

---

<b>Report To:</b>	<b>Inverclyde Council</b>	<b>Date:</b>	<b>3 December 2020</b>
<b>Report By:</b>	<b>Head of Legal &amp; Property Services</b>	<b>Report No:</b>	<b>GM/LP/128/20</b>
<b>Contact Officer:</b>	<b>Gerard Malone</b>	<b>Contact No:</b>	<b>01475 712710</b>
<b>Subject:</b>	<b>COVID-19: Online Remote Council and Committee Meetings</b>		

---

## **1.0 PURPOSE**

- 1.1 This report, as requested at the September 2020 meeting, updates the Council on the remote online operation of the December 2020 cycle of meetings and recommends continuation of these arrangements until further review following any future designation of Inverclyde as within Tier 0 of the Scottish Government local protection levels.

## **2.0 SUMMARY**

- 2.1 It was the decision of the Council at its meeting on 24 September 2020 to continue to approve all meetings of the Council, Committees, Sub-Committees and Boards being held on a remote online only basis for the cycle ending with the meeting of the Council on 3 December 2020. It was requested that a further report reviewing the online cycle be submitted to the December 2020 meeting.
- 2.2 In the period from the September 2020 meeting, the Scottish Government in November introduced the tier-based system of COVID-19 local protection levels and designated Inverclyde within Tier 3. These local protection levels will be the subject of regular review by the Scottish Government. It is not possible, with regard to the Scottish Government's guidance, to recommence public meetings of the Council, Committees, Sub-Committees and Boards as yet. In terms of the Coronavirus Act 2020, the public continue to be excluded from all Council and Committee meetings on health grounds.
- 2.3 It was the view of Elected Members, from the individual consultations that had been undertaken and from discussion at the Council meeting, that the operation of the September 2020 cycle of meetings was generally positive. In terms of the current cycle, the meeting of the Education & Communities Committee on 3 November 2020 had some difficulties in the course of a lengthy meeting and steps are being taken on this in terms of the report, below, but otherwise the video conferencing platform continues to be effective in these COVID-19 circumstances in ensuring member engagement in decision-making and scrutiny of reports. Furthermore, the approved online protocol is clearly being observed and has been fully adopted in supporting Elected Members in questions, debate and voting at the remote online meetings. In the current circumstances, the conclusion of this review is that the online meetings are effective and are clearly meeting all reasonable standards of governance and, so, should continue pending a review to be undertaken following any designation of Inverclyde in Tier 0 of the local protective measures.

## **3.0 RECOMMENDATION**

It is recommended that:

- 3.1 the Council considers the terms of this report;

- 3.2 approval be given to all meetings of the Council, Committees, Sub-Committees and Boards being held on a remote only basis until further review following any future designation of Inverclyde as within Tier 0 of the Scottish Government local protection levels;
- 3.3 approval be given to the altered start time of the Education & Communities Committee to 1pm for the Communities items for the remainder of the current timetable and that the position be reviewed thereafter; and
- 3.4 it be remitted to officers to report on the above review and to include options for new models for future meeting arrangements upon COVID recovery

