

SLOUGH BOROUGH COUNCIL

REPORT TO: Annual Council **DATE:** 21st May 2020

CONTACT OFFICER: Sushil Thobhani – Service Lead Governance
(For all enquiries) (07542 229125)

WARD(S): All

PART I **FOR DECISION**

PROTOCOL FOR REMOTE MEETINGS

1 Purpose of Report

The purpose of this Report is to request the Council to resolve to adopt a protocol for the holding of meetings which may be attended by Members by remote attendance, which is now permitted by The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

2 Recommendation(s)/Proposed Action

That the Council resolve to adopt the protocol, as set out in the Appendix to this report, for the holding of meetings which may be attended by Members by remote attendance.

3. The Slough Joint Wellbeing Strategy, the JSNA and the Five Year Plan

The adoption of the said protocol by the Council will enable meetings and democratic decision making to resume and thereby advance the achievement of the objectives of the [Slough Joint Wellbeing Strategy](#) (SJWS) and the Five Year Plan

3a. Slough Joint Wellbeing Strategy Priorities –

The recommendations contained in this report seek to ensure that the Council is in a position to continue to address the priorities of the SJWS and the JSNA appropriately.

3b Five Year Plan Outcomes

The recommendations contained in this Report will enable democratic decision making to resume at this will enable the Council to be in a position to be able to go forwards to try and continue to meet the following objectives of the Five Year Plan

- *Our children and young people will have the best start in life and opportunities to give them positive lives.*
- *Our people will become healthier and will manage their own health, care and support needs.*
- *Slough will be an attractive place where people choose to live, work and visit.*
- *Our residents will have access to good quality homes.*

- *Slough will attract, retain and grow businesses and investment to provide jobs and opportunities for our residents*

4 **Other Implications**

(a) Financial

There are no significant financial implications which would arise as a consequence of the adoption by the Council of a protocol for holding meetings which may be attended by Members by remote attendance.

Risk Management

Recommendation from section 2 above	Risks/Threats/ Opportunities	Current Controls	Using the Risk Management Matrix Score the risk	Future Controls
That the Council resolve to adopt the protocol set out in the Appendix to this Report for the holding of meetings which may be attended by Members by remote attendance.	That decision making by officers continues leading to an increased potential for challenges to the validity of those decisions Decisions which are taken at meetings attended by Members by remote attendance are challenged	Decisions are taken in accordance with legal advice and in consultation with statutory officers.	Likelihood – Very Low – 2 Impact Legal/ Regulatory – Critical - 3 Score: 6	Ensuring decisions are taken at meetings held in accordance with statutory regulations. Increasing return to usual decision making structures and processes as soon as circumstances permit.

(b) Human Rights Act and Other Legal Implications

It is not considered that the adoption by the Council of a protocol for the holding of meetings which may be attended by remote attendance would cause the Council to be in breach of the Human Rights Act 1998 or any other legal obligations. The adoption of the protocol would enable the Council to demonstrate awareness of and compliance with The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

(c) Financial Implications

There are no significant financial implications for the Council which would arise from the adoption of a protocol for the holding of meetings which may be attended by Members by remote attendance,

(d) Equalities Impact Assessment

No effects have been identified which could result from the decision to adopt a protocol for the holding of meetings which may be attended by Members by remote attendance which would cause the Council to be in breach of the public sector equality duties and the protected characteristics set out in the Equality Act 2010 which would merit the carrying out of such an assessment.

(e) Workforce

There are no workforce implications which would arise from the Council adopting a protocol for the holding of meetings which may be attended by Members by remote attendance.

(f) Property

There are no property implications which would arise from the decision to adopt a protocol for holding meetings which may be attended by Members by remote attendance.

(g) Carbon Emissions and Energy Costs

It is considered that Members attending meetings by remote attendance and thereby not travelling to attend meetings and the reduction in the energy required to heat or cool buildings for the purposes of holding meetings is likely to contribute to reduction of carbon emissions and energy costs.

5 Supporting Information

- 5.1 On 23 March 2020 the Prime Minister announced a national lockdown restricting movement and assembly, and requiring people to stay at home save for specified purposes. There was also an announcement of police powers to follow to allow for enforcing of “social distancing”. Vulnerable people likely to require hospital treatment were asked to “shield” themselves.
- 5.2 On 25 March 2020 the Coronavirus Act 2020 was passed granting the Government and other public authorities unprecedented powers to enable them to deal with the pandemic, including powers to secure food supply chains, close educational establishments and make further regulations to deal with specific issues. The Act postponed the local and Police & Crime Commissioner elections scheduled for Thursday 7 May, to 2021, and extended the term of office of Councillors due for election, to 2021. It also gave power for regulations to be made for dealing with the need for bye elections to be held. It also modified large parts of the Care Act 2014 to give local authorities flexibility to deal with social care duties during the pandemic. Section 70 of that Act gave the Secretary of State Power to make regulations for regulating the holding of meetings of local authorities.
- 5.3 On 26 March 2020 the Health Protection (Coronavirus, Restrictions) (England) Regulations 2020 come into force which contained restrictions on movement.
- 5.4 The restrictions imposed as part of the “lockdown” prevented meetings of the Council being able to be held in the normal way as provisions in the Local Government Act

1972 and other legislation required meetings to be held, and decisions taken, by Members meeting together in person in the same place.

- 5.5 Accordingly, the Secretary of State, under powers contained in Section 70 of the Coronavirus Act 2020, made The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.
- 5.6 The above Regulations give flexibility to Councils as to the holding of Annual General Meetings and other meetings.
- 5.7. The flexibility provided by the said Regulations enable Councils to hold meetings which may be attended by Members by remote attendance via electronic and other methods of telecommunication and thus enable Councils to resume the holding of meetings of Members and democratic decision making.
- 5.8 The adoption by the Council of the protocol for holding meetings set out in the Appendix to this report will facilitate the resumption of meetings and democratic decision making by the Council in accordance with recommended best practice.

6 **Comments of Other Committees**

None

7 **Conclusion**

The adoption by the Council of a protocol for the holding of meetings which may be attended by Members by remote attendance will enable the holding of meetings of Members and democratic decision to be resumed as soon as practicable for the benefit of all relevant stakeholders.

8 **Appendices Attached**

Appendix A - Slough Borough Council Protocol for Remote Meetings

9 **Background Papers**

The Coronavirus Act 2020

The Health Protection (Coronavirus, Restrictions) (England) Regulations 2020

The Local Authorities and Police and Crime Panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panels Meetings)(England and Wales)Regulations 2020

Model Remote Meetings Protocol and Rules of Procedure published by Lawyers In Local Government (“LLG”) and The Association of Democratic Services Officers (“ADSO”).