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## PROTOCOL FOR COUNCIL MEETINGS HELD REMOTELY BY ELECTRONIC MEANS

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### **1.0 INTRODUCTION**

#### **1.1 Legislation**

Until recently the Law governing Council and Committee meetings required Councillors to be present together in a physical location. Meetings were largely governed by the Local Government Act 1972 and the Local Authorities (Executive Arrangement)(Meetings and Access to Information) (England) Regulations 2012. Such legislation did not anticipate a global pandemic and the current impact of Covid-19 and social distancing guidance which has made it impractical to run Council and Committee meetings in the usual way.

*The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020* came into force on 4<sup>th</sup> April 2020. The Regulations provide the Councils with the power to hold their Council and Committee meetings remotely, by electronic means, between 4<sup>th</sup> April 2020 and 6<sup>th</sup> May 2021. Consequently, during this period of time, to enable Councillors, Officers and the public to social distance themselves, Council and Committee meetings can lawfully be held on remote platforms by access via electronic devices, rather than being held in a physical location, such as our Civic offices in Shoreham or the Town Hall in Worthing.

#### **1.2 Council Procedure Rules**

The legislation provides a significant amount of flexibility as to how such meetings may be run. It provides Councils with the power to introduce their own arrangements by way of Standing Orders governing for example, the electronic platform to be used, the way in which voting takes place, the way in which members of the public attend meetings and public speaking rights.

The Councils have amended their Council Procedure Rules, effective from 22<sup>nd</sup> April 2020, to implement the new Regulations and enable remote meetings to be held.

Council Procedure Rules form part of the Council's Constitution (Part 4) and can be found on the Council's website at [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk).

### **1.3 Protocol**

This Protocol, which is intended to give practical guidance on the implementation of, and arrangements for the holding of remote meetings, should be read in conjunction with the revised Council Procedure Rules.

This Protocol forms part of the Council's Constitution (Part 5) and can be found on the Council's website at [www.adur-worthing.gov.uk](http://www.adur-worthing.gov.uk).

## **2.0 REMOTE PLATFORMS**

### **2.1 Participation in Meetings**

The Regulations enable the Councils to hold their Council and Committee meetings with persons attending the meeting by way of remote access. This means by enabling Members to participate in the meeting by electronic means, including by telephone conference, video conference, live webcasts and live interactive streaming.

The Councils have chosen to use 'Zoom' as their platform for remote meetings. The software will enable members in remote attendance to hear and be heard, see and be seen, by other Members in attendance and also by any member of the public attending the meeting with a right to speak. Those Members participating in Council and Committee meetings by virtue of being a Member of that meeting, will be provided with a calendar invitation to the meeting with a link to enable them to access the Zoom meeting.

Any members of the public, with a right to speak at the meeting, for example to ask a public question, will also be provided with a link to enable them to join the Zoom meeting.

Please see Appendix 1 to this Protocol for further information relating to security issues of Zoom.

### **2.2 Observation of Meetings**

The Regulations provide that a meeting must be open to the public (unless they have been excluded due to exempt or confidential material being discussed). However, being open to the public now means simply that the public must be able to hear, and where practicable see, the Members of the meeting. Therefore, the meeting will also be live streamed via YouTube and members of the public, who do not have a right to speak at the meeting, will be able to 'attend' by observing the live streaming via an electronic device.

## **3.0 PRACTICAL ARRANGEMENTS FOR THE REMOTE MEETING**

### **3.1 Joining the Meeting by Remote Access**

For Members who are participants of a Council or Committee meeting, by virtue of being a Member, or co-opted Member, of that meeting, they will be provided with a Google calendar invitation to the meeting by Democratic Service Officers. The invitation contains a link to the Zoom meeting.

Members will have already received appropriate hardware, software and Zoom training from Democratic Services Officers. But any queries should be directed by email to [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk) in advance of the meeting.

