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REPORT OF DIRECTOR OF GOVERNANCE AND LEGAL SERVICES  
AND MONITORING OFFICER

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**MULTI-LOCATION MEETING ARRANGEMENTS**

**Reason for this Report**

1. The purpose of this report is to provide the Constitution Committee with an update on the development of multi-location meeting arrangements and an early draft of a Multi-Location Meetings Policy for its consideration and direction.

**Background**

2. Arrangements were first made in legislation to allow for “remote meetings” in section 4 of the Local Government (Wales) Measure 2011. At the outset of the coronavirus pandemic in March 2020, the Welsh Government produced the Local Authorities (Coronavirus) (Meetings) (Wales) Regulations 2020. These established a framework within which the Council convened meetings by remote means throughout 2020 and part of 2021.
3. Experience of operating meetings under these Regulations has provided the Council with expertise in understanding and managing multi-location meetings, now they have been placed on a new statutory footing. The provisions in the 2021 Act can be seen as an evolution of these prior arrangements.
4. Interim statutory guidance was issued in May 2021 (**Appendix A**). This guidance is for Principal Councils and does not include convening meetings of the Corporate Joint Committees (CJCs) which the Cardiff Capital Region City Deal will become in due course. Separate guidance for the CJCs is being prepared by the Welsh Government.

**Issues**

5. Under the Local Government and Elections (Wales) Act 2021, local authorities are required to put in place, and publish, arrangements for multi-location meetings, that is, formal meetings where meeting participants may not all be in the same physical place. The meeting arrangements are comprised of the rules and procedures adopted by the local authority in accordance with the statutory requirements, and should be reflected in the Council’s Constitution, as appropriate (Statutory Guidance, point 1.3).
6. Alongside the legally mandated arrangements that authorities must make for multi-location meetings, the draft guidance says that authorities should develop a wider

policy setting out the detailed systems chosen by the authority for the operation of its multi-location meetings. This policy should be developed in consultation with all meeting participants, including the public.

7. To progress the implementation of Cardiff Council's Multi-Location Meetings Policy an initial draft of the policy is attached at **Appendix B**. The draft policy reflects the interim statutory guidance which indicates that the exact contents of a policy will be agreed at local level, however the experience of Local Authorities in the past suggests that it should include:
- How to decide which meetings will have physical provision made for them, and which will be conducted wholly through remote means.
  - Which online meeting platform or platforms which will be used.
  - How formal notices will be issued, and the publication of agendas and minutes.
  - How exempt matters will be dealt with.
  - Meeting attendance, including deciding where a member is "present".
  - How participants who sit as part of committees or bodies subject to the Act will be able to access and participate in the meeting (including support and advice on technology, behavioural and conduct issues).
  - How observers (including the public and the press) will be able to access the meeting, and how they may actively participate in the meeting where needed.
  - Facilitating broadcast by members of the public and by the authority itself (covered by separate guidance).
  - Chairing of meetings.
  - The taking of votes.
  - Training and peer support to ensure that participants are able to take part.

#### Benefits and Challenges of Multi-location meetings

8. The benefits of multi-location meetings are identified in the guidance and have been mirrored in the draft policy but no specific challenges were identified. The following challenges are considered relevant to balance the policy:
- a. Suitable technology – before 2020, there was little or no technology other than basic video conferencing and webcasting. The rapid development of remote working technology during the coronavirus pandemic made basic remote meetings possible. The complexity of equipment and software necessary to deliver public multi-location meetings requires a significant further step-change in technology.

- b. Reliance on the internet – Participants involved in remote meetings are reliant on having a suitable internet connection to join and maintain their presence in this type of meeting.
- c. Cultural change – significant progress was made by the authority, its Elected Members and public participants in adapting to remote meetings during the coronavirus pandemic. The development of multi-location meetings provides a significant cultural challenge from the existing processes for all those involved in the decision-making processes of the Council.
- d. Accessibility and Security – the wide scale accessibility requirements of multi-location meetings facilities also needs to address the security of information and of meetings particularly when meetings can be recorded and broadcast.
- e. Involvement and participation – The level of interest in local government decision-making is low and usually limited to those issues which have a specific personal impact. Whilst the pandemic provided an opportunity to increase the level of observers at meetings, it is uncertain whether this will continue as the pandemic eases. Encouraging the public to become involved in the wider decision-making issues facing the Council will be an ongoing challenge.