**Gerard Malone**  
**Head of Legal & Property Services**

## **4.0 BACKGROUND**

- 4.1 This report, as requested by the September 2020 meeting of the Council, provides a further review of the administrative arrangements for all Council and Committee meetings in the light of the COVID-19 arrangements and the Scottish Government's designation of local protective levels.
- 4.2 The Council resumed its usual cycle of Committee meetings on a remote online basis as from the September 2020 cycle and to assist meeting arrangements, following consultation and discussion, also adopted an online meeting protocol. The response from Elected Members on the remote online basis of the September 2020 cycle was generally positive and the September meeting of the Council requested that a report with a further review be submitted to the December 2020 meeting.
- 4.3 The review has been undertaken with regard to the principles, all as previously noted and discussed at the Council, namely:
- (1) that training and ICT support are made readily available to all Members and to Conveners to ensure knowledge of systems and experience/skill in operating the video conferencing platform and in participating effectively by remote access;
  - (2) that there is full compliance with the Scottish Government's guidance in terms of public gatherings and meetings;
  - (3) that the public health restrictions be respected to avoid or minimise physical contact at gatherings for the purposes of fairness and inclusivity for all Elected Members, for any members of the public who require to attend meetings as applicants or representatives and for all officers of the Council. (In particular, it is has been noted that a number of the Council's Elected Members, in terms of risk assessments, should not be expected to attend meetings and, in compliance with the current advice, should be alert to their risks of attending in person any meetings within the Council buildings);
  - (4) that Elected Member confidence is necessary and is maintained in all aspects of remote online meetings so that participation in decision-making and scrutiny can be effectively and efficiently conducted.
- 4.4 Public access to Committee meetings has been restricted by the terms of the Coronavirus Act 2020 and the exclusion of members of the public from Council meetings, etc. has been continued in the light of the public health restrictions.

## **5.0 DECEMBER 2020 ONLINE MEETINGS**

- 5.1 A full cycle of meetings has taken place involving all aspects of the Council's governance arrangements, through Committees, Sub-Committees and quasi-judicial Boards. It is fair to observe that Elected Member and officer experience of this cycle remains generally positive. Materially, it is suggested that the video conferencing platform has supported effective scrutiny by Elected Members of reports and it provides an effective and manageable means of Elected Member engagement through questions and debate. There have been no significant impediments or interruptions noted to the Council's governance procedures in this cycle and there has been no short-fall either in scrutiny or engagement at any of the meetings that have been held. It is recognised there are some incidences of Elected Members having repeated access difficulties and these issues will continue be addressed and the Councillors will be supported by all means possible.
- 5.2 It is noted, however, that the lengthy meeting of the Education & Communities Committee on 3 November 2020 involved a number of temporary interruptions and disconnections at Elected Member and officer level. As it transpired, although levels of inconvenience certainly occurred, by virtue of the efforts of all involved there was no significant unresolved disruption to the process of thorough review and debate of the reports which were being considered. Nevertheless, two important steps are proposed in order to minimise the effects of any future disruption to this Committee (and, indeed, to any of the other Committees, etc.):
- (1) The agenda for consideration at the Education & Communities Committee meeting, in

particular, was too extensive and for the future any reports of a noting or information only nature will be circulated separately and will be the subject, if necessary, of an All Members' Briefing if required. In this way, the 23 items which were being considered by the Education & Communities Committee on 3 November 2020 could properly be reduced to 11 business-items for decision and the extensive online time, which was a factor in the difficulties encountered at the meeting, will be minimised. All Corporate Directors will focus on business decision items in the compilation of future agendas and every opportunity will be taken to circulate for Member awareness and information those items which do not require Committee debate and decision. There are adequate and existing means to ensure all Members are kept involved and are aware of for information or information only nature reports. This step will ensure that valuable online time is focused on key and relevant items for Elected Member decision;

(2) On a trial basis, it is suggested that the existing sittings of the Education & Communities elements of the Committee be more distinctly separated to 1pm and 4pm respectively (rather than 2pm and 4pm as existing) with separate Webex invites being issues for the two sections of the agenda. It is proposed that every effort be made to conclude the Communities business by 3pm to allow members a reasonable break before recommencement of the Committee at 4pm for consideration of the Education items of business.

A number of difficulties were encountered at the 3 November 2020 meeting because the education representatives needed to join at the time when Members of the Committee were debating private business. The arrangements needed for deferring the joining of the education representatives to this portion of the meeting does cause significant disruption to the progress of the meeting and an effective separation in time will assist facilitate the smoother running of the Committee during the COVID-19 pandemic. The problem is not solved simply by locking down meetings as technical problems can arise in situations where Members or officers lose connectivity requiring an interruption to the meeting on each occasion to readmit the Member or officer from the lobby and, additionally, to confirm the identity of any telephone callers prior to readmission.