The summons to the meeting will advise of the start time of the meeting. All participants should have remotely accessed the meeting at least 10 minutes before the start time. The remote meeting will be accessible 30 minutes before the start time of the meeting and Officers will be available.

Any Member, not a Member of a Committee meeting, but attending under a provision in the Council Procedure Rules enabling them to do so, would need to contact Democratic Services Officers on [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk) by noon on the day prior to the meeting to obtain joining instructions.

### **3.2 Security**

Anyone provided with access details to the Zoom meeting should ensure they are kept confidential and not shared with any other person.

Should a Member wish to invite another person to the Zoom meeting, they should discuss with Democratic Services Officers, who will, if that person has a right to participate in the meeting, issue them with their own individual joining instructions.

### **3.3 The Remote Environment**

The Zoom meeting will be live streamed and viewed by the public (unless it is in private session). A Member attending will be using the camera and microphone on their electronic device e.g. laptop or iPad.

When attending a remote meeting a Member should ensure they are sitting comfortably, in front of their electronic device so that they can be seen and heard clearly. The Member should consider the background also captured by the camera and ensure it is appropriate to the meeting. The Member should take steps to ensure they will not be disturbed during the meeting as far as possible.

### **3.4 Officer Support to a Remote Meeting**

A remote meeting will be attended by various Officers, but they will include a Legal Officer to provide the meeting with legal and constitutional advice, a Democratic Services Officer to record and minute the meeting and take a recorded vote, and a Meeting Host who will be

able to control the live streaming, provide and deny access to participants, mute and unmute participants' microphones and raise and lower participants' hands.

### **3.5 Attendance and Apologies at a Remote Meeting**

At the commencement of every remote meeting the Chairperson is likely to take a roll call of attendees and apologies for absence. When a Member's name is called out they are required to unmute their microphone, respond "Present" and then mute their microphone again.

This is firstly to ensure at the outset of the meeting, that it is quorate, and secondly to provide transparency to the public as to which Members are in attendance.

### **3.6 Non-Attendance during a Remote Meeting**

It may become necessary during a meeting for a Member to cease attending for a short temporary time, for any reason, but including a temporary loss of remote connectivity.

Non-attendance means either where a Member cannot hear the participants of the remote meeting or cannot be heard by them; a loss of visual connectivity would not lead to non-attendance.

The Meeting Host will ensure that a quorum is maintained and advise the Chairperson if it is not, when an adjournment will be required in accordance with Council Procedure Rules.

A Member who is not in attendance for the duration of any particular agenda item is prohibited from voting on that agenda item. If they are in attendance at the time the vote is taken, but have not been in attendance throughout the item, they are required to abstain from the vote.

### **3.7 Chat Function**

The Zoom platform has a 'chat' functionality where messages can be typed to all or some selected participants of the remote meeting, during the meeting.

All Members, save for the Chairperson, are asked not to use the chat functionality. The electronic chat is to be reserved only for communication between Officers and the Chairperson of the remote meeting, to enable them to effectively manage the remote meeting.

### **3.8 Declaration of Interests**

Members should continue to declare interests in the usual way and the Council's existing rules will apply.

Should a Member be required to leave a remote meeting for an agenda item, due to an interest, the Meeting Host will move their electronic access to a remote 'Waiting Room', and then enable their access to the remote meeting again at the end of the agenda item.

### **3.9 Public Questions**

Members of the public may ask questions at a remote meeting in accordance with Council Procedure Rule 11 as amended.

Should a member of the public wish to ask a question at a remote Council or Committee meeting, of an Executive Member (at Council) or Chairperson (of the Executive or a Committee), they must submit their question by email, together with their name, address and contact details to the Director for Communities at [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk) by noon on the second working day prior to the day of the meeting.

No questions will be permitted at the remote meeting unless such advance notice has been given.

If the question is accepted by the Director for Communities, the member of the public will be sent details of how to join the remote meeting on Zoom for the agenda item on public question time.

