

Somerset County Council Virtual Meetings Procedure

Using Microsoft Teams

1. Introduction

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations permit remote attendance in Local Authority meetings.

Remote attendance is permitted as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard by any members of the public entitled to attend the meeting (in line with the public participation scheme). A visual solution is preferred, but audio is sufficient.

This also relates to members of the public attending the meeting also being heard.

The regulations are clear that a meeting is not limited to those present in the same place, but includes electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

A precis of the Regulations is contained in Appendix 1 of this protocol.

2. Microsoft Teams

Teams is the system recommended for hosting remote / virtual meetings. It has functionality for audio, video, and screen sharing and you do not need to be a member of an organisation (or have a Teams account) to join a Teams meeting.

3. Access to documents

Democratic Services will publish the agenda and reports for committee meetings on the Council's website and will notify councillors by email in line with usual practice.

Printed copies will not be available for inspection at the Council's offices and this requirement was removed by the Regulations.

4. Setting up the Meeting

This will be organised by the Democratic Services Team. They will send a meeting request via Microsoft Teams and will also appear in your Outlook calendar. This effectively enables them to be the 'organiser' and gives them slightly more functionality than other participants. This will be used to support the Chair of the meeting.

5. Including external participants

Everyone employed by the Council has Microsoft Teams on their laptop/device linked to their email account and therefore they can join a meeting.

For external users, they can also use the Teams app, by downloading it to their laptop, smartphone or tablet.

External participants can be sent the meeting request via email and if a participant is included in this way, they can use all the functions of Teams (video / chat) in the meeting. This might be useful for external presenters at Committee meetings, for example NHS / CCG Officers.

Alternatively, someone can be added to a meeting as a voice call. This can be done at the appropriate time in the meeting by the Democratic Services Officer.

There is also provision for a conference call number and ID to be given to external people who are calling in, which is another mechanism for them to join the meeting. Again, this will be done by the Democratic Services Officer as part of the meeting administration.

6. Joining the Meeting

Best practice would be for an officer in Democratic Services to join the meeting at least 10 minutes before the meeting starts to manage the lobby and assist those trying to join the meeting.

Members and officers are encouraged to join the meeting promptly (i.e. at least three minutes before the scheduled start time) in order to avoid disrupting the meeting.

Attendees should use the link within the calendar invite for the meeting which will say 'Join Microsoft Teams Meeting', which will open the Microsoft Teams app on the laptop/tablet automatically.

7. Starting the Meeting

At the start of the meeting, the Democratic Services Officer will check all required attendees are present (viewing the participant list).

The Democratic Services Officer will also have details of any Members of the public attending and / or press. The public and press will be notified via the meeting information on the website that they will need to contact the Democratic Services Officer to obtain the conference call number and ID for the meeting.

The Chair will ask all Members and Officers to **turn off all unnecessary microphones**, unless they are speaking. This prevents background noise, coughing etc which is intrusive and disruptive during the meeting. The Democratic Services Officer will also keep a watch on this and will be able to turn off participant mics when they are not in use. The Chair can also do this, but the Democratic Services Officer will fulfil this function. Members would then need to turn their microphones back on when they wish to speak.

The Chair, who will use video when speaking will ask all participants to **turn off their video cameras**. It cannot be stressed enough how important it is to turn off the video (unless you are the Chair or speaking). This helps with call quality. There is no facility for the Democratic Services Officer to turn off other participants video (like you can with microphones) or even see who has their video turned on, so it is even more important that participants are aware of this.

Some of the virtual meetings will be recorded. Participants will be asked to only turn on their microphones **when they are invited to speak**. This is good practice for all meetings, but especially important because the meeting is recorded. The recording is not like a webcast, because what is being recorded can be different to what you see on screen, even as a meeting organiser. So, participants could be being filmed, even if they are not speaking, simply by virtue of having their video switched on. It might be helpful for Members to think in terms of switching the video and mic on and off at the appropriate times, just like it would be in the committee room.

8. Notice to Speak - Members

The Council's Standing Orders relating to Member speaking at meetings will continue.

Members wishing to speak can either use the new 'hand up' by pressing the hand icon or use the chat facility to show they wish to ask a question.

9. Public Participation

Participation by members of the public will continue in line with the current public participation scheme.

