

Report To: Cabinet

Date of Meeting: 7th December 2020

Report Title: Constitutional Amendments and Amendments to the Participants Guidance to 'Virtual' Meetings

Report By: Chris Barkshire-Jones, Chief Legal Officer and Monitoring Officer

Key Decision: Y

Classification: Council decision

Purpose of Report

The council has now had its first full council meeting. Prior to that a Participants' Guidance to Virtual Meetings had been written. It was decided at a previous WAG meeting that before we publish the Guidance document we would have a de-brief meeting to consider the full council meeting. We anticipated that changes to the council's constitution during Covid would be necessary.

Recommendation(s)

- 1. Cabinet recommend to full council that the constitutional amendments are approved.**
 - 2. Cabinet recommend to full council that the 'Participants Guidance to Virtual Meetings' is included in the council's constitution as Appendix 3 at Part 4 and is published on the Council's website.**
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Reasons for Recommendations

1. The Council must make provision for the procedures of the council's constitution to work for 'Virtual' meetings during the current Covid 19 pandemic

Introduction

1. It is normal procedure for a Council's Monitoring Officer to update the council's constitution periodically to ensure that it provides the council with the right tools to deliver council meetings that have procedures that work for all involved as well as keeping the constitution legislatively up to-date.
2. During the Covid 19 pandemic it has been necessary to adapt our procedures to produce 'virtual' meetings to comply with government guidance and regulations.
3. We started with regulatory meetings such as Environment and Safety, Licensing and Planning and now have run the full gambit by producing cabinet and full council meetings.
4. In order to do so officers from Legal, IT and Democratic Services have worked on procedures and Guidance to assist participants and have highlighted the need to have some of the constitutional rules tweaked to provide a better framework in order to run the meetings both for the members of the public and officers and councillors.
5. The constitutional amendments and amendments to the participants guidance to 'Virtual' meetings have both been discussed at a meeting of the Working Arrangement Group (WAG). WAG agreed all proposed amendments to Part 4 of the council's constitution. WAG also requested that an amendment be made to Part 5 of the council's constitution to require a councillor to disconnect from a virtual meeting where they have a prejudicial interest where they would otherwise leave the room. It was agreed that councillors need to leave their cameras on at all times during virtual meetings. IT will be trialling this at the next full council meeting in December and will report back if there are any technical difficulties.

Participants Guidance to 'Virtual' Meetings

6. This document has developed over a period of time as we have rolled our virtual meetings.
7. Officers from Legal Services, Democratic Services and IT have contributed to it as have councillors. We had decided that a de-brief meeting after full council held on 21st October 2020 would be necessary to discuss any last amendments to the guidance.
8. We noticed that councillors need to be aware that the cameras give a 'close up' view of the councillor and their surrounding area. So councillors need to keep the area free of their family and pets. They need to have their corporate background on Teams and wear their headphones for optimum sound quality. It is likely that some training will need to be given to councillors. It is also suggested that councillors view some of the footage to see what the public view of themselves is.
9. WAG requested a more formalised version of the Participants Guidance to 'Virtual' Meetings be included as Appendix 3 of Part 4 of the constitution (Appendix 3). The guidance attached to this report as Appendix 2 is to be put on the council's website.

Constitutional Amendments

10. These are attached for consideration and discussion at Appendix 1. The proposed changes can be found at Paragraphs 9, 11.1, 18.3, 18.4, 22.1, 22.2, 22.3, 22.4, 23.1, 26.3, 28.8, 29.14 and Appendix 3. Mainly they refer to the procedures for petitions and public question time. How we will now operate and what the data protection issues are in publishing name

and addresses of members of the public. The Data Protection Officer has amended the privacy notice for Democratic Services to say that we will publish information in this way. We will also update the council's website to assist members of the public and ask those that ask questions their permission to publish their name. Also petitioners need to be told on the council's website that their name will be published.

11. There are also interpretations of the various sections that apply to the Mayor being able to control the meeting virtually together with the new three hour time limit and the pre-published adjourned date if we do not get through all of the agenda at the first sitting.
12. The paragraphs on general attendance and voting rights have been altered to accommodate virtual meetings.

Timetable of Next Steps

13. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Full Council	Decisions to be made	16 th December 2020	Chief Legal Officer

Wards Affected

(All Wards);

Policy Implications

Reading Ease Score: 46.9

Have you used relevant project tools?: Y/N

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Y/N
Crime and Fear of Crime (Section 17)	Y/N
Risk Management	Y/N
Environmental Issues & Climate Change	Y/N
Economic/Financial Implications	Y/N
Human Rights Act	Y/N
Organisational Consequences	Y/N
Local People's Views	Y/N
Anti-Poverty	Y/N
Legal	Y/N

Additional Information

Appendix 1 – Part 4 and Part 5 of the constitution with tracked changes
Appendix 2 - Participants Guidance – Virtual Meetings for council’s website
Appendix 3 - Participants Guidance – Virtual Meetings for constitution

Officer to Contact

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