#### Meeting locations and Equipment

- 9. The Council is in the process of procuring a new conference system which will better enable the requirements of multi-location meetings to be met. This includes: microphones, cameras, display screens, simultaneous translation equipment, audio enhancement and facilities for the hard of hearing. To coordinate all of the systems, meeting management software will integrate both remote and physical participants into single common functionality to provide: requests to speak, speaker queues, electronic voting, vote results and a dual-language remote meeting facility.
- 10. This equipment will be installed in three primary venues, the City Hall and County Hall Council Chambers and Committee Room 4 in County Hall and will integrate with the existing webcasting equipment. Following implementation of the new conferencing systems, further development work will be undertaken to widen the range of venues and equipment to support multi-location meetings with a physical focus in locations across the city.
- 11. Zoom software has been procured following receipt of a Welsh Government grant from the Digital Democracy Fund. The use of this software will need to be developed for formal public meetings to provide simultaneous translation facilities for remote meetings.
- 12. ICT Equipment is provided for Elected Members to enable them to access remote multi-location meetings. This ICT equipment will be refreshed following the 2022 Local Government Elections

13. It should be noted that the rapid development of software, equipment and the processes to deliver multi-location meeting may require the policy and any associated guidance and documents to be updated.

#### Determination of meeting types

14. Physical meetings should not be seen as representing the “gold standard” with multi-location meetings being second best. Physical meetings may be convenient and effective for those most familiar with and comfortable with how they work – but they may also be inaccessible and impractical to many.

#### Predominantly Remote Meetings

15. Cardiff Council administers both the Glamorgan Archives and Prosiect Gwyrdd Joint Committees. Given the challenges of travelling significant distances across the region and the need to ensure maximum participation, these meetings have been initially identified as “predominantly remote meetings”. This would also support the intentions of the Wellbeing of Future Generations (Wales) Act 2015 and One Planet Cardiff, by helping to reduce the carbon footprint of holding these meetings. Remote meetings can also help the Authority to reduce the risk of future unexpected events such as extreme weather.
16. Informal discussions with the Chair of the Prosiect Gwyrdd Joint Committee also identified a preference for remote meetings. This does not preclude participants meeting physically and further engagement with representatives of the joint committees will be undertaken to determine their preference.

#### Predominantly Physical meetings

17. Experience has identified that some meetings such as Public Protection Sub-Committee may be better suited to having a higher level of physical attendance. However, this does not preclude some or all participants attending these meetings remotely if they wish or if there are overriding reasons for doing so. These meetings may include:
  - a. Appointments Committees
  - b. Council Appeals Committee
  - c. Employment Conditions Committee
  - d. Licensing Sub Committee
  - e. Public Protection Sub Committee
  - f. Standard and Ethics Sub Committee (Hearings Panel)

#### Multi-location Meetings

18. All Council, Cabinet and committee meetings must be able to operate as multi-location meetings and ensure that participants are able to attend remotely. The policy identifies opportunities for each decision making body to collectively agree the number of their meetings which are to be held predominantly physically or predominantly remotely during each municipal year.

### Webcasting of Meetings

19. The Council currently has a webcasting contract of 200 hours per year and this provides sufficient time to support the following committees and where resources allow other meetings with a significant public interest can be included:
  - a. Council
  - b. Cabinet
  - c. Planning Committee
  - d. Governance and Audit Committee
  - e. Children and Young People Scrutiny Committee
  - f. Community & Adult Services Scrutiny Committee
  - g. Economy & Culture Scrutiny Committee
  - h. Environmental Scrutiny Committee
  - i. Policy Review and Performance Scrutiny Committee
  - j. Standards and Ethics Committee
20. If the requirement to webcast increases to include other committees, additional funding will be required to support any change in the requirement.

### Engagement with Participants

21. The guidance indicates that decisions about local democracy and the best approaches to promote and encourage engagement in local democratic systems are best made at a local level. Therefore, the policy will be aligned with the Council's public participation obligations under the Local Government and Elections (Wales) Act 2021, to provide an understanding of the specific needs of a wide range of local people.
22. To support the development and implementation of the multi-location meetings policy, further engagement with Elected Members and other meeting participants will be undertaken. This will also assist in the development and completion of an equalities impact assessment which will accurately reflect the needs of those participating in meetings.
23. Initial discussions with the research team have identified that the Citizens Panel with approximately 5,500 public representatives and the Youth Council could form the basis of any public engagement. The details of the consultation are to be developed and scheduled accordingly.

### Documentation

24. The guidance identifies the importance of ensuring that participants and observers have access to easy-to-understand information which explains how they can and should engage in multi-location meetings. The documentation can be part of the multi-location meetings policy but should also be available separately and may constitute a simple explanation of some of those arrangements for the casual reader.
25. To minimise changes to the policy once it is approved, it is proposed that the associated documents be published separately with reference made to them in the main policy document.

### Progressing the multi-location meetings arrangements

26. The Constitution Committee is requested to provide its views and direction for the development of the initial draft of the multi-location meetings policy. The updated policy will be presented to the committee on 3 February 2022 for further consideration, together with recommended amendments to the Constitution required to reflect the proposed meeting arrangements
27. Once agreed by the committee, the multi-location meetings policy will be submitted to Cabinet for approval.
28. Full Council will need to approve the required changes to the Constitution.

