

COVID-19 support to councils

Guide 1: Remote working – tips for councils and councillors on behaviour and etiquette

The Centre for Public Scrutiny is supported by the Local Government Association to provide advice, guidance and support to councils on governance and scrutiny. At this time of crisis we are working closely with national partners, and local authorities, to develop practical solutions to the challenges that this situation poses. This includes a series of five guides on key governance responses to the crisis which will be periodically updated.

CfPS operates a helpdesk through which we can provide support to councils and councillors on matters relating to governance and scrutiny. This can include answering questions as well as problem-solving assistance and help with member training and development.

Contact: info@cfps.org.uk or ed.hammond@cfps.org.uk

We are working closely with other partners – particularly the Association of Democratic Services Officers and Lawyers in Local Government – to ensure that advice of consistent and accurate.

More information can be found at <https://www.cfps.org.uk/home-2/covid-19/>.

This is the first of five guides for councillors (and those supporting them) on managing some of the challenges associated with carrying out their governance roles during the COVID-19 crisis.

It focuses on the challenge for councillors associated with decision-making and scrutiny using remote meetings. It complements detailed guidance produced by the Association of Democratic Services Officers and Lawyers in Local Government on the remote working Regulations.

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1. A summary of what the law says

The rules for your council will be contained in two places.

The first place is the [Local Authorities and Police and Crime Panels \(Coronavirus\) \(Flexibility of Local Authority and Police and Crime Panel Meetings\) \(England and Wales\) Regulations 2020](#). These set the overall framework within which formal remote meetings will take place. You may also choose to hold a number of informal meetings remotely – pre-meetings, Group meetings and member briefings. These meetings are not covered by the Regulations.

Full technical guidance on these Regulations has been produced by [ADSO and LLG and can be found here](#). The LGA has established [an online hub](#) to bring together learning and advice on remote operations.

The second place where rules can be found is your council's Constitution. The Constitution is the governing document setting out how meetings will operate and how decisions will be made locally. The Regulations provide flexibility to councils to amend their standing orders to give effect to remote working in a way that makes sense area by area. This means that you can expect the solutions adopted by your own authority to potentially look different to those operated by your neighbours.

Councils may not yet (at time of writing, early April 2020) have made formal changes to standing orders. It is likely that the decision may be made to suspend certain standing orders for certain meetings and to aim to draft new versions to cover remote meetings once councils have had some experience of new ways of working. This will involve in the short term the need for looseness and flexibility over how meetings are transacted and an acceptance that standing orders will not be followed in some instances.

2. General principles

A number of organisations have produced material for employees and stakeholders on remote meetings. Many are worth a read – particularly [guidance on remote meetings produced by the London Office of Technology and Innovation](#).

From these various guides and resources we can establish some general principles to guide how remote meetings – particularly, remote formal meetings to which the public will have access, will operate. These include:

- People being clear about their respective roles. We cover more on this in the section below;
- Recognising that meeting remotely requires a different approach to the agenda and to behaviour than a meeting in person;
- The need to think carefully about – and plan for – how everyone involved in the meeting will be able to actively contribute;
- Having a clear focus on the actual outcome of the meeting.

Much of the guidance you may find on the internet about remote meetings will be of general use but local government meetings present a particular challenge – they are political meetings, and held in public. Both aspects require particular attention to be paid to behaviours and conduct.

You will not be able to run and participate in remote meetings in the same way as you run meetings in person. When people are in the same physical space it is easier to pick up on physical and verbal cues from others. Nods, shakes of heads, the focusing of attention on a

speaker (or others in the room) all play an important role. Remote meeting can be shorn of much of this context.

At the moment, with the environment for formal meetings being alien and councils facing huge challenges, getting remote meetings “right” will be a challenge. We will get it wrong on occasion.

