join from multiple locations.

- It may be necessary to plan to do less. Meetings where some or all participants join through remote means can run as smoothly as in-person meetings but even after a year of all-remote operation, not everyone is equally familiar with and comfortable with what remains a new way of working. Planning work programmes accordingly will be important;
- Invest in preparation. Later in this guidance we highlight how Chairs may need to carry out planning to understand better the motivations and expected engagement of committee members and other participants. This is probably a good habit for all meetings, but will be especially relevant for multi-location ones;

Councillors, councils and officers will have become adept at managing the technical and logistical arrangements around meeting entirely remotely during the pandemic. The drafting of meeting arrangements provides an opportunity to reflect on these fundamental issues.

Some of the relevant issues are listed below. These are reproduced, in an amended form and with permission, from WLGA guidance issued in early 2020.

Relevant issues may include:

- Ensuring that councillors have access to appropriate equipment. As a default a desktop PC or laptop with access to a stable broadband connection will be the best way to engage. Councillors will need a camera (if they don't have a laptop with an integrated camera) and ideally should use headphones to avoid background noise. Councils should provide councillors with appropriate equipment if they do not have access to it;
- Ensuring that councillors can troubleshoot basic technical problems before or during a meeting; ensuring that councillors and that ICT staff or others are on hand to deal with more serious technical issues – this is covered in more detail in section xx;

- Ensuring that participants know how to mute and unmute the microphone; making it an expectation that councillors will keep their microphone muted unless they are making a contribution;
- Ensuring that participants know how to use the raise, and lower, hand feature – this feature may not be usable for those joining on mobile or on a tablet and alternatives may therefore need to be available;
- Use of the chat function, WhatsApp or other messaging platforms. This is covered in more detail in section xx;
- Ensuring that names displayed are consistent and accurate, with the role of the individual clearly identified: eg "Cllr John Williams – Committee Member" instead of "John's iPhone" or "jw10881";
- Ensuring that equipment being used has enough charge or is plugged into the mains;
- Ensuring that participants can view papers easily (we discussed the preparation and presentation of paperwork in more detail in section xx); this may include (for example) advice being given to participants on the window snapping function on a Windows device: https://support.microsoft.com/en-us/windows/snap-your-windows-885a9b1e-a983-a3b1-16cd-c531795e6241
- The need for participants to check the environment around them before joining a meeting – checking lighting (recognising the daytime lighting conditions may change over the course of a meeting), background (ensuring that backgrounds are relatively neutral and do not involve the inadvertent display of personal information – the council may provide a corporate background or participants may choose to blur their background) and any visual distractions or noise, with mobiles and onscreen notifications set to silent;
- The need to check personal appearance – formal attire is probably not required but members should probably wear the kind of clothing they would wear if physically present at a meeting;
- Arrangements for preparation – joining the meeting fifteen minutes before it is due to start and checking audio and video arrangements;
- Participants assuming that, for a meeting that is planned to be broadcast, the meeting is being recorded and broadcast for the total time they are on the call.

## Supporting other participants (including the public) to access and participate in the meeting

*While the potential for bigger audiences provides new opportunities for participation, multi-location meetings must ensure arrangements for the public to participate via questions and presentations, for example. The presentation of multi-location meetings should also take into account public presence as an audience in new ways.*

The broadcast of meetings will make them more accessible generally – but councils will still need to think of the needs of viewers and participants.

This may include:

- The physical layout of rooms, which will be affected by the requirements around visibility of those joining through remote means;
- How participants joining through remote means will be displayed o a screen or screens in a physical location.

### Ensuring that external participants (including the public) feel welcome

Councils have found over the course of 2020 that the universal use of multi-location meetings has resulted in a significant increase in the number of people viewing meetings.

Generally speaking meetings of authorities will be meetings taking place in public rather than "public meetings". Members of the public will not have an automatic right to address committees or other bodies – although provision may be made in the constitution for them to do so.

There will be instances where external participants will need to join a meeting to take part. This may include:

- Those presenting petitions or deputations;

- Those asking public questions;
- People giving evidence (for example, to scrutiny committees);
- Applicants on regulatory matters (planning and licensing);
- Parties to quasi-judicial matters.

Where individuals are members of the public the Chair or an officer will need to make arrangements to ensure that they can join to participate – and that they are supported in doing so.

