

REPORT TO PROCEDURES COMMITTEE – 25 MAY 2018

HOW SKYPE FOR BUSINESS CAN BE USED TO ASSIST MEMBERS WHEN THEY ARE UNABLE TO TRAVEL TO COMMITTEE AND GENERAL MEETINGS

1 Recommendations

The Committee is recommended to:

- 1.1 consider the revised guidelines for remote participation at appendix 1.
- 1.2 agree to recommend the guidelines for inclusion in Part 4 of the Scheme of Governance

2 Background / Discussion

- 2.1 At the last Procedures Committee meeting on the 20th April 2018 the Members considered the draft guidelines for remote participation and agreed as follows:
 - (1) that the provision for Members remote attendance at meetings should continue to be in exceptional circumstances only;
 - (2) that Officers report further setting out more clearly when and how skype for business might be used for remote member attendance;
 - (3) the draft Guidance be amended to:
 - (a) be less prescriptive in terms of language,
 - (b) provide more flexibility on the timescale for providing notice, and clarify that the Chair can skype in to a meeting and, in those circumstances, that the meeting should be chaired by Vice Chair or another appointed member;
 - (c) review the appropriateness of Members voting via a remote connection especially when determining quasi-judicial matters; and
 - (4) that officers be encouraged to use skype for business to attend meetings remotely to minimise travel cost/time.
- 2.2 The guidelines have been revised in alignment with feedback received and the amended version is attached at Appendix 1 for consideration.
- 2.3 The amendments can be summarised as follows:
 - 2.3.1 An introduction section has been added to the draft Guidance reminding Members of the importance of attending meetings in person and, where this is not possible, to seek to appoint a substitute Member to attend in their

absence. Only when a substitute Member cannot be found (other than for Area Committees), then in exceptional circumstances request to join remotely.

- 2.3.2 At the meeting on 20 April, 2018 Members questioned whether it would be appropriate for remote participation to be used in respect of quasi-judicial or regulatory matters, e.g. planning and licensing applications. Where a Committee is determining a quasi-judicial or regulatory application, all Members participating in the meeting must have access to, and be able to see and hear, the same information, or else there is a risk that the decision could be challenged. Officers from Legal and Governance have carefully considered this issue in the context of remote participation and have concluded that, provided the steps set out in the attached guidance are followed, the risk of challenge to a decision involving a Member participating remotely is low. It should be noted that there have been three occasions to date where a Member of an Area Committee has attended meetings by Skype where planning applications have been determined.
- 2.3.2 Finally, the guidance attached reflects the current Standing Orders. If the Committee wishes to make any changes, consideration will have to be given as to whether amendments to the Standing Orders will be required.
- 2.4 The Head of Finance and Monitoring Officer within Business Services have been consulted in the preparation of this report and their comments are reflected in the report. They are satisfied that the report complies with the Scheme of Governance and relevant legislation.

3 Scheme of Governance

- 3.1 The Committee is able to consider this item as Full Council appointed the Procedures Committee on May 18th, 2017. The established remit of the Committee is to consider proposed changes to Aberdeenshire Council's Scheme of Governance and to make recommendations about required amendments.

4 Implications and Risk

- 4.1 An equality impact assessment has been completed and attached as Appendix 2. If anything, where a Committee member is unable to travel Skype for Business improves accessibility and inclusion to meetings.

Ritchie Johnson
Director of Business Services

Report prepared by Paula Baird ICT 30th April 2018



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The following guide sets out the recommended procedures for remote participation at Committee meetings.

Introduction

Members should always seek to attend Committee meetings in person. However it is recognised that there will be occasions where this is not possible. In these circumstances members should first seek to appoint a substitute member (other than for Area Committees) to attend in their place. If a substitute cannot be found Members may in exceptional circumstances request to join remotely using the following guide.

Standing Orders

Standing Order 5.1.8 states that “the Chair may, by exception, allow any Member to participate and vote in a Meeting although not actually present at the location where the Meeting is being held whether by way of teleconference, video conference or otherwise.” Therefore, the Chair must be satisfied that there are exceptional circumstances which would merit a Member joining a meeting remotely.

Chairing Meetings and Quorum

Members participating remotely will be included when calculating the quorum of the meeting. Accordingly there will not require to be a quorum of Members physically present at the meeting venue.

However the elected Member chairing the meeting must be physically present at the meeting venue. Accordingly should the appointed Chair of the Committee wish to attend the meeting remotely the Vice Chair or, if the Vice Chair is not physically present, a Chair appointed by the members present would preside.

Prior to the Meeting

Any Member wishing to participate remotely should where possible send a request by email to the Committee Officer for the relevant Committee at the earliest opportunity to allow sufficient time to consult with the Chair and, where remote attendance is agreed, organise any requirements. Members should be aware that when requesting remote attendance, a minimum of 4 working hours' notice is required as facilities may not be readily available.