This can include speaking and / or asking formal questions and / or making representations at various Committee in line with the scheme.

Members of the public can listen to the proceedings of a committee. They are asked to contact the Democratic Services Officer so they can be sent the link direct into to the meeting or be dialled in at the appropriate time.

When a member of the public is addressing a meeting, in line with the public participation scheme, they will be invited to speak at the appropriate time.

Both they and the Democratic Services Officer will need to ensure their microphone is enabled so the meeting can hear them.

It must be switched off again after they have made their statement or asked their question.

As stated earlier, for those who do not have access to the internet / teams, the Democratic Services Officer can dial the member of the public into the meeting using either a mobile or landline phone number.

10. The Meeting and Debate

Councillors who are not Members of the Committee who wish to speak on a particular agenda item must indicate their wish to speak to the Democratic Services Officer in advance of the meeting, within the required timescales.

For Members of the Committee who wish to speak in the debate, they should click on the meeting chat facility and simply write their question or state they wish to ask a question? The Chair will then be aware you wish to speak and can take the requests in the appropriate order.

There will be an upgrade to Microsoft Teams, shortly, which will allow participants to virtually 'raise a hand' i.e. signalling that they wish to speak, which will be used when available.

It is important that the chat function is used solely for this purpose or to raise a point of order, otherwise it is very distracting if other questions/conversations are happening within the chat, simultaneous to the meeting.

When referring to reports or making specific comments, Councillors should refer to the report and page number so that all Members of the Committee have a clear understanding of what is being discussed at all times.

If the debate appears to be coming to an end, the Chair may ask if any other Member wishes to speak before concluding the debate.

When you speak, remember to switch on your mic and video, refer to any relevant page numbers and speak clearly.

11. Meeting Etiquette Reminder

- Mute your microphone when you are not talking.
- Switch off video if you are not speaking.
- Only speak when invited to do so by the Chair.
- Speak clearly (if you are not using video then please state your name)
- If you're referring to a specific page, mention the page number.
- Switch off your video and microphone after you have spoken.

12. Voting

Within the Team facility, there is a straight-forward mechanism to deal with voting.

The chat function should be used to ask the Committee to take a vote. When it comes to taking formal votes, the Democratic Services Officer will type in the chat 'All those in favour'. Those in favour of the proposal should type in 'yes' and those against should type 'no'. Members wishing to abstain from voting should type 'abstain' or alternatively no response will represent an abstention. Alternatively members may use the raise hand facility.

If a Chair does not wish to use this mechanism, they may choose to ask each Member (of the Committee) to vote in turn. If this is the case, Councillors should express their vote verbally and the Democratic Services Officer will record the outcome of votes and announce these to the meeting.

13. Part 2 Reports and Debate

There are times when council meetings are not open to the public, when confidential, or "exempt" issues – as defined in Schedule 12A of the Local Government Act 1972 – are under consideration. It is important to ensure that there are no members of the public at remote locations able to hear or see the proceedings during such meetings.

Any Councillor in remote attendance who fails to disclose that there are fact persons present, such as those who may be able to see and/or hear the meeting, who are not entitled could be in breach of the Council's Code of Conduct.

If there are members of the public and press listening to the open part of the meeting, then the Democratic Services Officer will, at the appropriate time, remove the participant from the meeting.

It would be good practice to turn off smart speakers such as Amazon Echo (Alexa), Google Home or smart music devices. These could inadvertently record phone or video conversations, which would not be appropriate during the consideration of confidential items.

14. Interpretation of standing orders

Where the Chair is required to interpret the Council's existing standing orders in light of the requirements of remote participation, they shall take advice from the Democratic Services Manager or Monitoring Officer prior to making a ruling. However, the Chair's decision shall be final.

15. Disorderly Conduct by Members

If a Member behaves in the manner as outlined in the Constitution persistently ignoring the ruling of the Chair or behaving irregularly, improperly or offensively or deliberately obstructs the business of the meeting, the Chair can propose that the Member is silent and if seconded, the proposal will be voted on without discussion.

If agreed and the Member continues to behave improperly, the Chair can propose that either the Member is excluded from the meeting or that the meeting is adjourned for a specified period. If seconded, the proposal will be voted on without discussion.