Meeting arrangements may need to make particular provision for this.

<u>Translation</u>

Adherence to legal requirements relating to the use of the English and Welsh languages is a given and a fundamental element of the obligations attached to public bodies in Wales – separate legislation and guidance exists. In order to maximise accessibility authorities may wish to consider subtitling in English and/or Welsh, and translation into other languages depending on need – for example, BSL.

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<u>Making sure that members of the public feel supported when participating through remote means</u>

At a physical meeting, an officer might have an opportunity to speak quietly to a person beforehand to allay any nerves, and to ensure that a person is satisfied with the experience after they have contributed. In a multi-location meeting these "soft" opportunities for engagement may not naturally exist. Individuals may find themselves, joining from their own home, on a public call with fifty strangers, being expected to contribute coherently, and then removed from the call without ceremony when the item reaches its conclusion. Clearly, this would be sub-optimal. Councils may wish to explore how members of the public joining meetings in this way can be best supported.

<u>Formal meetings which are also public meetings</u>

It is common for councils to convene formal meetings – particularly meetings of scrutiny committees – which seek to actively involve the public in proceedings.

These meetings might legally be formal meetings but they may have a different character and atmosphere. Councils should not resile from holding these kinds of meetings because of the perception that managing them as multi-location meetings will be complex. This also goes for meetings held in places in the community other than town halls or civic centres, where the presence of technology for broadcast and display may not be immediately present.

Meeting arrangements may make particular reference to and provision for these kinds of meetings.

<u>Providing for protest and dissent</u>

Councils may also need to consider how opportunities for public protest and dissent might be provided for in multi-location meetings. Protest can be inconvenient (and disruptive) to councils and to council business, but it also reflects a vital public right. Where councils propose to carry out meetings in multiple locations, and particularly where little to no business for certain bodies may be carried out in person, this feature of the local democratic landscape could be at risk; meeting arrangements should take account of this factor. It will not be appropriate for a council to determine that it will convene a meeting entirely remotely (with no business being carried out in person) if the principal reason for doing so is because it will eliminate the risk of embarrassment to the authority of a visible, public protest in the vicinity of the meeting. It is, however, proper for a council to determine that it will convene all meetings so that they can only be accessed through remote means, as long as the accessibility and equality implications of this decision are understood, and as long as the discretion of the authority to make exceptions to these arrangements in particular cases is not fettered.

We noted in section 4.1 the need to make physical arrangements for certain meetings, even those where most participants may be joining through remote means. This may also provide the opportunity for public protest, which could take place in a public gallery, and made visible to those participating through remote means.

This would allow for a protest to be streamed into a meeting otherwise taking place in multiple locations, and could ensure that people protesting in this way feel that their voice has been heard.

## Facilitating broadcast by members of the public

***Members of the public or the press may wish to film for immediate or future broadcast some or all of a committee meeting.***

In the case of multi-location meetings where most or all participants are in the same location, this may involve the separate recording of a broadcast stream for editing and broadcast later.

For hybrid meetings or those where all participants attend physically members of the public and members of the press may wish to use their own equipment for recording and broadcast.

Councils may wish to engage with the local press, and to invite views from the public, as to how their meeting arrangements should take account of the requirement to provide access for this purpose. This may involve:

- Ensuring that the layout of a room is designed to facilitate video recording (by providing a space from which people might film proceedings without visual obstruction, for example);
- Ensuring that amplification arrangements in a committee room allow proceedings to be adequately recorded by an external microphone, or providing a way for members of the public carrying out recording to take the broadcast audio feed, where relevant;
- Arrangements for shots of the room which include members of the public and others in the audience. Committee meetings occur in public and those attending do not have an automatic expectation of privacy or the right to object to recording, but there may be circumstances in which councils want to think about how they will ensure that those carrying out recording are focusing on the formal proceedings;
- Arrangements for video and audio recording of the recorder's own narrative and of two-way interviews with participants within the committee room; members of the press in particular may want to film

interviews, pieces to camera and establishing shots of the space in which the meeting takes place, and arrangements should be in place to facilitate this before and after the meeting, and to ensure that those attending are aware that this may be happening.

This is not an exhaustive list.