3. Expectations for the different kinds of formal – and informal – meetings in which you might participate

People’s physical presence in the same space has a significant impact on behaviour. Behaviour which might seem normal when everyone is in the council chamber – heckling, applause, the raising of points of order, all part of the cut and thrust of political debate – are likely to feel alien and possibly slightly absurd when participants are sitting at tables in their kitchens. It’s necessary to emphasise the cognitive dissonance that may result, and the way that we will need to shift our expectations of how “normal” meeting activity will need to change. This “new normal” is likely to be different for different sorts of meeting. It is likely to frame the technology solutions which are chosen for different meetings.

In formal meetings – like full Council, Cabinet, scrutiny committees, licensing, planning and so on – members and other participants will have expectations about their roles, and about behaviour. Details will be set out in standing orders. Some of this formality will need to continue – especially where formal decisions are being made. But there will need to be changes as well.

- Plan to do less, certainly in the coming weeks. Committees are likely to transacting less work; agendas and work programmes may need to change at short notice. Planning to do less in committee than would be usual will provide flexibility when things don’t go as planned;
- Take more time to prepare. We cover preparation in more depth below. Chairs and committee members will need to put more time into thinking about a meeting’s outcomes;
- Take more time in the meeting. We discuss the chair’s role in more detail below; in brief, they will need to take the time to pause discussion, remind people of the process and the meeting’s outcomes, work to ensure that everyone is able to contribute – essentially, to make explicit the implicit ways of working which help us to transact an in-person meeting smoothly.

In informal meetings the same principles apply but the need for focus is particularly important – particularly in meetings with more participants. Councils and councillors may wish to set up more opportunities for informal remote meetings – these can play a role in replacing, temporarily, the impromptu meetings and conversations which will often happen in civic buildings. The following will be important.

Informal meetings may include:

- Committee pre-meetings/calovers – these will be more important in setting expectations and focusing formal meetings, and may need to become part of “standard operating procedure” for those councils which do not currently convene them. These are not the same as political pre-meetings in which members from the

same Group come together to discuss and agree a “line” to take in the formal meeting. These may continue, albeit virtually;

- Member briefings. Councils may wish to expand their use of member briefings to ensure that members understand what is happening. These informal meetings may best be carried out by way of a standard webinar;
- Group meetings. Individual political groups will select their own approaches to how they want to work remotely, and may find that some of the advice in this document is useful in how they organise and plan these meetings.

Different meetings will have different formats and may demand the use of remote meeting software and platforms that have different functionality. More on the pros and cons of different platforms can be found in LGA guidance.

Politics

Politics will not stop because of the crisis. Meetings involving politicians will still be political, and people having political arguments will not be “politicising the crisis”. Political debate is in local government the means by which we reach decisions; political disagreement is a necessary part of the difficult job of focus, prioritisation and direction. Councils will be making choices at this time which are inherently political in nature. Both formal and informal meetings will need to be transacted in such a way that recognises this fact – Chairs will need to think about how they can facilitate this form of debate remotely. Whatever happens, members will still have to take care in how they have party political discussions and arguments, especially in public meetings.

4. Meetings themselves

a. *Preparing for the meeting: the agenda and your objectives*

Formal meetings in particular will require clear objectives. Chairs and members are likely to need to be more explicit about these than would normally be the case, because meetings involving councillors will need to be fewer and more focused for capacity reasons. For this reason, preparation will be key.

Beforehand, the Chair will need to be in close communication with officers and with other committee members (or other meeting participants). This preparation will need to involve reaching some kind of understanding on:

- What the meeting is about, and the possible purpose and outcomes for every item on that meeting’s agenda;
- What information and paperwork will need to be made available in order for these outcomes to be delivered;
- Where councillors or other meeting participants will want to contribute – and where and how public participation might need to be facilitated;
- Where these people might need particular support in order to participate in the way that they want.

These conversations can be relatively informal; they can be carried out by the chair, a support officer/clerk or by other members who might be able to assist.

b. *Preparing for the meeting: practical arrangements*

Immediately prior to the meeting, participants – councillors, officers and others - will need to make sure that they are ready to take part productively.

These steps are particularly important for participants in meetings viewable by the public, but apply to any others.

