

REMOTE MEETINGS PROTOCOL AND PROCEDURE

May 2020

Introduction

This Protocol, and accompanying Procedure Rules shown in italics, provide the means and guidance for the conduct of any remote meeting of the Council, and its various Working Groups and Task Groups, held under the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ('the Regulations').

This Protocol and Procedure Rules should be read in conjunction with the Council's Standing Orders. The Regulations, made under section 78 of the Coronavirus Act 2020, apply notwithstanding any other legislation or current or pre-existing standing orders or any other rules of the Authority governing meetings and remain valid until 7th May 2021. This means that, wherever there is a conflict, these Remote Meetings Procedure Rules take precedence in relation to any remote meeting.

The effect of the Regulations on Farnham's Standing Orders is to insert what are, in effect, mandatory standing orders for holding meetings remotely, either wholly or partially. The standing orders exist only on a temporary basis, having effect between 4th April 2020 and 7th May 2021.

The standing orders, have an automatic amending effect on an authority's existing rules and can be applied immediately in order to run meetings remotely but it is good practice to have a local protocol and procedures in place.

The Protocol also includes guidance and suggestions on best practice in establishing procedures for remote attendance and will be updated as needed.

1. Annual Meeting

- 1.1 Holding an Annual Meeting during what would have been the normal 2020/21 municipal year is now a matter of choice.

2. Notice of Meetings and papers

- 2.1 The proper officer (Town Clerk) will give the notice to the public of the time of the meeting, and the agenda, together with details of how to join the meeting

which will be available on the Council's website at www.farnham.gov.uk, and on the Council's noticeboard as usual.

- 2.2 Members and members of the public will be notified of a Zoom remote meeting by email and all agenda papers will be emailed to Members and available on the Council's website. Hard copies will still be circulated for those that wish to have them.
- 2.3 The 'place' at which the meeting is held may be at Farnham Town Hall or may be where the organiser of the meeting is located or may be an electronic or a digital or virtual location, a web address or a conference call telephone number; or could be a number of these combined. The meeting may also be held in a meeting room or the Council Chamber with a proportion of the Council in attendance, and some attending remotely and any participating public additionally attending remotely or in person when circumstances allow.

2A *Access to Information*

For all purposes of Standing Orders and Access to Information

- (a) *“open to inspection” shall include for these and all other purposes as being published on the website of the council; and*
- (b) *to be published, posted or made available at offices of the Council shall include publication on the website of Farnham Town Council.*

3. Remote access to Meetings

- 3.1 Members and members of the press and public will be encouraged to use the the Zoom video conferencing facilities to attend a meeting remotely.
- 3.2 If this is not possible, attendance may be through an audio link or by electronic means as referred to in Regulation 5(6)(c) of the Regulations.
- 3.4 It is important to note that the public accessing the meeting by remote means, as described here, is different from the public attending to exercise a right to speak. A technological failure removing the ability for the public to access the meeting by remote means renders the whole meeting incapable of proceeding (as described above). A member of the public who attends to exercise their right to speak and is unable to do so renders only their item incapable of proceeding (This is set out paragraph 5 below).