## Chairing meetings

***Chairing a multi-location meeting is very different to chairing a face-to-face meeting. Chairs will need to be supported to carry out their role in specific ways. The job of the chair will be a particular challenge where a meeting is being carried out in a physical space with only some participants joining through remote means.***

The following general principles for chairing meetings in this context are reproduced and amended, from WLGA guidance issued in spring 2020, and incorporate guidance produced by the Centre for Governance and Scrutiny for both English and Welsh councils at the same time.

Chairs have a particular responsibility to prepare substantively for the meeting, probably in a more planned and directed way than might be necessary for a physical meeting. This may involve the Chair consulting with officers, and other committee members, to determine:

- What the meeting is about, and the possible purpose and outcomes for every item on that meeting's agenda;
- What information and paperwork will need to be made available in order for these outcomes to be delivered;
- Where councillors or other meeting participants will want to contribute – and where and how public participation might need to be facilitated;
- Where these people might need particular support in order to participate in the way that they want.

Chairs will also need to engage with witnesses and other participants (including members of the public, applicants for planning and licensing committees or others with a role to play) to ensure that their role and means of involvement are well understood. This is covered in more detail in section xx.

Furthermore, Chairs should:

- Ensure that they are prepared for the meeting in a logistical sense by being aware of which councillors and other participants may be joining by remote means. If the chair themselves is joining by remote means while some other participants are present in a committee room particular steps will need to be taken to prepare, which are set out in section xx below;
- Ensure before the start of the meeting that everyone is able to access people, and that everyone is able to both see and hear each other (where the law requires it for specific meetings) or hear each other (for other formal meetings);
- Provide a reminder of meeting arrangements, particularly relating to conduct and behaviour, including some of the material set out in the section above. This may (depending on the meeting) involve advice on voting arrangements;
- At the beginning of the meeting, introduce themselves, the committee, officers present and other participants to ensure that those watching or listening to a broadcast are aware who is who;
- To avoid people speaking over each other or long silences, ask each member in turn for their contribution to an item, based on an understanding of what members wish to contribute (as we explore further in section xxx)
- Check occasionally through the meeting that no one has been 'lost' due to technical issues, and provide support to councillors experiencing challenges – in this chairs may need the support of support officers
- Pay more attention than usual to framing the meeting with reminders of the purpose of each agenda item and summarising decisions and actions for each item and again at the end of the meeting.

- Check at the end of each agenda item that all members are content that they have been able to contribute, and ensure that agreed voting arrangements are followed where relevant.

The "balance" between individuals in a room, and those joining by remote means, will have a significant effect on how business will be transacted. Chairs and their support officers are likely to need to know ahead of time which members to attend physically and which may join by remote means. For meetings with a mix of arrangements – particularly if the Chair themselves will be joining by remote means – planning is likely to be necessary. This may include:

- Understanding the motivations and objectives of individual members with respect of specific items, and having a sense of what their likely interventions will be;
- Identifying how a support officer or other member may bring their attention to a member wishing to make a comment through remote means or in the committee room (it will otherwise be challenging for a chair to maintain awareness of those in the room as well as those joining remotely);
- Planning debate to be themed or otherwise structured rather than inviting comments generally, to ensure that all councillors have an opportunity to contribute;
- Briefing witnesses on expectations;
- Ensuring that reports reflect the above sets of circumstances.

In truth, this kind of planning will benefit any meeting, not just those with a mix of in-person and remote attendance.

## 4.9 The taking of votes

***Multi-location meetings provide additional challenges in terms of capturing votes. Chosen options will depend on the chosen platform and local preferences.***

A formal meeting may resolve to do something through general consent, or through a recorded vote. Immediately before the vote the Chair will need to determine that all members of the body continue to be "present", as we set out in section 4.x.

There are a number of different options when it comes to recording votes:

- A verbal roll call of members. Particularly for full Councils, this process has been found to be the most rigorous but can be very time consuming, especially if amendments to motions are put to the vote;
- Using a 'raise your hand' function, although this is subject to misinterpretation and human error;
- Responses via the chat;
- Dedicated voting software incorporated into the platform.

The authority will want to ensure that:

- All members have the same opportunity to vote;
- All members vote through the same process. In some council chambers, facilities for the taking and recording of votes may be present, but those joining through remote means may not be able to participate in the use of this in-situ technology. Councils will need to think carefully about whether, and how, such facilities might extend into the remote space, or how systems used for remote voting might extend into the physical space;
- A suitable record of the vote is captured by the appropriate officer and is confirmed in a way that is understandable to those observing the meeting.

