

Policy P671 Electronic Attendance and Meetings

Strategic Direction	Leadership
Responsible Business Unit/s	Governance
Responsible Officer	Manager Governance
Affected Business Unit/s	Council, Executive Management Team

Policy Objectives

This policy sets out the guidelines for Council and committee members who are physically unable to attend a council or committee meeting. Council is committed to facilitating access and participation in meetings by permitting members to be present and participate remotely via audio or audio-visual conferencing system if specific needs arise.

In addition, the policy also sets out the decision-making procedure for matters relating to the holding of meetings conducted by electronic means.

Policy Scope

This Policy applies to all members of Council and Committees of Council.

Definitions

‘Meeting’ means –

- (a) an ordinary meeting of the council; or
- (b) a special meeting of the council; or
- (c) an Agenda Briefing session of the council; or
- (d) a meeting of a committee of the council; and
- (e) a meeting of an audit committee of a local government.

‘Member’ means any member of council or committee meetings.

‘Natural Disaster’ includes fire, flood, lightning, movement of land and storm.

‘Relevant Period’ in relation to a proposed meeting, means the period of 12 months ending on the day on which the proposed meeting is to be held.

Policy Statement

This policy is designed to outline the responsibilities associated with utilising a conferencing system. There may be situations where council and committee members are not able to attend a meeting in-person as they may need to travel for work or care for loved ones. The intent of this policy is to provide increased flexibility for council and committee members in meeting their obligations to attend meetings. This will also assist the City in achieving meeting quorums.

It is preferable that meeting members attend meetings in person and members are encouraged to do so where possible.

All attendance by telephone, video conference or other electronic means, requests and voting outcomes are to be detailed and recorded in the meeting minutes.

1. REQUESTS FOR ELECTRONIC ATTENDANCE AT AN IN-PERSON MEETING

Council and committee members are required to provide a request to Council to attend remotely. However, where this is not possible due to unforeseen circumstances (i.e. a situation that could not have been predicated or was expected to occur at the time of the last Council Meeting), the member may provide a request to the Mayor. Requests for electronic attendance should be made in writing to the Mayor, at least three working days prior to the meeting, and must include the reason for not being physically able to attend the meeting as well as the proposed location from which the member intends to attend the meeting. If approved, the Mayor must advise the Governance Business Unit, as soon as practical, that a member has been authorised to attend the meeting by electronic means. The Governance Business Unit will then arrange with the member the logistical requirements for attending the meeting electronically.

A member of Council or Committee may attend a meeting by electronic means if:

- a public health emergency or state of emergency exists or a Natural Disaster has occurred; and
- because of the public health emergency, state of emergency or Natural Disaster, the member is unable, or considers it inappropriate, to be present in person at the meeting; and
- the member is authorised to attend the meeting by electronic means by Council or the Mayor or

- if the member is otherwise authorised to attend the meeting by electronic means by the Council or the Mayor.

A member who attends a meeting under an authorisation by electronic means, is taken to attend and be present at the meeting for the purposes of the *Local Government Act 1995*.

2. LOCATION

When determining whether a member may be authorised to attend the meeting by electronic means, Council or the Mayor must have regard to the location from which the member intends to attend the meeting, and the equipment the member intends to use to attend the meeting. The location and equipment must be suitable for the member to effectively engage in deliberations and communications. A member attending remotely must do so from a location that is quiet and private. In some cases, it may be appropriate for the member to wear headphones.

If the meeting or part of the meeting is to be closed to members of the public, the member must declare that confidentiality can be maintained during the meeting or the closed part of the meeting. If the member subsequently cannot maintain confidentiality, the member must leave the meeting or the closed part of the meeting. A member's declaration must be recorded in the minutes of the meeting.

3. ELECTRONIC MEANS

The City's preferred electronic means for a member to attend an in-person Council or Committee meeting remotely is by the Voice over Internet Protocol (VoIP) system in Council Chambers.

4. EQUIPMENT

The electronic means by which a member may attend an in-person meeting under an authorisation include telephone, video conference or other means of instantaneous communication. When deciding whether to authorise a member's request for electronic attendance, consideration must be given to whether the member's equipment will support Council's preferred choice of electronic communication.

5. 50% CAP

A 50% attendance cap applies to all council and committee members. A member may only attend a meeting remotely by electronic means if they have not attended more than half of all council meetings in the previous 12 months by this method. The 50% attendance cap ensures council and committee members attend at least half of all meetings conducted over a 12-month period, in person.

The Governance Business Unit is responsible for recording council and committee members attendance to ensure they do not exceed the 50% cap. This record must be kept in a spreadsheet in the City's document management system. Council must also record a person's remote attendance in the meeting minutes to ensure appropriate record keeping.

A member cannot be authorised to attend a meeting by electronic means, if the members attendance at the proposed meeting would result in the member attending more than 50% of council or committee meetings by electronic means.

The 50% cap does not apply to a member who is a person with a disability as defined in the *Disability Services Act 1993*.

6. MEETINGS HELD BY ELECTRONIC MEANS

A meeting may be held by electronic means if:

- a public health emergency or state of emergency exists in the local government area, and Council or the Mayor consider it appropriate to hold the meeting by electronic means; or
- a direction is issued under the *Public Health Act 2016* or the *Emergency Management Act 2005* that prevents the meeting from being held in person and Council or the Mayor authorises the meeting to be held by electronic means.

Only Council may authorise a meeting to be held by electronic means outside of an emergency.

When considering whether it is appropriate for a meeting to be held by electronic means, Council or the Mayor must have regard to whether the location from which each member intends to attend and the equipment each member intends to use to attend the meeting is suitable for the member to be able to effectively engage in deliberations and communications during the meeting. All members will be required to complete the City's eMeeting Place Arrangement Agreement.

The City's preferred electronic means by which the meeting is to be held is Zoom. However, the Chief Executive Officer must be consulted before a determination is made.

Council cannot authorise a meeting to be held by electronic means if holding the proposed meeting under that authorisation would result in more than half of the meetings in the Relevant Period being held by electronic means.

Legislation / Local Law Requirements

Local Government Act 1995

Local Government (Administration) Regulations 1996

Disability Services Act 1993

Other Relevant Policies / Key Documents

M701 Bring Your Own Device

M705 Remote Access and Working Offsite

P680 Electronic Devices