

Report of:	Interim Managing Director
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Report Track:	Cabinet: 08/07/21

**Cabinet
8 July 2021
Enabling Digital / Paperless Meetings and
Revised Start Times for Calendar of Meetings 2021-22**

1 Purpose of Report

- 1.1 To present for Members consideration, proposals to improve accessibility to meetings through accelerated adoption of digital means and moving formal meetings to later start times.

2 Recommendation(s)

Cabinet to recommend to Council that:

- 2.1 All Members be provided with a Council laptop or tablet device during the current municipal year. In future, new equipment will be provided upon election or re-election as a councillor.
- 2.2 On provision of a laptop or a tablet device, Members will cease to be entitled to receive a communications allowance.
- 2.3 An assessment is made of the ongoing costs and practicalities of live streaming meetings and reported back to Members for further consideration.
- 2.4 The start times of Cabinet, Scrutiny Committees, Audit & Governance Committee and Standards Committee meetings, as detailed in the Calendar of Meetings 2021-22 approved by Council on 21 April, 2021, be amended to 6.00p.m. with effect from the September/October cycle of meetings. The Chairs of these meetings to be authorised, in consultation with the Joint Chief Executive, to start a meeting earlier where it is necessary to invite external representatives to attend the meeting.
- 2.5 The Chairmen, officers and regular attendees at other Committees, such as Planning and Licensing be consulted on whether it is practicable to change the start time of these committee meetings.

- 2.6 The Joint Chief Executive, as appropriate, in consultation with the Chairman of the Council, relevant Chairmen of Committees and / or Leader of the Council, as appropriate, be authorised to amend the Calendar of Meetings, through convening additional meetings, or the postponement / cancellation of meetings, if required.

3 Key Issues and Reasons for Recommendations

Key Issues

- 3.1 Approval was given as part of the General Fund Revenue Budget 2021-22 to 2023-24 to remove the Members' Communications Allowance (sometimes referred to as the 'Members' IT Consumables Allowance') on a phased basis over three years and instead provide a laptop or tablet device directly to Members. The phased approach was intended to reflect the Council's 'by thirds' electoral cycle, starting with the May, 2021 elections. However, the Leader has requested that this approach should be accelerated over a shorter period in order to support the move to paperless meetings.
- 3.2 The Council is required by statute to determine the date and time of any meetings of its Committees, Sub-Committees and Panels. While the Calendar of Meetings was agreed at the Council meeting on 21 April, 2021; this report brings forward amended start times for a number of the meetings, which need to be agreed by Council.

Reasons for Recommendations

Digital / Paperless Meetings

- 3.3 Proposal were submitted as part of the budget setting process, and through the alternative budget submission, in respect of the provision of technology to support digital working. It was subsequently agreed as part of the budget for 2021-22 onwards that new and re-elected Members would be provided with a laptop or tablet device, together with appropriate training and would not receive the communications allowance. Existing Members would have the option to continue to receive the communications allowance if they so wished or they could opt to receive a new laptop or tablet device and surrender their communications allowance. This provided for a phased approach to providing Members with technology to support their role and digital meetings.
- 3.4 The Leader has expressed a preference for accelerating the rollout of new devices to all Members, whether it be a laptop or tablet device, in the current municipal year as part of a move towards paperless meetings.

Timing of Meetings

- 3.5 The Council moved the start time of its full Council meetings to 6.00p.m. with effect from February, 2020. Members believe that this has improved accessibility for both Councillors and Members of the public, and want consideration to be given to moving the start times of other formal meetings, including Cabinet; Scrutiny Committees; Audit and Governance Committee; and Standards Committee similarly to 6.00p.m.

- 3.6 The Council is required by statute to determine the date and time of any meetings of its Committees, Sub-Committees and Panels. The Calendar of Meetings was agreed at the Council meeting on 21 April, 2021; and Council will also be required to agree the proposed amended start times.
- 3.7 The previous resolution in respect of delegated authority to convene additional meetings, as well as postpone or cancel meetings as required, has been amended slightly to reflect the position regarding the subsequent appointment of a Joint Chief Executive.