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Bodies reaching resolutions without a vote

It is common that committees or other bodies may resolve to take certain action without a vote being recorded. In person, the Chair is able to get a sense of whether consensus exists by looking

around the room. Councillors present have the opportunity to object and to press for a vote, depending on the authority's standing orders.

Where members are joining through remote means (and particularly where some members join through remote means and some are present physically) the Chair will need to special care to ensure that consent is present to move on without a vote.

## 4.10 Training, peer support and good practice sharing

***The arrangements for multi-location meetings are new and will continue to evolve. This makes it particularly important to ensure that councillors and officer have access to good quality training, peer support and good practice sharing.***

Councillors should be offered initial, and top-up, training, development and support to ensure an understanding of these issues. This is not the same as training to support the technical use of ICT equipment.

# Addendum: Broadcast and recording arrangements

[this section is provided largely to identify crossover with future guidance – Regulations are expected on the subject of meeting broadcast; the final guidance will need to cover broadcasting insofar as it relates to features specific to multi-location meetings]

Video recording and broadcast arrangements may not be available in all rooms; the design of some committee rooms may not be easily changed to facilitate broadcast. Traditional council chambers are often seen as presenting a particular challenge. Capital investment here may be unavoidable.

A variety of options exist here; these are illustrative and are presented to demonstrate that significant investment in infrastructure and technology is not required to fulfil the requirements of this part of the Act.

- Where audio-only broadcast is required, setting up a single microphone – which might be a microphone on a mobile phone, or connected to a mobile phone – connected to a broadcast feed;
- Again, for audio-only broadcast, linking in-room audio amplification systems (table mics, etc) to a broadcast feed;
- Setting up an unattended mobile phone on a tripod, filming a static, wide shot of the meeting from the public gallery, relying on the pickup of the phone mic for sound, with the feed of the meeting being broadcast on the internet;
- Having two or three unattended cameras showing, respectively:
  o A closeup of the chair;
  o A wide shot of the entire committee;
  o A closeup of the table at which officers, or others, might give evidence.
  With a member of staff manually cutting between these three feeds, as well as mixing in contributions made by those attending the meeting from other locations;
- The above, but with the audio from in-room amplification directly mixed into the broadcast feed;
- The above, but with on-screen astons or other captions identifying the individuals talking and/or the agenda item under discussion;
- An automated system, with roof or wall-mounted cameras, and computer-controlled automatic editing to cut to whoever is speaking (which would also facilitate contributions from other locations);
- Automatic or manual subtitling in English and Welsh.

The more basic options listed above satisfy the terms of the legislation, but councils will want to think about how they can invest in technology and officer skills and capabilities to ensure that video and audio of proceedings can be genuinely useful to the watching audience. We note that, to provide a professional and engaging broadcast experience, capital investment – and ongoing revenue investment in terms of staff time – may be required. For certain meetings (larger meetings especially) dedicated IT support may be required – for others, in time, authorities may consider that they can provide training to develop the skills of existing support staff – although it should be noted that the primary duty of those staff is to ensure the smooth running of the meeting from a governance perspective.

There may be certain council facilities (and in particular certain community facilities used for council meetings) which are not conducive to the use of high-quality broadcast equipment.

The requirement to broadcast should not be taken as a reason to not convene meetings outside of council premises. The need for lower quality forms of broadcast might be balanced against the need to engage people directly in the communities they live – the reason for holding council meetings in the community remains compelling. This is likely to be a consideration with regard to meeting arrangements.

The Act specifically notes that a lack of broadcast facilities does not make proceedings of a given meeting invalid, by definition. This is intended to account for the occasional failure of critical technology rather than to offer a regular fallback position. If technology fails to the extent that members can no longer participate, this may still mean that the meeting becomes inquorate. We have noted above that meeting arrangements might take account of circumstances where councillors or other participants may find it necessary to disabled incoming or outgoing video to stabilise a poor internet connection, and how this does not "invalidate" meetings where councillors would normally be expected under s46 to be able to both see and hear one another.

It may not be necessary for meeting arrangements to take account of all of these (and other) issues. Councils cannot be expected to plan for every eventuality. But ensuring an awareness of these matters – particularly amongst those involved in providing support to committees, and councillors sitting on committees – will avoid uncertainty.