- Ensure that you are dialling in from an area in your home where you are less likely to be disturbed;
- Ensure that your broadband connection is sufficiently stable to join the meeting. If your connection has low bandwidth, depending on the facilities and support provided by the council (and your home's mobile reception) you might find it easier to join using your mobile phone's data allowance, or if absolutely necessary by making a voice-only call (although see below);
- Ensure that your background is neutral (a blank wall is best). Some videoconferencing software provides a facility to blur the background to provide privacy and avoid distractions;
- Your name (possibly your mobile number, if you are calling from a phone) is likely to be shown onscreen if you are appearing in video – ensure that you are comfortable with whatever information is being displayed. Chairs might want to invite participants to introduce themselves at the beginning of every meeting anyway;
- Ensure that the camera is positioned to provide a clear, front-on view of your face. This may involve thinking about lighting in the room you're in (for example, sitting in front of a window may plunge your face into shadow). It may also involve putting your webcam, laptop or tablet on top of a couple of books so that you can look into the camera face on;
- Ensure that you are familiar with the functions of the software you are using to dial in. You are likely to use different platforms for dialling in to different kinds of meeting – there are lots of platforms and different organisations and groups of people will prefer different ones. The key functionality with which you should familiarise yourself is:
 - The ability to screen-share, and the ability to work collaboratively on documents as meetings progress;
 - The ability to use the “raise hand” feature (by which the chair can be made aware that you want to speak). This is likely to be more effective than physically waving at the camera to catch the chair's attention, which can be distracting;
 - The ability to participate in chat. We talk about the etiquette of chat features in remote meeting software below;
 - The ability to mute your microphone. As a general rule you should always have your microphone muted when you are not speaking. Ideally, you should use earphones or a headset to participate in meetings as it reduces the risk of feedback from using your device's external speaker.

i. The chat feature, and breakout options

Most videoconferencing software provides two forms of additional functionality:

- A chat function, by which meeting participants can communicate with each other in written form;
- The facility to establish “breakout” spaces, in which the meeting chair can place participants.

The use of breakout spaces is less likely to be useful for formal meetings – although it could provide a way to exclude the public where a committee moves into private session.

There are a range of ways to try to use these tools. It may feel odd to actively use a chat function to discuss the meeting in parallel to verbal contributions are being made; it might be seen as undermining the transparency of the meeting. In physical meetings the use of texting and WhatsApp is usually discouraged because it suggests that members are not fully engaged with what is happening in the room. Remotely however, chat and messaging takes on a different form – as an important and necessary way for the chair to control and direct proceedings.

However, it can provide a mechanism for the chair and other members to communicate to ensure that things run smoothly.

The chat function will usually need to be limited to committee members and the governance officer – but **committee members should treat conversations in chat as if they are happening in public.**

Appropriate use of chat

- The Chair cueing up the order in which they will invite contributions from committee members (in person, this kind of action can be accomplished by turns of the head, nods and brief eye contact – something which is impossible remotely);
- A committee member asking for a point of clarification to be raised or to ask a question or make a comment (again, in person this kind of thing might be done by way of a note or nods or eye contact);
- The Chair reminding members of the focus of the discussion currently under way (which may be especially important to maintain focus and flow);
- Attempting to resolve minor technical problems. A member might have difficulty seeing or hearing what is happening, or contributing;
- The provision of advice to the Chair on procedure by a governance officer, although this is often best done verbally. It is usual for a lawyers or governance officer to sit adjacent to the Chair to offer advice unobtrusively – working remotely, this is of course not possible.

Inappropriate use of chat

- Use of the chat function to carry out a parallel, substantive conversation about the issues under discussion;
- Use of the chat function for extraneous chitchat or for political needling.

Use of text messaging and WhatsApp

In some councils, councillors use text or WhatsApp to message each other during meetings (or may pass notes between each other). This is usually frowned upon as councillors can be observed “not paying attention” to the meeting in front of them. Remote meetings provide more freedom to engage in this activity – some of which may be pertinent to the meeting – but councillors and other participants will need to be aware of the risk of it drawing focus away from what is being discussed, even if they think it is being done unobtrusively.

c. Challenges associated with audio-only dialling in

The Regulations allow for people to join formal meetings by phone rather than by video. But this presents its own challenges.