4 Relationship to Corporate Priorities

- 4.1 Each year the Council agrees its Calendar of Meetings for the forthcoming municipal year, thereby underpinning the administration of the Council's functions and supporting all its Corporate Priorities.

5 Report Detail

Digital / Paperless Meetings

- 5.1 The former Managing Director and the then 3 Group Leaders agreed that Member meetings would move to becoming paperless after the Annual Council meeting in May 2017. The following meetings were not included in this proposal:
- Council
 - Planning Control
 - Licensing
- Also:
- Leaders Budget Speeches / Statements
- 5.2 As part of the proposal it was agreed that:
- Members would use their own ICT devices and Council WiFi to access papers via the Members Portal for all other meetings.
 - If specific Members wanted to have paper copies they would be responsible for printing them themselves, using their existing monthly allowance.
 - IT training and support would be provided for Members in advance of the changes being made.
- 5.3 The move to paperless meetings has partially progressed. While Members use of technology for meetings has increased considerably during the pandemic with the temporary move to remote meetings, paradoxically this has also contributed to papers continuing to be produced for the meetings listed in 5.1 and for other meetings. In part this was because it was difficult to view agendas and reports, while trying to participate in the remote meeting. Another factor that has limited progress is the lack of a uniform approach to the provision of suitable IT equipment for Members. This has made it difficult to organise training and provide technical support for Members who are using a wide variety of devices and with varying degrees of ability.

- 5.4 In a move towards the provision of IT equipment for Members, approval was given as part of the General Fund Revenue Budget 2021-22 to 2023-24 to remove the Members' Communications Allowance (sometimes referred to as the 'Members' IT Consumables Allowance') on a phased basis over three years and instead provide a laptop or tablet device directly to Members. The phased approach was intended to reflect the Council's 'by thirds' electoral cycle, starting with the May, 2021 elections. However, the Leader has requested that this approach should be accelerated over a shorter period to support the move to paperless meetings.
- 5.5 The intention would be to supply all Members with a laptop or tablet device in the current municipal year. Assistance in setting up the devices and training in their use will be provided to Members. It should be noted that there may be a delay in the provision of the devices due to a national shortage of laptop and tablet devices.
- 5.6 In future, new equipment will be provided upon election or re-election as a councillor for their term of office. Any equipment supplied to Members this year, who are standing for re-election in the next year or two, will be taken back into the Council's stock of equipment and re-used as appropriate.
- 5.7 The move to provide all Members with equipment in the current year will increase the security when accessing Council information. The laptops will be configured to take advantage of the Council's security systems. These include e-mail filters, website filters, antivirus software and malware monitoring systems. It is expected that the type and number of such systems will change over the life of the devices.
- 5.8 Alongside the provision of a laptop or a tablet device, Members will cease to be provided automatically with papers for Committee meetings, as part of the Council's commitment to climate change. It is appreciated that accessibility issues may mean that some Members need a set of papers and they are still legally entitled to request a set to be sent to them; this will be done on request.
- 5.9 Whilst the provision of laptops and tablet devices is in itself fairly straightforward, the majority of the Council's meetings rooms are not currently configured with sufficient sockets for charging the devices during meetings. A survey will need to be undertaken to assess the practicalities and cost of installing power sockets.

Broadcasting of Meetings

- 5.10 The Local Government Act, 1972 is the primary legislation governing how local authority business is conducted. Under this Act, meetings must be in person and open / accessible to the public, unless there is a legitimate reason to exclude them.
- 5.11 As a result of the coronavirus-led national lockdowns in 2020, the Government recognised the need for greater flexibility to enable local government to continue decision making throughout the crisis. Section 78 of the Coronavirus Act, 2020, and the subsequent Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority Police and Crime Panel Meetings) (England and Wales) Regulations 2020 ("the Flexibility Regulations"), which came into force on 4 April, 2020, permitted entirely remote meetings to take place until 6 May, 2021. Unfortunately, the Flexibility Regulations were not able to be extended as primary legislation would be required to continue holding meetings remotely. Consequently, since 7 May, 2021, the requirement to hold meetings 'in person' has returned.

