

## Version control:

Version No.	Agreed	Changes made	By.
V. 1	22.04.2020	Protocol agreed and published to website	JC/CW/KC
V. 2	06.05.2020	2.3 – <b>Added:</b> Presumption that video will be used by virtual participants.	JC
		2.4 – <b>Added:</b> Additional check that livestream/recording is switched off at the end of the meeting.	JC
		6.1- <b>Added:</b> New sections dealing with agreeing minutes from previous meetings	JC
V.3	24.08.2020	3.1.1 <b>Added:</b> New section dealing with managing timed debates, under 4.1.98 of the council's constitution.	JC
		3.1.2 <b>Added:</b> New section dealing with interruptions	JC
		3.1.3 <b>Added:</b> New section on disturbance by members of the public, under 4.1.162 of the council's constitution	JC
		3.2 <b>Added:</b> New section noting private chat is enabled during meetings to enable members to communicate on issues such as a point of order or to notify the chairperson that they need to leave a meeting early.	JC
		4.3 <b>Added:</b> new section on procedure if the livestream is halted by You Tube.	JC
		6.1 -6.4 <b>Added:</b> new section introducing electronic voting for the minutes and items requiring a vote during committees.	JC
	02.09.2020	2.3 <b>Added:</b> Notice of adjournment if more than 10% of members drop out of the meeting due to technical difficulties.	JC
V4	16.10.2020	2.1 <b>Added:</b> New procedure for Chairperson to confirm the live-stream and start of the meeting	JC
		6.1 <b>Added:</b> confirmation that all members have been trained in the electronic voting system	JC
		6.1.1 <b>Added:</b> Clarification on the different types of voting system and the settings in which system is used by committee type.	JC
		7.2 <b>New section Added:</b> admitting officers on the instruction of the Chairperson	JC
V5	20.04.2021	3.1 <b>Amendment to:</b> Managing contributions from members during virtual meetings and maintaining order.	JC/ME
	20.04.2021	3.1.2 <b>Amendment to:</b> Interruptions outside of allotted times to speak. Microphone management.	JC/KC/CW
	20.04.2021	6.1.2 <b>New section added:</b> Publicising the result of the electronic vote and removing para 6.2	JC/KC/CW
	20.04.2021	7.1 <b>Amendment to:</b> Officers in attendance – held in waiting room until agenda items are called.	JC/KC/CW

## Herefordshire Council: 'VIRTUAL' MEETINGS PROTOCOL (Version 5)

### 1 Purpose of 'Virtual Meetings' and making official recordings of Council Committees

- 1.1 The main purpose of 'Virtual' Meetings is to enable the Council to continue to function during the suspension of public gatherings/meetings during Covid 19. Virtual meetings allow Council, cabinet and committees to transact business and fulfil designated functions. The broadcasting of these meetings is to ensure public access and participation is maintained.
- 1.2 The streaming and recording of virtual meetings does not replace the formal minutes of the meeting and the decisions made. The council will continue to produce formal minutes and agendas which we are required to be maintained and retained, publicly, for up to 6 years.
- 1.3 For the avoidance of doubt, where video and audio recording is practical, this will be made available for public inspection, for up to 6 years, and will form a new and official part of the council's meeting.

### 2.0 Operating Procedure

- 2.1 The virtual meeting will commence at the beginning of a meeting when the Chairperson opens the meeting. This will be undertaken using the following procedure:
  - The Chair will ask the technical support assistant to start the live stream.
  - The automated confirmation that the meeting is being recorded will heard by all attendees.
  - The chairperson will then ask the technical support assistant to confirm verbally that 'The live stream has started'.
  - The chairperson will ask that the meeting is therefore able to get underway.
- 2.2 Under the new regulations<sup>1</sup> members who are in remote attendance must be able to hear, and where practicable see, and be so heard and, where practicable, be seen by, the other members in attendance. At the start of any public committee the Chairperson will ensure that the meeting complies with this rule by asking attending members of the meeting to confirm they can hear and be heard during the virtual meeting. The meeting will not start until confirmation that all attendees are in compliance with these rules. This is a legal requirement.
- 2.3 Meeting participant's connection with the meeting will be monitored. If 10% of members (or 6 members) in attendance lose connection with the meeting there will be an adjournment. If members lose connection with the meeting democratic services will be on hand to help restore connection.
- 2.4 The assumption is that video as well as audio will be used during virtual meetings. If it is not practicable for an attendee to be filmed whilst speaking to the committee, that committee member will be permitted to switch their camera off and speak using the audio facility only.
- 2.5 The virtual meeting will finish when the Chairperson formally closes the meeting. The chairperson should confirm with democratic services that the live stream and recording has been switched off.
- 2.6 If a committee is required to meet in private a separate remote meeting will be scheduled.