Some councils have determined that they will conduct formal committee meetings using audio-only calls, as they plan to use council communications infrastructure that may lack the bandwidth for video calls (or they might be concerned about the security of certain video platforms). More information and advice on the different platforms (including web platforms) for remote meetings, which could allow for workarounds on this problem, can be found on the LGA website.

Councils and councillors will need to accept that although audio-only communication is less effective than video communication, for some meetings and some individuals it will be the only possibility.

Shortcomings relating to audio-only calls

- **Active participation.** It is too easy for audio-only participants to be forgotten or for them to find it difficult to “break in” to a flowing committee conversation. Audio participants may also be unable to use meeting features used by others – such as chat, or using shared screens.
- **Engagement.** It is far less easy to remain active engaged in meetings on voice-only calls. People’s attention can and will wander. Audio-only communication can be difficult and alienating for those attempting to “observe”, or seeking to contribute as witnesses or members of the public. It is easy to lose track of who is talking and who is “in the room”.
- **Following the agenda.** With no way of sharing screens, it will be difficult to see if people are following presentations and reports (or whether they even have that material in front of them). This will make certain meetings – planning, licensing, and quasi-judicial meetings such as education appeals – a particular challenge.

There are ways around these challenges.

- Such meetings will require more preparation, and more people will need to be involved in that preparation.
- Agendas and officer reports in particular will need to be focused with outcomes and objectives very clear. Decision-making meetings in particular will demand this approach.
- The Chair may need to speak individually to members of the committee beforehand to agree focus, questioning themes and outcomes – this may also include discussion of the structure of the meeting and whether there are specific things that individual members want to raise.

d. Other accessibility issues

i. For councillors

Councillors come from all walks of life. Skills, and the capacity to learn new things, may vary, as will the confidence to demonstrate these skills publicly. Some people's home environment may make it very difficult to join a remote meeting for two or three hours. Some people may have disabilities or impairments – hidden or otherwise - which present barriers. Sometimes, these issues may only emerge after remote meetings have occurred. Convening meetings remotely is something that many councillors will take to very easily; for others it will be a significant challenge, and not because they are “unwilling” to engage or being obstructive. We have to find ways for these arrangements to work well for everyone.

This is an isolating time for councillors. Issues or challenges which they may be able to deal with fairly easily in normal times may now be more substantial. Childcare is one, but there are likely to be others – associated with employment responsibilities, caring responsibilities, or community and ward work. This will impact on councillors' ability to prepare for meetings, and to engage in them in the way that they might have done in the past.

This may involve making changes such as:

- **Providing more opportunities for members to feed views to the council and to senior officers informally** – in writing and through one-to-one conversation. We discuss this further in the sections below (and in the second of our guides, on the operation of overview and scrutiny). Senior officers will already be available to speak to members but there may also be a need for proactive communication from them to councillors inviting conversation;
- **Being more flexible on the timings of meetings and the preparation of paperwork.** Lengthy officer reports and meetings starting at 7pm and not finishing until well after 10 are probably not going to be the way of things for the next few months. This links to what we said earlier in this guide on the need to look at fewer things;
- **Using discussion at Group meetings to influence and inform the design of remote arrangements.** These member-led environments may be the best space to tease out what may be complex and sensitive issues for some councillors.

ii. For non-council participants

For planning and licensing meetings, and other quasi-judicial meetings, there will be a need for non-council participants (often, applicants or appellants) to contribute to the meeting. Before meetings those clerking committees will need to make direct contact with these individuals to:

- Set out how the meeting will run. Material previously distributed to individuals about the process of meetings may no longer be accurate. Standing orders may be applied and disapplied as necessary, producing uncertainty. A fair process requires applicants to be aware of these possibilities and to raise any concerns before the meeting is convened;
- Identify any particular access needs. These may be technical – around the use of certain platforms – but may also relate to the need for clarity on some of the behaviour and etiquette issues identified elsewhere in this guide;
- Provide any necessary reassurance. People may have privacy concerns about joining remote meetings, and may find it to be an unsettling and alien experience.