- 5.12 While the temporary provisions for remote meetings no longer apply, Members and Officers have seen benefits in the alternative way of working. Although the Government is not making any commitments regarding primary legislation in the short term to permit remote or hybrid meetings, it is, nonetheless, keen that local authorities should continue to broadcast or live-stream meetings.
- 5.13 Although the Council has some audio-visual facilities in the Council Chamber and meeting rooms, these are intended for the purposes of presentations in person, rather than broadcasting or live-streaming. At the moment, meetings are being live-streamed where possible through temporary set-ups of camera and microphone; however, this is by no means an ideal situation.
- 5.14 Further investigation will need to be undertaken to establish the potential costs of a dedicated audio-visual installation for the purposes of web-casting / holding hybrid meetings in the Council Chamber and other meeting rooms. The costs and implications will be reported back in due course to Members.

Timing of Meetings

- 5.15 The start time of Council meetings was changed to 6.00p.m. in February 2020 following a motion to Council on 8 January 2020. Alongside the change to Council meetings, officers were asked to look at the implications of moving other formal Council meetings, including Cabinet, Scrutiny Committees, Audit & Governance Committee and Standards Committee to a start time of 6.00p.m.
- 5.16 This work was put on hold during the pandemic and the move to meetings being held remotely. As meetings have now reverted to being held in person again, it is timely to now consider the wider change to the start time of formal committee meetings.
- 5.17 As detailed in the report to Council on 21 April, 2021, meetings of the Council and its Committees are called in accordance with the Council's Constitution and have been scheduled throughout the year. The purpose and timings of certain meetings is referenced in the previous report and in the Calendar of Meetings. Following requests from Members, it is proposed to move the majority of formal meetings to start at 6.00p.m., with some possible exceptions detailed below.
- 5.18 The Planning Control Committee meets generally every three weeks to determine planning applications within required deadlines. As this meeting may involve applicants / their agents / representatives and / or objectors, it is considered appropriate to keep this meeting during 'office hours', starting at 3.00p.m. until consultation has taken place with relevant parties to establish whether it is practicable to hold these meetings at a later start time.
- 5.19 The Trade Unions Consultative Forum has been scheduled to meet three times during the year. As these meetings include workforce representatives, it is considered appropriate to leave this meeting during 'office hours', starting at 2.00p.m.
- 5.20 Cabinet Briefing and Shadow Cabinet meetings have been scheduled to correspond with planned meetings of the Cabinet. These are informal meetings and the start time can be determined by the Leader of the Council and Leader of

the Opposition, respectively. Both have indicated that they would like to move these meetings to 6.00p.m.

- 5.21 It may also be necessary to convene other meetings throughout the year, such as the Licensing & Public Protection Committee; Licensing Sub-Committee; and the Appeals & Complaints Panel, to deal with relevant matters as and when they arise. Generally, these meetings take place during the day, as this is most convenient for the other parties involved.
- 5.22 Moving the start times of meetings to 6.00p.m. will have an impact on those employees that attend and support the meetings as well as ancillary employees such as ICT staff setting up equipment for live broadcasting and caretakers who are responsible for locking and securing the Civic Offices. Where practicable, employees will need to take compensatory time off through the flexi-time scheme or lieu time. In some instances, it may not be practicable for employees to work their hours flexibly or to take time off in lieu due to the need to maintain service cover and so it may be necessary to pay overtime. In a small number of instances, the change may have an impact on an employee's working pattern that they may find difficult to work to due to personal circumstances e.g. those with childcare or other caring commitments. All employees affected by the proposed changes will need to be consulted.
- 5.23 With the sharing of a Chief Executive and other services, it will be necessary to review the scheduling of some meetings in the current year to avoid clashes with Stafford Borough Council's meetings. Members and officers will be advised of any changes that are necessary. This will be accounted for in future years when preparing the calendar of meetings.