### 3.0 Managing contributions from members during virtual meetings and maintaining order.

- 3.1. All microphones, at the start of the virtual meeting will be set to mute, apart from the Chairperson and co-host. Members will unmute their microphones during debate after the chairperson has invited a member to contribute or respond to a member 'raising their 'electronic hand' to indicate that the wish to speak. In the event that this arrangement causes interruptions to the meeting the muting of the microphones will return to the chairperson/co-host.

- 3.1.1 **Speaking during a timed debate.** During timed debates, as set out in the council's constitution at 4.1.98, where possible a pre-programmed timer will be used to time the contributions of members. If the member exceeds their allotted time, the chairperson will notify the member in question and will ask them to immediately conclude their debate. If the member in question continues with the

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<sup>1</sup> The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

debate beyond the chairperson's instruction the co-host will mute the microphone of the member in question to allow the chairperson to continue with the meeting.

**3.1.2 Interruptions outside of allotted times to speak.** If, during a meeting, a member speaks outside of their allotted time to do so, the chairperson will remind the member(s) in question as to when they can and cannot speak during a debate. If the interruption continues the chairperson will instruct that the microphone of the member(s) in question will be switched to mute and that chairperson/co-host will assume responsibility for the un-muting of microphones.

**3.1.3 Disturbance by the public.** If a member of the public interrupts proceedings, the chairperson will ask that the microphone(s) of those causing the disturbance are turned to mute. The chairperson will warn the person concerned and, if the interruption continues, will order the person's removal from the virtual meeting.

3.2 **During the meeting, only the private 'chat function' will be enabled.** Members will continue to be able to communicate via email during the remote meeting. The private chat function will only be used when the 'virtual hand' would prevent a member from raising an issue in good time. For example, to raise a point of order or to notify the chairperson/democratic services that a member needs to leave the meeting before it formally ends.

3.3 Once all members in attendance have been confirmed as being present, the chairperson or co-host will 'lock' the meeting down. This means that no other participants can join the meeting without the chairperson's knowledge or agreement.

### **The broadcast and recording of the virtual meeting.**

4.0 The chairperson has absolute discretion to pause or adjourn meeting proceedings. Recordings of the meeting will be made of the audio and video and will be placed up on the council's public web-site for public viewing.

4.1 Editing of committee recordings should only be undertaken if there is a legal reason to do so. For instance, the name of a person in witness protection was divulged by a public speaker; confidential personal information is inadvertently disclosed; defamatory comments made; an attendee is taken ill on screen or if vulnerable individual(s) has been identified.

4.2. Editing will only be permitted with the express permission of the chairperson and the monitoring officer. A log will be maintained of edited webcasts, with an explanation given as to why this was required.

4.3 Should the virtual meeting/webcast be halted for a technical reason the following procedure will be applied:

- The Chairperson will be informed immediately and the meeting will temporarily be adjourned
- If the meeting is stopped from live streaming, a new virtual meeting will be started immediately and all attending members asked to re-join the new meeting. A new live stream will be initiated and communications issued as to where members of the public can view the new live stream via the council's You Tube and Facebook channels.
- The operator will also inform the Head of Legal and Democratic Services so that a report can be prepared for political group leaders providing an explanation of:
  - what went wrong,
  - what is being done to recover any lost data, and
  - how we will mitigate issues in the future.

### **5.0 Managing members and member interests**

5.1 The virtual meeting system in operation by the council will notify members when a participant leaves the meeting. However, members in attendance wishing to leave the meeting before it finishes should notify the chairperson of the committee before leaving the meeting. This will allow for formal minutes to record the time and agenda item at which point the member left the meeting.