Chairs should ensure that they are aware of any issues and that proactive steps are taken to address them.

iii. For members of the public

Streaming meetings online – alongside the fact that other entertainment opportunities are now very limited – may well result in an upsurge in public viewing.

Moving meetings online will remove many access barriers for members of the public wishing to observe and engage. But it also erects other barriers – around having a device to screen and sufficient data allowance to view. To aid access councils may wish to consider indexing the recorded feeds of meetings to allow people to navigate within videos – including adding captions and explanations on agenda items. They may also wish to consider other ways by which information about the proceedings of meetings might be shared.

It is vital that councillors, and other participants, remember that the public will be observing meetings. This may be easily forgotten, where participants are joining meetings from home. When connected to formal meetings via webcam or audio-only, councillors and officers should assume at all times that what they are saying and doing is visible to the public in just the same way as it would be in the committee room.

Disruption

There is a chance that members of the public will seek to disrupt proceedings, as we have seen in some early remote meeting trials.

This risk might draw councils into adopting a defensive approach to the use of videoconferencing tools. This can be managed by:

- Not enabling video for public participants (other than where they are making an active contribution to the meeting), and muting mics as a matter of course;
- Ensuring that members of the public accessing the meeting either to observe or participate are aware of behaviour expectations and that the chair or host can remove people if these expectations are not met.

Councils have looked at broadcasting a feed of meetings on YouTube, on the council website, or on Facebook Live, to avoid the necessity for members of the public to “join” the meeting itself. This may help to manage the risk of disruption, but councils using external platforms for broadcast may need to think about the need for comment moderation on those platforms, or whether comments can be disabled altogether.

Equally, there is a case for allowing space for a form of disruption or dissent. Full Council in particular can be a space for protest, which is sometimes disruptive in nature. Councils and councillors might need to think about the way that they may need to facilitate dissent and protest in a way that supports free speech, even if that may be inconvenient to the operation of individual meetings.

5. Specific advice for committee chairs

Chairs have a particularly challenging task.

In a remote meeting, a committee chair should ensure that, at a minimum, they have the facility to:

- Hear and, for participants with video enabled, see, those involved in the meeting;
- Mute and unmute participants;
- Remove participants from the call, including “pausing” the call (or creating a private breakout space) if the committee needs to go into private session;
- Share a screen with other participants (for example in the case of the use of presentations);
- See when councillors wish to contribute to the meeting and invite them to do so;
- Privately, take advice on procedural matters from an appropriate officer.

This will require training, and support. Some current chairs may be uncertain about their ability to carry out these tasks. For some they might be more comfortable leaving a clerk to do some of these activities but the nature of managing and facilitating contributions means that really the chair must be the one to do most of the above.

Councils should expect that in the first few weeks there may be a need to conduct “dummy runs” of certain committees to test out features, allowing different members to “chair”.

The chair’s role in setting expectations

- The Chair will need to be explicit about behavioural, and other, expectations. Often these are left implicit at the beginning of meetings, but the novelty of working remotely may require that chairs run through conduct and behaviour standards in advance – particularly where large numbers of people are involved;
- Some Chairs may wish to specify that all contributions must be made “through the Chair”, with that person controlling the muting/unmuting of mics. This may limit free-flowing conversation but is likely to keep things more focused.
- The Chair will need to address members of the public who may be observing and highlighting the process, including the circumstances in which they may be able to contribute;
- The Chair will need to remind members of the need to introduce themselves both at the start of the meeting and at the start of every contribution. This will be particularly important for audio-only meetings.

Other committee members, and officers, will need to think about how they can support the chair to carry out their role. The amount of work required to effectively chair a meeting is likely to increase. How this develops will look different for every chair, every meeting and every council. In future editions of this guide we will explore this issue in more detail.

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