1.
 - a. The Chair will make a decision in accordance with Standing Order 5.1.8 and with consideration to equality, accessibility and inclusiveness in



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- relation to joining meetings. The Chair will have regard to the facilities available.
- b. If technology equipment is required, the Committee Officer will contact Aberdeenshire Council's ICT Service Desk.
 - c. If the meeting room requires adjustments in how it is to be set up the Committee Officer will contact the Property and Facilities Team.
2. The Committee Officer, on behalf of the Chair, will provide confirmation to the Member(s), on whether the request has been authorised at the earliest opportunity.
 - a. Should authorisation not be given an explanation will be provided to the Member(s).
 - b. Where authorisation has been provided the Committee Officer will send a Skype meeting invite via Outlook to the Member(s) for joining the meeting.
 3. Time permitting, a test may be conducted before the meeting start time with the Member(s) who wish to participate remotely. This will be via a Skype invite in advance of the meeting. The Member(s) should ensure they are available for the test otherwise any connection issues may not be identified ahead of the meeting.
 4. The meeting room and equipment prior to the meeting shall be set up in such a way that, where possible, the Chair can see and hear the Member(s) joining remotely.

At the Meeting

1. The Chair will confirm at the beginning of the meeting if any Member(s) are joining remotely and that he/she can see and hear all Member(s) participating remotely. The Committee Officer will confirm the names of those in attendance at the meeting.
 - a. Member(s) joining remotely should activate their video functionality. The Chair may in exceptional circumstances authorise in advance of the meeting a Member taking part by audio access via a telephone line.



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2. Member(s) joining remotely will be required to be in a quiet private location and will be asked to confirm this at the start of the meeting.
3. If a recording of the meeting is required all Members attending the Meeting must be notified and agree to the recording in accordance with Standing Order 6.1.2.
 - a. Skype has the feature and functionality to record audio and video. Any Member joining remotely who seeks to record the meeting without permission from the Chair and the other Members attending the Meeting would be in breach of Principle 1 of the Data Protection Act 1998.
4. Should a Member joining a Committee meeting remotely lose connection the Chair has authority to call a short adjournment to determine if the link can quickly be re-established.
 - a. If the connection cannot be re-established the Chair can continue with the business and the remote Member would be deemed to have left the Meeting at the time the connection failed.
5. A remote Member(s) participating in a vote will cast his/her vote as if participating in a roll call vote.
6. A remote Member(s) who has declared an interest in an item and withdrawn must pause the Skype link whilst the item is being considered. An instant message via Skype will be sent to the Member to advise when to rejoin the meeting.

Quasi-Judicial and Regulatory Matters including Planning

1. Quasi-judicial and regulatory matters include but are not limited to any planning applications before Area Committees, Infrastructure Services Committee and Full Council and licensing applications before Area Committees, the Licensing Sub-Committees and the Licensing Boards.
2. Member(s) attending remotely at meetings where quasi-judicial and regulatory matters are being considered will not be permitted to participate by audio and must be in a position to use the Skype video function. In determining such applications, all Committee Members must be able to receive and consider the same information.



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3. Any presentations submitted as part of an application must be shared with the Member attending remotely via the Skype Present Screen function.
4. Any additional papers submitted at the meeting and accepted by the Committee must be provided to the remote Member. The Chair may agree to adjourn the meeting for a short period to facilitate this and to give time for Members to consider the new information.
5. The Chair must confirm with the remote Member(s) that the Member(s) is satisfied that they have received the same information as those Members physically present and feel able to participate in the determination of the application. If a Member advises that their connection to the meeting has not been sufficiently stable and has compromised their access to information, they should consider not taking part in the decision.

Confidential and Exempt Items

1. If the Committee meeting includes exempt items, the Chair will identify the Member(s) via the video functionality.
2. The Member(s) joining remotely must confirm that they are in a secure private location and that there are no other persons present in the room.

EQUALITY IMPACT ASSESSMENT

Stage 1: Title and aims of the activity (“activity” is an umbrella term covering policies, procedures, guidance and decisions).	
Service	Business Services
Section	ICT
Title of the activity etc.	To assist Members when they are unable to travel to Committee and General Meetings
Aims of the activity	<p>Increase accessibility to Committee meetings for Members by the use of technology.</p> <p>The use of technology including equality, accessibility and inclusiveness in relation to Committee Members joining Committee meetings when they are unable to travel.</p> <p>The Scheme of Governance permits Members remote attendance at Committee meetings by exception.</p> <p>Office 365 includes Skype for business which provides the benefits of being able to engage in meetings remotely. This technology is provided by Aberdeenshire Council.</p>
Author(s) & Title(s)	Paula Baird Service Development Manager – ICT