5.2 For members declaring any schedule 1 or 2 interests the chairperson of the committee will place the member(s) in a virtual 'waiting area' (where the member has no audio or visual contact with the meeting) while that item of business is considered. The chairperson will bring members back to the 'virtual meeting' once that item of business has been concluded.

5.3 Conduct of members in attendance. The chairperson has the right to remove virtual attendees from the meeting if their conduct falls short of the expected standards in public life.

## 6.0 Confirming the minutes and voting on items during committee

6.1 The minutes of the previous meeting and other items requiring a vote will be agreed by each respective committee using the electronic voting facility to indicate whether they are for, against or abstaining on items requiring a committee vote. All members have been given training on how to use the electronic voting facility.

### 6.1.1 Types of electronic voting:

- (a) **For the Council and Planning and Regulatory Committee meetings** – members will be assigned as ‘guests’ and ‘officers’ in attendance will be assigned as co-hosts. This ensures that voting rights are assigned only to members eligible to vote;
- (b) **For all other public committee meetings** all non-eligible voting ‘members’ and ‘officers’ in attendance will be allocated to a break-out room. All eligible voting ‘members’ will be kept in the main meeting and asked to vote electronically.

6.1.2 **Publicising the result of the electronic vote.** Following the electronic vote, the chairperson, or the monitoring officer at full Council meetings, will declare the result and the outcome of the vote. This will be a simple declaration of the numbers of members ‘for’, ‘against’ or ‘abstaining’. To add openness and transparency to the way members have voted, a report will be run from Zoom. With the agreement of group leaders, from 23 April 2021, the record of the voting choices made by individual committee members will be published as an appendix to the formal minutes of the meeting. Where a vote delivers a unanimous result, either ‘for’ or ‘against’ an item under consideration, it will be sufficient to simply have this declared by the chairperson, or monitoring officer, and noted in the minutes of the meeting.

6.1.2.1 Where a named vote has been called by members, the electronic voting system will be replaced with a full roll call of the members in attendance and voting will be taken on the voices. The result of the named vote will published in the formal minutes of the meeting as set out in the council’s constitution at 3.7 – Voting. The result will be declared by the chairperson, or monitoring officer, and recorded in the minutes of the meeting.

6.1.3 In the event that the electronic voting system fails to return a valid result the chairperson will go to each individual member and ask that they check that they have voted on the item. It is only possible to vote once on any matter using the electronic voting system, so any member who has not successfully voted on the first time of asking will have opportunity to cast their vote. A valid vote is one where all members eligible to vote can numerically be seen to have done so.

<b>Valid vote count by Committee</b>	<b>The number of eligible voting committee members.</b>
Adults and wellbeing scrutiny	7
Audit and governance	7
Children and young people scrutiny	7
Employment panel	5
General scrutiny	7
Planning and regulatory	15
Full Council	53
Cabinet	8

6.1.4 Where the electronic voting system technology fails to work, the chairperson will revert to seeking approval of the minutes and other items requiring a vote by asking for confirmation on the voices.

This will be undertaken by the chairperson– in alphabetical order – asking members to indicate whether they are for, against or abstaining on the item under consideration.

6.3 Where members wish to raise matters of accuracy in respect of the the minutes, these should be raised with the monitoring officer and the committee chairperson before 9.30am on the day of the meeting.

6.4 Where a named vote is required during a committee, this will be undertaken on the voices of members. The Monitoring Officer will ask each attending member in turn to vote on the item at hand. A named vote will be recorded in formal minutes of the meeting.

## **7.0 Attendance**

7.1 All virtual meetings will be required to be quorate in accordance with the council's constitution. For the avoidance of doubt, 'virtual' attendance will count toward the committee's quoracy and the councillor's attendance.

7.2 **Officers in attendance** for specific agenda items officers will be held in the waiting room until the item they are reporting to is called upon by the Chairperson. The technical support assistant will admit officers only on the Chairpersons instruction.

## **8.0 Interpretation of standing orders**

8.1 Where the Chairperson is required to interpret the Council's existing standing orders in light of the requirements of remote participation, he or she shall take advice from the Monitoring Officer prior to making a ruling. The Chairperson's decision in all cases shall be final.