



LG 07-2020

30 October 2020

Guidelines for supplementary Standing Orders regulating the proceedings in relation to remote meetings of the Council

Dear Chief Executive,

I refer to the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (Section 29) (Local Authorities) (Designation) Order 2020 (S.I. No. 445 of 2020) given effect by the Minister for Housing, Local Government and Heritage, Mr Darragh O'Brien TD, on 20 October 2020.

This Order designates local authorities under Section 29 of the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020, allowing for council meetings and meetings of local authority committees to be held remotely. All decisions or votes taken by elected members at such meetings (whether physically or remotely present) shall have the same status in law as decisions or votes taken at a physical meeting.

Local authorities may avail of this order as required, to facilitate attendance and participation at meetings to ensure the efficient carrying out of council business while also protecting the health and safety of elected members and local authority staff.

It is a matter for Elected Members of each Local Authority to decide if and how meetings of the Local Authority will be held remotely. Where Elected Members take such a decision, they should consider appending supplementary standing orders to their existing Standing Orders in order to regulate the holding of remote meetings.



In accordance with Part 6 and Schedule 10 of the Local Government Act 2001, it is a matter for each local authority to decide by resolution of the elected council standing orders and the matters to be included therein, subject to such mandatory provisions as are required by the Act. (Para. 16, Sch. 10).

In that regard, guidelines for supplementary Standing Orders regulating the proceedings of remote meetings of the Council have been drawn up in consultation with councillor representative organisations and the County and City Management Association (CCMA). It is hoped that these will provide a useful guide to elected councils in formulating supplementary standing orders for remote meetings.

Standing Orders for remote meetings adopted by the elected council should operate in conjunction with existing standing orders adopted in accordance with circulars (LG 4/02 LG of 7 March 2002, and LG 11/2014 of 30 May 2014).

A copy of SI 445 is also attached for your information.

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Local Government Governance and the Elected Member

c.c. Cathaoirligh/Mayors of Local Authorities
AILG
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TITLE OF LOCAL AUTHORITY
GUIDELINES FOR SUPPLEMENTARY STANDING ORDERS
REGULATING THE PROCEEDINGS OF THE COUNCIL IN
HOLDING REMOTE MEETINGS

Standing Orders under the Local Government Act, 2001 must be adopted by the Council to come into effect.

Meetings of the Council

Purpose

These guidelines are to assist in the drafting of supplementary Standing Orders to allow for remote meetings of the Local Authority and its sub-committees in light of the designation of the Local Authority in the Civil Law and Criminal Law (Miscellaneous Provisions) Act 2020 (Section 29) (Local Authorities) (Designation) Order 2020 (S.I. No. 445 of 2020).

Remote Meetings

1. Given the designation of local authorities, the meetings of the local authority may now be held at
 - the Council Chamber
 - an external venue used to accommodate meetings of the council
 - one or more Council buildings or rooms, linked remotely
 - an electronic, digital or virtual location, web address or a conference call telephone number
 - a combination of the above to provide for physical and/or remote attendance by elected members.

Management of Remote Meetings

2. Members should notify their Meetings Administrator in advance if they intend to attend the meeting remotely.
3. Any member participating in a meeting remotely must, when they are speaking, be able to be heard (and seen, where practicable) by all other members in attendance, and the remote participant must, in turn, be able to hear (and see, where practicable) those other members participating.



4. The Cathaoirleach will at the outset, and at any reconvening of a meeting, call a roll call of participating members and ensure that they can hear and, where practicable, see those in attendance. Any member participating remotely should also confirm at the outset and at any reconvening of the meeting that they can hear and, where practicable, see the proceedings. Members should inform the meeting if they lose connection in accordance with provisions on connectivity within the agreed standing orders.
5. The attendance of those members at the meeting will be recorded by the Meetings Administrator.
6. The normal quorum requirements for meetings as set out in the Council's Standing Orders will also apply to a remote meeting. Members attending physically and remotely will together constitute a quorum.
7. Each member participating remotely has personal responsibility to ensure and confirm to the Meetings Administrator that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings, in accordance with standing orders that apply.
8. Subject to compliance with General Data Protection Regulations (GDPR), the Meeting Administrator may facilitate the recording of the meeting for the purposes of taking minutes. However, this recording shall only be used for this purpose and will be deleted once the minutes are agreed.

Meeting Procedures

9. The Meetings Administrator will coordinate the facilitation of the meeting. An appropriate official will assume responsibility for controlling the conferencing technology employed for remote access and attendance, and to administer the member interaction, engagement and connections on the instruction of the Cathaoirleach.
10. Members should allow sufficient time to establish a connection prior to the commencement of the meeting to allow themselves and the Meeting Administrator the opportunity to test the connection.
11. The Cathaoirleach, at the beginning of the meeting, will explain the protocol for members' participation. The Cathaoirleach's ruling during the debate will be final.



12. Members who wish to speak should use the notification process as directed by the Cathaoirleach, and then speak when invited.
13. The rules of debate as set out in existing standing orders will apply.

Voting

14. A vote taken remotely in accordance with the Standing Orders of the local authority constitutes a valid vote towards the decision of the Council.
15. Where a member loses connectivity during a statutory vote, every effort will be made to re-establish a connection. If a connection cannot be restored within a reasonable timeframe every effort should be made to allow the member to vote by an alternative means agreed and set down in the standing orders, and the vote recorded accordingly.

Leaving a Remote Meeting

16. Members leaving the meeting should make every effort to inform the Cathaoirleach by the appropriate means that they are exiting the meeting to ensure there is a Quorum remaining and so that it is not presumed to be a loss in connectivity.

Declaration of Interests

17. Any Member participating in a remote meeting who declares a disclosable pecuniary or other beneficial interest, under Part 15 of the Local Government Act 2001, in any item of business that would normally require them to leave the room, must also leave the remote meeting, advising the Cathaoirleach and members at the time of departure and this shall be recorded in the minutes. Their departure will be confirmed by the Meetings Administrator, who will invite the relevant Member by agreed means set down in the standing orders to re-join the meeting at the appropriate time.

Attendance of Public and Media at a Remote Meeting (Section 45(3) Local Government Act 2001 – 2014)

18. Members of the public and media may be present at a remote meeting which is not webcast live but must maintain silence and observe any directions given by the Chair or by any employee in attendance.
19. Members of the media and public should give prior notice of joining virtually in accordance with agreed local arrangements. To manage numbers and attendance, the meetings administrator may consider utilising electronic invitations compatible with the platform in use.



20. Where the authority is webcasting live, attendance of public and media is via that means.



MEETINGS IN COMMITTEE

21. In line with the provisions of Section 45 of the Local Government Act 2001, the Council may by resolution decide to meet in committee for the whole or part of the meeting concerned.

22. Should the Council elect to meet in Committee for some or all of the meeting the Meetings Administrator or designated person will ensure that there are no members of the public or media in remote attendance or remotely accessing the meeting or are able to hear or see the proceedings once the exclusion has been agreed by the meeting.

Where the Council has by resolution decided to meet in committee for the whole or part of the meeting concerned, each member participating remotely has personal responsibility to ensure and confirm to the Meetings Administrator that there are no other persons present who are not entitled to be either hearing or seeing consideration of such items, and/or recording the proceedings, in accord