### **Legal Implications**

29. The Local Government and Elections (Wales) Act 2021 ('the 2021 Act'), Part 3, Chapter 4, requires local authorities to broadcast full Council meetings and to make and publish arrangements to ensure that all Council, Committee and Cabinet meetings may be attended remotely (ie. enabling persons who are not in the same place to attend the meeting) – also referred to as 'multilocation meetings'.
30. Meetings must be capable of being held virtually, but individual authorities must decide whether their meetings will be held fully virtually, partially virtually (where some participants are in the same physical location, whilst others join the meeting virtually, referred to as 'hybrid meetings') or as physical meetings (although authorities may not mandate physical attendance at meetings).
31. Meeting participants must be able to speak to and hear each other; and for meetings which are required to be broadcast (ie. full Council meetings), participants must also be able to see and be seen by each other.
32. The 2021 Act makes permanent the changes to electronic publication of meeting documentation, which were introduced by the 2020 Coronavirus Meeting Regulations. Under the 2021 Act, all meeting documents, including notices, summonses, agendas, reports and background papers must be published on the Council's website. A note of the meeting, including Members in attendance and decisions made, must be published within 7 working days of the meeting. Notice of meetings is no longer required to be posted at the Council's offices. However, copies of agendas and reports must be made available for the public if meetings are held physically; and the Council is also required to make public access provision for members of the public who cannot access electronic documents (for example, by providing access to computers, copies of documents, or making documents available for inspection.)
33. The 2021 Act also introduces a new duty on local authorities, with effect from 5<sup>th</sup> May 2022, to encourage local people to participate in their decision making and to prepare and publish a public participation strategy detailing how it will meet this duty.
34. When considering arrangements for remote attendance or 'multi-location meetings', authorities must have regard to statutory guidance issued by the Welsh Ministers.

35. The statutory guidance sets out a number of general principles to guide authorities when developing their meeting arrangements, namely, transparency, accessibility, good conduct, Welsh language, local needs and future generations – as detailed in section 2 of the guidance. This sets the framework within which authorities must consider options and decide the meeting arrangements which best suit the authority and the communities it serves.
36. In considering this matter, the Council must have regard to its public sector equality duties under the Equality Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties, Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. The Protected characteristics are: age, gender reassignment, sex, race – including ethnic or national origin, colour or nationality, disability, pregnancy and maternity, marriage and civil partnership, sexual orientation, religion or belief – including lack of belief. When taking strategic decisions, the Council also has a statutory duty to have due regard to the need to reduce inequalities of outcome resulting from socio-economic disadvantage ('the Socio-Economic Duty' imposed under section 1 of the Equality Act 2010). In considering this, the Council must take into account the statutory guidance issued by the Welsh Ministers and must be able to demonstrate how it has discharged its duty. An Equalities Impact Assessment should be carried out to identify the equalities implications of the proposed arrangements, including inequalities arising from socio-economic disadvantage, and due regard should be given to the outcomes of the Equalities Impact Assessment.
37. The Council must also be mindful of the Welsh Language (Wales) Measure 2011 and the Welsh Language Standards and consider the impact of its arrangements upon the Welsh language.
38. The Well-being of Future Generations (Wales) Act 2015 requires the Council to consider how its proposals will contribute towards meeting its well being objectives (set out in the Corporate Plan). Members must also be satisfied that the proposals comply with the sustainable development principle, which requires that the needs of the present are met without compromising the ability of future generations to meet their own needs.
39. Other relevant legal implications are set out in the body of the report.

### **Financial Implications**

40. The procurement of the Council's conferencing systems has been allocated funding from the capital programme and the Council's webcasting facility is funded from the Democratic Services budget.
41. A capital bid of £130k has been submitted to meet the ICT requirements for Elected Members following the 2022 Local Government Elections and to enable them to participate in multi-location meetings. This is planned to be supplemented by £40k from the Democratic Services reserve.

42. Funding for any additional requirements to support the provision of multi-location meetings has not been identified and will need to be appropriately sourced in liaison with the Director of Governance and Legal Services.

## **RECOMMENDATIONS**

43. The Constitution Committee is recommended to:
- a. Consider the content of the report and the draft Multi-Location Meetings Policy.
  - b. Provide relevant direction for the development of the policy.

## **DAVINA FIORE**

**Director of Governance and Legal Services and Monitoring Officer**

07 December 2021

Appendix A Interim statutory guidance on multi-location meetings

Appendix B Draft Multi-Location Meetings Policy

Background Papers:

Constitution Committee dated 21 June 2021 - Remote / Multi-Location Meeting Arrangements report