If the member of the public joins the meeting electronically, when invited to do so by the Chairperson, they may unmute their microphone, speak to put their question verbally to the Executive Member/Chairperson, and mute their microphone again. If the member of the public chooses not to join the remote meeting, or is unable to do so, their question will be read out to the meeting by the Chairperson or an Officer present. The question will be answered by the Executive Member/Chairperson.

If the member of the public has joined the remote meeting, they are also entitled to ask a supplementary question arising out of the answer to their substantive question. If the member of the public has not joined the remote meeting, they shall not be entitled to ask a supplementary question.

At the end of the agenda item for public questions, the Chairperson will ask all members of the public to disconnect from the remote meeting. If they fail to do so, the Meeting Host will immediately cease their ability to access the meeting. The member of the public may continue to 'attend' the meeting by watching the live stream of the remainder of the meeting on YouTube.

Members of the public no longer have the right to ask questions at meetings, unless they have given prior notice, and no longer have the right to ask a supplementary question if they have not joined the remote meeting. To compensate for that, Chairpersons may wish to advise the meeting that if any additional questions arose that could not be asked at the meeting, they should be asked in writing by email to [democratic.services@adur-worthing.gov.uk](mailto:democratic.services@adur-worthing.gov.uk)

[worthing.gov.uk](http://worthing.gov.uk) where the Council will use their best endeavours to provide a written response within 3 working days thereafter.

### **3.10 Speaking at a Remote Meeting**

When a Member joins a Zoom meeting, with the exception of the Chairperson, they should have their microphone set to mute.

When a Member wishes to speak they should indicate by using the 'Raise Hand' function in Zoom. The Chairperson can see all those indicating and will come to each person; the Chairperson has absolute discretion as to the order in which he takes speakers.

When a Member is invited to speak by the Chairperson, they should unmute their microphone to enable them to speak.

When the Member has finished speaking, they must remember to switch their microphone to mute once again and to use the 'Lower Hand' function in the system.

Both the Chairperson and the Meeting Host will have the ability to mute and unmute participants' microphones and raise and lower hands electronically.

### **3.11 Rules of Debate**

The usual rules of debate apply to remote meetings, and reference should be made to Council Procedure Rule 16 as amended.

The Chairperson should announce each Member when inviting them to speak, to aid transparency and assist those attending by watching the live stream.

### **3.12 Point of Order and Personal Explanation**

If a Member has a Point of Order or Personal Explanation to raise during a meeting, in accordance with Council Procedure Rule 16 as amended, they must unmute their microphone and interrupt the meeting saying 'Personal Explanation' or 'Point of Order'. The Chairperson will then invite that Member to speak. Having spoken, the Member must remember to mute their microphone again.

### **3.13 Voting at a Remote Meeting**

For all meetings where Members are attending by way of remote access, a recorded vote will be taken on each agenda item where a vote is required.

When the Chairperson indicates that a vote is to be taken, each Member's name will be read out in alphabetical order by the Democratic Services Officer. Each Member will need to unmute their microphone and say either 'For', 'Against' or 'Abstain' from the motion or amendment that has been put. Abstention may be due to non-attendance throughout the

entire agenda item, or for any other reason. After indicating, each Member must remember to mute their microphone again.

Where a Member, thought to be in attendance, does not respond to a recorded vote, the Democratic Services Officer will confirm that they are recording no vote for that Member. If the Member had in fact cast a vote, this will alert them to the fact that they could not be heard (perhaps by having their microphone on mute or having lost connectivity). If they are still connected, they should unmute their microphone and interrupt the meeting to be heard and cast their vote.

### **3.14 Adjournments**

In accordance with Council Procedure Rules, the Chairperson has the power to adjourn a meeting for a short temporary period. If the Chairperson advises of a short temporary adjournment to a remote meeting, all Members must remain in attendance with their microphones on mute, until the Chairperson instructs otherwise.