- 5.3 In order to ensure there is transparency of decision-making and to provide the community with an opportunity to engage with the business of the Council, all online meetings are being recorded and will be made available by Corporate Communications through the Inverclyde Council website for purposes of public record for all relevant items and business. Corporate Communications are working on a mechanism and resources required to provide recordings of all previous meetings and to ensure the recordings do not contain any private business. Work is being undertaken by Corporate Communications to resolve this Council objective and this will be implemented as soon as possible. It has not been possible, yet, to introduce the live webcasting of public interest meetings of the Planning Board and the Local Review Body (where applicants have no right nor entitlement to make representations). Officers have been investigating the means to live webcast these meetings but further work on this aspect of development needs to be undertaken as it does appear that more work and staff resources are needed to interface the two systems for the standards of effective webcasting expected for these meetings. Officers will engage with the Chair of these Boards to arrange trials of the options and, thereafter, if additional resources are needed, a further report will be brought forward.
- 5.4 As a consequence of the proposal at 5.2 above, it is proposed to change the start time of the Policy & Resources pre-agenda meetings, which are on the same day as the Education & Communities Committee, to 10am or such other time as agreed with the Convener.
- 5.5 At present, for purposes of transparency and public engagement, press representation at any scheduled meetings has been offered and this continues to be made available online to local and national press representatives.
- 5.6 The arrangements have been put in place for quasi-judicial tribunals and there has been continued effective use of the secure Council facilities within the Municipal Buildings, Greenock so that applicants or members of the public who are entitled to be heard have available suitable facilities for purposes of participating at these meetings. Arrangements have been put in place for the General Purposes Board to meet on a staggered basis

commencing at 10am in order to ensure that there is no unnecessary queuing for these resources and so that the public health restrictions may be maintained. Officers will liaise with the Elected Members on the Boards to ensure that the quasi-judicial business of the Council is dealt with as effectively as possible and any meeting times will be adjusted to take account, as far as possible, of Members' availability.

- 5.7 In general, the level of engagement and the Members' use of the video conferencing platform have been positive. It is understood that there are occasional difficulties, but it is suggested to the Council that in view of the current COVID-19 circumstances that the arrangements for online remote access only be continued until Tier 0 is designated within Inverclyde and implemented.
- 5.8 In line with the ICT Strategy, the Council is progressing moving much of the ICT delivery to the Cloud. As part of this, the Council intends to move to Microsoft 365 and with it Microsoft Teams. This move is expected during the summer of 2021 and this will be factored into the options for Members to consider regarding the longer term future for meeting participation.

## 6.0 IMPLICATIONS

- 6.1 There are no financial implications.

### Financial Implications:

#### One off Costs

Cost Centre	Budget Heading	Budget Years	Proposed Spend this Report	Virement From	Other Comments
N/A					

#### Annually Recurring Costs/ (Savings)

Cost Centre	Budget Heading	With Effect from	Annual Net Impact	Virement From (If Applicable)	Other Comments
N/A					

## 6.2 Legal

The legal issues are contained within this report.

## 6.3 Human Resources

There are no HR implications related to this proposal.

## 6.4 Equalities

### Equalities

- (a) Has an Equality Impact Assessment been carried out?

YES	
X	NO – This report does not introduce a new policy, function or strategy or recommend a substantive change to an existing policy, function or strategy. Therefore, no Equality Impact Assessment is required

(b) Fairer Scotland Duty

If this report affects or proposes any major strategic decision:-

Has there been active consideration of how this report's recommendations reduce inequalities of outcome?

	YES – A written statement showing how this report's recommendations reduce inequalities of outcome caused by socio-economic disadvantage has been completed.
X	NO

(c) Data Protection

Has a Data Protection Impact Assessment been carried out?

	YES – This report involves data processing which may result in a high risk to the rights and freedoms of individuals.
X	NO

**6.5 Repopulation**

There are no direct repopulation issues within this report.

**7.0 CONSULTATIONS**

7.1 The CMT endorses this report.

**8.0 BACKGROUND PAPERS**

8.1 None.