16. Disturbance from Members of the Public

In line with the council's procedural rules, if any member of the public interrupts a meeting the Chair will warn them accordingly.

If that person continues to interrupt or disrupt proceedings the Chair can ask the Democratic Services Officer to remove them as a participant from the meeting.

17. After the meeting

Please ensure you leave the meeting by clicking on the red phone button to hangup.

Some virtual meetings may be recorded and uploaded to the public website.

18. Technical issues

In the event that the Chair or Democratic Services Officer identifies a failure of the remote participation facility, the Chair should declare a recess while the fault is addressed.

If it is not possible to address the fault and the meeting becomes inquorate through this fault, the meeting will be abandoned until such time as it can be reconvened. If the meeting is quorate, then it should continue.

Those attending remotely would be aware and accept that the meeting would continue and a vote would be taken without their attendance.

If the meeting was due to determine an urgent matter or one which is time-limited and it has not been possible to continue because of technical difficulties, the Chief Executive, Leader and relevant Cabinet Member, in consultation with the Monitoring Officer shall explore such other means of taking the decision as may be permitted by the Council's constitution.

19. Disability

It is also important for authorities to ensure that the needs of any disabled members are taken into account when considering the practicality of a remotely attended meeting.

A Briefing on the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 come into force from 4th April 2020.

The regulations are made by the Secretary of State for Housing, Communities and Local Government, in exercise of the powers conferred by section 78 of the Coronavirus Act 2020(1) and paragraph 36(1)(b) of Schedule 6 to the Police Reform and Social Responsibility Act 2011(2).

The Regulations apply to local authority meetings (and police and crime panel meetings) that are required to be held, or held, before 7th May 2021.

In the Regulations, "the 1972 Act" means the Local Government Act 1972 and "local authority" includes a County Council (and numerous other bodies).

Frequency of Meetings / Annual Meetings

A local authority is permitted to alter the frequency, move or cancel such meetings, without requirement for further notice. In reality this means a meeting can be cancelled, even if the agenda has been published.

When an appointment would otherwise be made at an annual meeting, such an appointment continues until the next annual meeting of the authority or until such time as that authority may determine.

Remote Attendance in Local Authority Meetings

A meeting is not limited to a meeting of persons all of whom, or any of whom, are present in the same place. The reference to a "place" includes reference to more than one place including electronic, digital or virtual locations (internet locations, web addresses or conference call telephone numbers).

A Member 'in remote attendance' can attend the meeting as long as certain conditions are satisfied. These include that the Member is able to hear and be heard by the other Members in attendance. Also, being able to hear and be heard any members of the public entitled to attend the meeting. The regulations would prefer a visual solution, but audio is sufficient.

This also relates to members of the public attending the meeting being heard, but preferably seen.

To be clear, the above caveats (in relation to Members of the authority and the public) includes a person who is attending by remote access.

The Regulations clarify that any reference to being “present” at a meeting includes being present through remote attendance... and a “place” where a meeting is held, or to be held, includes reference to more than one place (including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers).

Standing Orders

The provision in the Regulation overrides provisions in existing standing orders or rules governing the meeting.

However, a local authority may make other standing orders regarding issues such as voting, member and public access to documents; and remote access of public and press to a local authority meeting to enable them to attend or participate. This doesn't appear necessary as current processes allow this and access to meetings and public participation will continue.

Annual Meeting

Paragraphs 1 and 7 of Schedule 12 to the 1972 Act are disapplied which means the removal of the requirement to hold an annual meeting.

Access to Information

The requirement for a paper copy of an agenda to be displayed in the Council's offices has been removed, so publishing on the website only is acceptable.

Access of Public and Press

The Regulations clarify that a meeting being “open to the public” includes access to the meeting through remote means (video conferencing, live webcast, interactive streaming). Where a meeting is accessible to the public through such remote means the meeting is deemed open to the public whether or not members of the public are able to attend the meeting in person.

Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 have also been amended to reflect the new arrangements in terms of access to documents and meetings, but still retains the need for publication of key decisions, general exception, cases of special urgency etc.

The provisions in relation to the inspection and supply / copy of documents have been disapplied, but the Authority would still need to make any background papers available for inspection through other means (for example the website).