
REPORT OF THE HEAD OF DEMOCRATIC SERVICES

CONSULTATION - MULTI-LOCATION MEETINGS POLICY

Reason for this Report

1. The Democratic Services Committee is requested to consider the Council's Draft Multi-Location Meetings Policy being developed by the Constitution Committee and to provide any appropriate feedback as part of this ongoing consultation.

Background

2. 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).
3. Alongside the legally mandated arrangements that authorities must make for multi-location meetings, the draft guidance says that authorities should develop a wider policy setting out the detailed systems chosen by the authority for the operation of its multi-location meetings.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.
4. To progress the implementation of Cardiff Council's Multi-Location Meetings Policy the initial draft of the policy was considered by the Constitution Committee on 13 December 2021. The draft policy reflects the interim statutory guidance which indicates that the exact contents of a policy will be agreed at local level. It is suggested that the policy 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.

Issues

5. The Multi-Location Meetings Policy was updated following consideration by the Constitution Committee. The updated Draft Multi-location Meetings Policy is at **Appendix A**. It includes a number of key issues which are outlined below:

Determination of meeting types

- a. 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

- b. 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”.

Predominantly Physical meetings

- c. 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 the following committees: Appointments Committees, Council Appeals Committee, Employment Conditions Committee, Licensing Sub Committee, Public Protection Sub Committee, Standard and Ethics Sub Committee (Hearings Panel).

Multi-location Meetings

- d. 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

e. 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:

- Council
- Cabinet
- Planning Committee
- Governance and Audit Committee
- All Scrutiny Committees
- Standards and Ethics Committee

Guidance within the Policy

f. The policy contains three appendices which relate to:

- Appendix A Guidance For Participants - Joining Remote Meetings
- Appendix B Guidance for Public Participants at Meetings
- Appendix C Guidance For Chairs

It is likely that these 3 appendices will be removed from the main policy but will be referred to in the policy document and available publicly to prevent the need to update the Constitution each time a changes made to any of the appendices. These appendices are expected to evolve following the implementation of the policy and the development of technology and procedures to support it.

Consultation

6. 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.
7. The views of Elected Members and Joint Committee Members regarding the policy have been requested. Those officers who support Committees have also been provided with a briefing and an opportunity to identify any concerns regarding the policy by 21 January 2022. The Democratic Services Committee has also been requested to act as a consultee on this policy.
8. Initial discussions with the research team identified that the Citizens Panel with approximately 5,500 public representatives and the Youth Council could form the core of any public engagement. This will then be supplemented with an online public survey at the end of January which will be promoted on the Council social media platforms and incentivised with “Love2Shop” vouchers.

Progressing the multi-location meetings arrangements

9. Responses from the consultation will be collated and any potential changes will be considered by the Constitution Committee at its meeting on 28 February 2022.

10. Following any changes agreed by the Constitution committee, the multi-location meetings policy will be submitted to Cabinet for approval. A report to Full Council from the Constitution Committee will be submitted seeking approval of any changes required to the Constitution following approval of the policy by Cabinet.

Legal Implications

11. 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'.
12. 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).
13. 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.
14. 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.)
15. The 2021 Act also introduces a new duty on local authorities, with effect from 5th 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.
16. When considering arrangements for remote attendance or 'multi-location meetings', authorities must have regard to statutory guidance issued by the Welsh Ministers.
17. 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.
18. 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.

19. 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.
20. 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.
21. Other relevant legal implications are set out in the body of the report.

Financial Implications

22. 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.
23. 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.
24. 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.

25.

RECOMMENDATION

The Committee is recommended to:

The Committee is recommended to:

1. Note the provisions of the Multi-location Meetings Policy, set out in **Appendix A** and provide comments as appropriate; and
2. delegate authority to the Head of Democratic Services, in consultation with the Chair, to prepare and submit a response to the Constitution Committee consultation on behalf of the Committee.

Gary Jones
Head of Democratic Services
18 January 2022

Appendix A - Draft Multi-Location Meetings Policy (Version 0.6 dated 17 December 2021)

Background papers:

- [Local Government and Elections \(Wales\) Act 2021](#)
- [Local Authority multi location meetings: interim guidance](#)
- [Multi-Location Meeting Arrangements : Constitution Committee dated 13 December 2021](#)