3A *Remote Access to Meetings*

4. Management of Remote Meetings for Members

- 4.1 Any Member participating in a meeting remotely, must when they are speaking, be able to be heard (and ideally seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other Members participating.
- 4.2 In addition, a remote participant must be able to be heard by, and in turn hear any members of the public entitled to attend the meeting and who exercise a right to speak at the meeting.
- 4.3 The Mayor/Chair of the meeting will normally confirm at the outset and at any reconvening of a meeting that they can see and hear all participating members. Any Member participating remotely should also advise at the outset and at any reconvening of the meeting if they cannot see and hear the proceedings and the other participants.
- 4.4 The attendance of those members at the meeting will be recorded by the Town Clerk or officer supporting the meeting.
- 4.5 The normal quorum requirements for meetings as set out in the Standing Orders will also apply to a remote meeting.
- 4.6 In the event of any apparent failure of the video, telephone or conferencing connection, the Mayor/Chair should immediately determine if the meeting is still quorate:
 - if it is, then the business of the meeting will continue; or
 - if there is no quorum, then the meeting shall adjourn for a period specified by the Mayor/Chair, expected to be no more than ten or fifteen minutes, to allow the connection to be re-established.
- 4.7 The meeting will not be invalid if an individual's connection fails.
- 4.8 In the event of connection failure, the remote Member(s) will be deemed to have left the meeting at the point of failure and if the connection cannot be re-established to those Member(s) before the end of the meeting, then the presumption will be that the meeting should continue to deal with the item/s on the agenda.
- 4.9 If the connection is successfully re-established, then the remote Member(s) will be deemed to have returned at the point of re-establishment.
- 4.10 Etiquette at the meeting is referred to further below. (6.6)

4A *Members in Remote Attendance*

- (a) *A Member in remote attendance for Full Council is present and attends the meeting, including for the purposes of the meeting's quorum, if at any time all three of the following conditions are satisfied, those conditions being that the Member in remote attendance is able at that time:*
- (i) *to hear, and where practicable see, and be heard and, where practicable, be seen by, the other Members in attendance.*
 - (ii) *to hear, and where practicable see, and be heard and, where practicable, be seen by any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and*
- (b) *A Member in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in (a) above are not met. In such circumstance the Mayor may, as they deem appropriate;*
- (i) *adjourn the meeting for a short period to permit the conditions for remote attendance of a Member contained in (a) above to be re-established;*
 - (ii) *count the number of Members in attendance for the purposes of the quorum; or*
 - (iii) *continue to transact the remaining business of the meeting in the absence of the Member in remote attendance.*

5. Remote Attendance of the Public

- 5.1 Any member of the public participating in a meeting remotely in exercise of their right to speak at Council must meet the same criteria as members of the Council. Members of the public attending a meeting remotely must, likewise, when they are speaking be able to be heard (and ideally be seen) by all other Members in attendance, and the remote participant must, in turn, be able to hear (and ideally see) those other members participating be so heard and, where practicable, be seen by any other members of the public attending the meeting.
- 5.2 Aside from where a specific right to speak at Full Council public participation and speaking at other times is not allowed.
- 5.3 Where the Mayor determines that the technological solution does not effectively provide for public participation, arrangements will be made for

receipt of representations in writing only. Submissions, petitions or questions received from the public will then be read out by the Mayor or Town Clerk.

5.5 A breakdown of the technology should not disadvantage the member of the public in remote attendance wherever possible.

5A *Remote Attendance by Members of the Public*

(a) *A member of the public entitled to attend the meeting in order to exercise a right to speak at the meeting is in remote attendance at any time if the following conditions are satisfied, those conditions being that the member of the public in remote attendance is able at that time:*

- (i) *to hear, and where practicable see, and be so heard and, where practicable, be seen by, Members in attendance;*
- (ii) *to hear, and where practicable see, and be so heard and, where practicable, be seen by, any other members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting; and*

A member of the public in remote attendance will be deemed to have left the meeting where, at any point in time during the meeting, any of the conditions for remote attendance contained in 5A(a) above are not met. In such circumstance the Mayor may, as he or she deems appropriate:

- (i) *adjourn the meeting for a short period to permit the conditions for remote attendance contained in 5A(a) above to be re-established;*
- (ii) *suspend consideration of the item of business in relation to the member of public's attendance until such time as a following item of business on the agenda has been transacted and the conditions for the member of the public's remote attendance have been reestablished or, on confirmation that this cannot be done, before the end of the meeting, whichever is the earliest; or*
- (iii) *continue to transact the remaining business of the meeting in the absence of the member of the public in remote attendance.*

6. Meeting Procedures

6.1 The role of the Town Clerk or designated Officer is to control the video, telephone or conferencing technology employed for remote access and

attendance and to administer the public and Member interaction, engagement and connections on the instruction of the Mayor.