It is likely that the Chairperson may leave the meeting for a few minutes, for example to take advice from professional Officers, via the chat function, the Zoom waiting room, or a separate electronic platform.

### **3.15 Documents**

All Agenda documents will be made available to Members participating in a remote meeting, in advance. It is likely that presentations on agenda items at remote meetings may be more concise and succinct and it is assumed that Members will have familiarised themselves with all relevant agenda documents in advance of the remote meeting.

### **3.16 Exempt Session**

If a resolution is passed for the meeting to go into private session, to consider exempt or confidential material, any press and public participating in the Zoom meeting will be asked to leave the remote meeting by disconnecting. The Host of the meeting will ensure they have disconnected and may remove their access if they have not done so. The live streaming of the meeting will also immediately stop, to ensure that no member of the press or public, those with a right to speak or otherwise, are in attendance.

It is the responsibility of the Member participating in a private session of a meeting, to ensure that the meeting cannot be seen or heard by any other person at their remote location.

### **3.17 Disturbances**

If there is a disturbance amongst members of the public at a remote meeting, the Chairperson has powers to deal with it in accordance with Council Procedure Rule 31 as

amended. Having warned the member of the public over their conduct the Chairperson can, if the conduct continues, mute the microphone of that member of the public, or ultimately can order their removal from the remote meeting. If such a direction is given, the Meeting Host may cease the access of that member of the public. The member of the public then no longer has a right to speak at the meeting but can continue to 'attend' by watching the live stream of the meeting.

If there is a disturbance amongst Members the Chairperson continues to have the ability to deal with it in accordance with Council Procedure Rule 32 as amended. Rather than a Chairperson standing, in a remote meeting the Chairperson has the ability to mute all microphones, and if a direction is given for a Member to leave a remote meeting, the Meeting Host can effect this.

### **3.18 Members Standing**

Any requirement in Council Procedure Rules to a Member needing to stand to address a meeting, does not apply to a remote meeting.

### **3.19 Documents Open to Public Inspection**

Any reference in Council Procedure Rules to a document being available for public inspection at the Council's offices will now be satisfied by being published on the Council's website.

## **4.0 FOLLOWING A REMOTE MEETING**

The video / audio recording of the remote meeting will be live streamed and also made available to view on the Council's website. It will be available for 12 months from the date of the meeting, after which period it shall be deleted.

Minutes of a meeting will be dealt with in the usual way and draft minutes will be published on the Council's website as soon as practicable after a remote meeting.

# Secure use of Zoom video conferencing

The following advice is based on guidance created for central government users, by the Cabinet Office and Government Digital Service in consultation with the National Cyber Security Centre on 2nd April 2020. Adur & Worthing Councils use Google Meet as our default business solution, and Zoom where the additional functionality, stability and accessibility is required.

## Administrative settings

Adur & Worthing Councils have followed the Zoom set up guidance, where suitable, provided by Cabinet Office and Government Digital Service in relation to

- Sign in settings
- Security settings
- Authentication settings
- Meeting settings
- Recording settings
- Telephone settings
- Security messages for end users

## Hosting a Zoom meeting securely

- Only use the Adur & Worthing Councils Zoom business account
- Disable 'join before host'
- Disable 'allow removed participants to rejoin'
- Use the [waiting room function](#) to control access to meetings
- Hosts should check meeting details are only sent to those who are invited
- Check that only verified people have joined a meeting (do a roll call at the start)
- Make sure all participants use their real names or applicable role
- Ask participants to protect confidentiality appropriately (i.e. not being overheard)
- Set screen sharing to 'host only' for public or multi-agency meetings
- Be careful if you share screens and avoid inadvertent peripheral disclosures
- Monitor attendance throughout the meeting
- Stop any meetings if you are unsure about who else is present and take a roll call
- Send participants back to the [waiting room](#) until identity concerns are resolved
- Be mindful of your audience and tailor content accordingly
- Do not include the meeting password in any Google calendar invite