Stage 2: List the evidence that has been used in this assessment.	
Internal data (customer satisfaction surveys; equality monitoring data; customer complaints).	This activity is not data driven it is driven by the requirements of the Service user needs.
Internal consultation with staff and other services affected.	Consulted with Legal and Governance

External consultation (partner organisations, community groups, and councils).	N/A
External data (census, available statistics).	N/A
Other (general information as appropriate).	N/A

Stage 3: Evidence Gaps.	
Are there any gaps in the information you currently hold?	N/A

Stage 4: Measures to fill the evidence gaps.		
What measures will be taken to fill the information gaps before the activity is implemented? These should be included in the action plan at the back of this form.	Measures:	Timescale:
	N/A	

Stage 5: Are there potential impacts on protected groups? Please complete for each protected group by inserting "yes" in the applicable box/boxes below.				
	Positive	Negative	Neutral	Unknown
Age – Younger	Yes			
Age – Older	Yes			
Disability	Yes			
Race – (includes Gypsy Travellers)	Yes			
Religion or Belief	Yes			
Gender – male/female	Yes			
Pregnancy and maternity	Yes			
Sexual orientation – (includes Lesbian/ Gay/Bisexual)	Yes			
Gender reassignment – (includes Transgender)	Yes			
Marriage and Civil Partnership	Yes			

Stage 6: What are the positive and negative impacts?

Impacts.	Positive (describe the impact for each of the protected characteristics affected)	Negative (describe the impact for each of the protected characteristics affected)
<p>Please detail the potential positive and/or negative impacts on those with protected characteristics you have highlighted above. Detail the impacts and describe those affected.</p>	<p>Skype for Business provides a positive impact as the facility to join meetings remotely has been added so we are increasing accessibility. Providing the benefits of both audio and video conferencing. Either of which can be used individually or jointly when joining a meeting remotely.</p> <p>Their will be no alteration to Members attending in person.</p>	

Stage 7: Have any of the affected groups been consulted?

<p>If yes, please give details of how this was done and what the results were. If no, how have you ensured that you can make an informed decision about mitigating steps?</p>	<p>Yes – this change has been driven by the affected groups who have requested the change of being able to join remotely.</p> <p>There is ongoing contact with Committee Members.</p>
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Stage 8: What mitigating steps will be taken to remove or reduce negative impacts?

<p>These should be included in any action plan at the back of this form.</p>	Mitigating Steps	Timescale
	N/A	

Stage 9: What steps can be taken to promote good relations between various groups?

These should be included in the action plan.

Providing a guideline document to Committee Members relating to how Skype for Business can support them in attending meetings remotely. This will ensure all Members are aware.

Stage 10: How does the policy/activity create opportunities for advancing equality of opportunity?

Skype for business provides a solution in being able to be included within meetings where the attendee is unable to travel therefore providing more access.

Stage 11: What equality monitoring arrangements will be put in place?

These should be included in any action plan (for example customer satisfaction questionnaires).

Obtaining feedback from Committee Members and from Committee Officer following the issue of the guidance document.

Stage 12: What is the outcome of the Assessment?

Please complete the appropriate box/boxes	1	No negative impacts have been identified –please explain.
	No	
	2	Negative Impacts have been identified, these can be mitigated - please explain. * Please fill in Stage 13 if this option is chosen.
	N/A	
	3	The activity will have negative impacts which cannot be mitigated fully – please explain. * Please fill in Stage 13 if this option is chosen
	N/A	

* Stage 13: Set out the justification that the activity can and should go ahead despite the negative impact.

N/A

Stage 14: Sign off and authorisation.				
Sign off and authorisation.	1) Service and Team	Business Services ICT		
	2) Title of Policy/Activity	Guidance of Remote attendance of Members at Committee Meetings		
	3) Authors: I/We have completed the equality impact assessment for this policy/activity.	Name: Paula Baird Position: Service Development Manager – ICT Date: 9 th March 2018 Signature: Paula Baird	Name: Position: Date: Signature:	
		Name: Position: Date: Signature:	Name: Position: Date: Signature:	
	4) Consultation with Service Manager	Name: Date:		
	5) Authorisation by Director or Head of Service	Name: Position: Date:	Name: Position: Date:	
	6) If the EIA relates to a matter that has to go before a Committee, Committee report author sends the Committee Report and this form, and any supporting assessment documents, to the Officers responsible for monitoring and the Committee Officer of the relevant Committee. e.g. Social Work and Housing Committee.			Date: 10/04/18
	7) EIA author sends a copy of the finalised form to: equalities@aberdeenshire.gov.uk			Date:
(Equalities team to complete) Has the completed form been published on the website? YES/NO			Date:	