- 6.2 Members participating in meetings remotely can indicate their wish to speak by waving (raise their hand) or by pressing the 'raise hand' button on Zoom.
- 6.4 The Mayor/meeting Chair will follow the rules set out in Standing Orders when determining who may speak, as well as the order and priority of speakers and the content and length of speeches in the normal way.
- 6.5 The Mayor/meeting Chair at the beginning of the meeting, will explain the protocol for member and any public participation and the rules of debate. The Mayor's ruling during the debate will be final.
- 6.6 Members and other attendees and participants are asked to adhere to the following etiquette during remote attendance at a meeting:
 - a) Councillors are asked to join the Full Council ten minutes before the start to allow themselves and the Town Clerk the opportunity to test the equipment
 - b) Turn off all noise sources (radio, television, mobile phone) and try to separate yourself from any interruptions by using a separate room from other members of your household.
 - c) Bear in mind that some meetings may contain confidential information so you must make arrangements to ensure that other members of your household do not overhear if this is the case.
 - d) Ensure any smart speakers are turned off (Amazon Echo, Google Home etc) since they could turn on or inadvertently record the meeting
 - e) Any camera (video-feed) should show a non-descript background or, where possible, a virtual background and members should be careful to not allow any exempt or confidential papers to be seen in the video-feed. Please have an appropriate background ensuring you do not have any personal items in view in order to protect your privacy and that of your home.
 - f) Type their name on joining the meeting in full, e.g., "Cllr Pat Evans" (Zoom allows an adjustment)
 - g) All Members and other participants to have their microphones muted when not speaking
 - h) If using video, Members can raise their hand to be recognised or to speak. Any Members who have not spoken and who are on audio only, may be asked by the Mayor if they wish to speak.
 - i) Only one person may speak at any one time
 - j) Only speak when invited to by the Mayor.
 - k) Turn on the microphone and if any member or member of the public is only on telephone conference state you name when speaking.

- 6.7 Where members of the public are exercising their right to speak or through written submissions at the meeting, the Mayor will as part of their introduction explain the procedure for their participation.
- 6.8 When the Mayor is satisfied that there has been sufficient debate and (if the rules of the meeting require) there is a proposer and seconder for the item being discussed the Mayor will progress to making a decision.
- 6.9 The method of voting will be acclamation and show of hands where possible, and the voting system of Zoom will also be deployed. Where a recorded vote is requested in accordance with Standing orders:
- the Mayor shall call out the name of each member present;
 - the Member shall state 'for', 'against', or 'abstain' to indicate their vote on the matter being voted upon when their name is called
 - The Clerk shall record and minute the result and the Mayor shall confirm the result of the vote

7 Declaration of Interests

- 7.1 Any Member participating in a remote meeting who declares a disclosable pecuniary interest, or other declarable interest, in any item of business that would normally require them to leave the room, must also leave the remote meeting. Their departure will be confirmed by the Town Clerk by allocating the Member to the Zoom waiting room. And admit the Member at the end of the item under discussion to re-join the meeting at the appropriate time.

8 Exclusion of Public and Press

- 8.1 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. Where the technology is available, the Town Clerk or designated officer will ensure that there are no members of the public in remote attendance or remotely accessing the meeting are able to hear or see the proceedings once the exclusion has been agreed by the meeting.
- 8.2 Each Member in remote attendance must ensure and verbally declare that there are no other persons present who are not entitled to be (either hearing or seeing) consideration of such items, and/or recording the proceedings.
- 8.3 Any Member in remote attendance who failed to disclose that there were in fact persons present who were not so entitled would be in breach of the Members' Code of Conduct.

9. Public Access to Meeting Documentation following the meeting

- 9.1 Members of the public may access minutes, decision and other relevant documents through the Council's website as usual. The definition of access to information and available to the public is the same as at 2A above.
- 9.2 Request to access to the list of background papers and other relevant documents should be by email or by post.

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