6 Implications

6.1 Financial

Provision for the move to more digital / paperless meetings, was made in the budget setting Council meetings of 10 and 24 February, 2021 phased over 3 years. The budget will need to be re-profiled to allow for the purchase of new equipment and software for all Members in the current year. The costs relating to security software such as antivirus will be met from the existing Shared Technology Service budget.

There may be a small additional financial cost arising from the proposal to amend the start times of meetings where overtime is paid rather than hours being accounted for via the flexi time scheme or through lieu time. It is difficult to quantify this at the current time but costs will be monitored and will be reported back to Members if they cannot be accommodated within existing budgets.

6.2 Legal

Schedule 12, paragraph 4 of the Local Government Act 1972 states that any summons (including notice of the business to be conducted) must be sent by post unless the member give consent to receipt by electronic means. This would apply to all Council committees, as well as full Council (but not Cabinet).

Sch.12, Paragraph 4:

(1A) Five clear days at least before a meeting of a principal council in England—

- (a) notice of the time and place of the intended meeting shall be published at the council's offices and, where the meeting is called by members of the council, the notice shall be signed by those members and shall specify the business proposed to be transacted at the meeting; and
- (b) a summons to attend the meeting, specifying the business proposed to be transacted at the meeting, and authenticated by the proper officer of the council, shall be sent to every member of the council by an appropriate method.

(1B) In sub-paragraph (1A)—

- (a) "*authenticated*" means signed or otherwise authenticated in such manner as the proper officer thinks fit; and
- (b) the reference to sending the summons to a member by an appropriate method is to—
 - (i) leaving it at, or sending it by post to the member's usual place of residence, or
 - (ii) where the member has specified an address other than the member's usual place of residence, leaving it at, or sending it by post to that different address, or
 - (iii) where the member has given consent for the summons to be transmitted in electronic form to a particular electronic address (and consent has not been withdrawn), sending it in electronic form to that address.]

Under Schedule 12 of the Local Government Act 1972, the Council is required to determine the date and time of any meetings of its Committees, Sub-Committees and Panels.

In accordance with the Local Government Act 2000 and subsidiary legislation, the date and time of Cabinet meetings shall be determined by the Leader of the Council.

6.3 Human Resources

As highlighted in section 5 of the body of the report, employees affected by these proposals will need to be formally consulted accordingly as these proposals will represent a change to their terms and conditions.

Moving to evening meetings will have an impact upon a number of employees of the Council as follows:

Officers (Green Book):

The Council's flexi-time scheme should be used to account for all hours worked between 7.30a.m. and 7.00p.m. Outside of these hours, hours can be accounted for via lieu time or through the payment of overtime.

Contracts of employment state that normal hours for employees are 37 per week (days) and that overtime is payable once the basic 37 hours have been worked. Under the single status agreement, employees graded G or above would be entitled to overtime or compensatory time off at plain time rate for hours worked in excess of 37 per week. Employees graded at F or below would be entitled to payment at time and a half for any hours (in excess of 37) worked between 8.00p.m. and 8.00a.m. Monday to Sunday inclusive.

Heads of Service and Above:

Heads of Service and above are not entitled to overtime under the JNC Chief Officers amended terms agreement for this group of employees. In addition, the agreement says that any requirement for additional hours working beyond the standard 37 hours per week are reflected in the salary of the post and no further payments will be made. Consequently, moving to evening meetings means that any HOS or above will not receive any additional payment or compensatory time off if required to attend evening work on a more frequent basis. However, consideration would need to be given to limits to working hours as specified in the working time regulations which should not exceed an average of 48 per week.

Members

Whilst clearly consideration is being given to moving to evening meetings as a means of better accommodating attendance by those Members that are in paid employment, it is important to remember that for those who do work they have statutory rights to reasonable time off for public duties. These rights are enshrined within Section 50 of the Employment Rights Act 1996.

6.4 Risk Management

None.

6.5 Equality & Diversity

None.

6.6 Climate Change

Reducing the amount of paper used for Committee meetings will contribute towards the Council's commitment to Climate Change. However, this may be offset by additional heating and lighting costs if meetings are moved to take place outside of normal office hours.

7 Appendices to the Report

None.