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Local Government Association of Tasmania

# Remote Meeting Guide

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# 1 Introduction

## 1.1 Background and Context

Under the *Local Government (Meeting Procedures) Regulations 2015*, councils must meet at least once in each month (an ordinary meeting; section 4) and each meeting (ordinary or special, open or closed) must have an absolute majority of councillors present – in-person – to conduct any Local Government business at all (a quorum; section 11).

The purpose of a minimum number of elected representatives is clear: to ensure that decisions reflect democratic representation. However, the purpose of in-person attendance is implicit: it allows for smoother, more constructive meetings, for clear and fair management of meeting procedures, establishes attendee identities and reduces the opportunities for disruption. It also provides for easier public participation and transparency around the democratic decision-making process.

However, the outbreak of the COVID-19 pandemic has made meeting in-person a substantial transmission risk and a danger to public health, requiring extraordinary physical distancing measures to arrest the rapid spread of the virus. The Tasmanian Government has passed the new *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*, which amongst other things, allows council meetings not to be held in person and other actions that support the meeting process, such as electronic signatures.

The holding of a remote council meeting is conditional on an electronic recording of the meeting being made available to the public on the council website, and as far as reasonably practicable, being made available in real time.

This guide has been developed to assist council elected members and staff in setting up and conducting effective remote meetings.

## 1.2 Purpose

The purpose of this guide is to facilitate, to the greatest extent possible, remote council meetings that provide transparency and enable community participation during the COVID – 19 emergency. At the same time, its purpose is to ensure consistency with provisions of the Ministerial Notice, *Local Government Act 1993* and *Local Government (Meeting Procedures) Regulations 2015*.

The guidelines provide advice on good practice for remote meetings to support this purpose.

## 1.3 Supporting Legislation

This guide relates to, and intends to support compliance with, the following legislation:

- *Local Government Act 1993* (LG Act):
  - Section 18(3), council meeting procedures
  - Section 23 (3), council committee meeting procedures
  - NB. Councils may need to review and update their own procedures relating to Section 24(3)
  - Section 48 – Declaration of pecuniary interest by councillor
- *Local Government (Meeting Procedures) Regulations 2015*<sup>1</sup> (LGMPR):
  - Part 2 – Meetings

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<sup>1</sup> See: <https://www.legislation.tas.gov.au/view/html/inforce/current/sr-2015-038#HP2@HD1@EN>

- *COVID-19 Disease Emergency (Miscellaneous Provisions) Act 2020*<sup>2</sup> (COVID Act):
  - Part 4 – Reduction of Public Physical Contact
  - Notice under sections 18 and 19 – Tasmanian Government Gazette, Special Gazette 21963, 3 April 2020<sup>3</sup>

## 2 Preparing for Remote Meetings

### 2.1 Choosing a Remote Meeting Platform

Wherever possible, it is recommended to hold formal council meetings using an online web conferencing platform. There is an extensive range of platforms available, for example:

- Microsoft Teams: [teams.microsoft.com](https://teams.microsoft.com) or [download here](#)
- LogMeIn GoToMeeting: [www.gotomeeting.com](http://www.gotomeeting.com)
- Cisco WebEx: [www.webex.com](http://www.webex.com)
- Zoom: [zoom.us](https://zoom.us) (but note that Zoom has had critical security vulnerabilities in the past so an up-to-date version must be used: <https://www.windowscentral.com/zoom-vulnerability-can-leak-your-windows-login-name-and-password>)
- Skype or Skype for Business: [www.skype.com](http://www.skype.com)
- See this link for a more complete list and comparison:
  - [https://en.wikipedia.org/wiki/Comparison\\_of\\_web\\_conferencing\\_software](https://en.wikipedia.org/wiki/Comparison_of_web_conferencing_software)

Using telephone conferencing as the sole means of conducting a remote meeting is discouraged, as it lacks a range of functions that support a smooth and secure council meeting.

When selecting an online conferencing platform, look for the following features and functions to assist your meeting:

#### ***Checklist 1. Selecting a Conferencing Platform***

*Key functions:*

- Video teleconferencing** – to allow for more social cues in the meeting.
- Chat function** – to use for voting or to ask questions without interrupting the current speaker.
- Ability to control attendees** – to mute and unmute, dismiss from meeting, etc.
- Recording function** – so that the meeting can be efficiently shared publicly after the meeting.
- Platform security** – most popular platforms are constantly working on their security, however, vulnerabilities arise so getting up-to-date advice on platforms is important.

*Helpful, but less critical functions:*

- Screen sharing** – this allows the chair or technical facilitator to display the agenda, relevant reports or slides for all participants to follow.
- Live streaming** – for real time public viewing.
- Voting function** – for convenient tracking and recording decisions.
- Raise hand function** – to seek to speak without interrupting the current speaker.

Remember that pecuniary interests must still be managed in accordance with section 48-49 of the LG Act and sections 8 and 11 of the LGMPR. The remote meeting platform you choose should allow you to see who is currently participating and to both dismiss and re-admit attendees.

<sup>2</sup> See: <https://www.legislation.tas.gov.au/view/whole/html/inforce/current/act-2020-011>

<sup>3</sup> Tasmanian Government Gazette: [http://www.gazette.tas.gov.au/editions/2020/april\\_2020](http://www.gazette.tas.gov.au/editions/2020/april_2020)

## 2.2 Meeting Personnel – Technical Facilitator

In addition to the usual meeting personnel of a face-to-face meeting, including a quorum of councillors, a chairperson, and any minute taker and support staff, councils should also appoint a technical facilitator to troubleshoot connectivity issues or assist attendees in using the various functions of the chosen meeting platform.

A technical facilitator must be someone suitably familiar and proficient with the chosen meeting platform and should preferably be an IT professional. Even if the meeting chairperson is proficient with the chosen platform, it is still recommended that a technical facilitator is on hand to assist with connection problems. An executive assistant, minute taker or other meeting support staff might be able to assist with aspects of the software platform but may not have the skills needed to troubleshoot technical connectivity issues.

In addition to troubleshooting technical problems, the technical facilitator could also manage the control aspects of the chosen meeting platform, such as screen sharing, muting and unmuting attendees, dismissing attendees (such as for managing pecuniary interests in accordance with sections 48-49 of the LG Act), noting to the chair any chat items raised, etc.

## 2.3 Meeting Agenda

When preparing the meeting agenda, consider structuring the agenda in a manner that assists with smoother flow and dealing with matters conveniently. Meeting agendas should be simple, concise and only deal with matters that require attention or decision.

Most council meetings have some agenda items which are for information or noting, not decision. There are other possible ways to deal with these to keep formal online meetings concise and focussed. One suggestion would be to group together all items for noting, enabling the chair to deal with them all with a single motion after ascertaining with councillors if any need to be regarded separately on an exception basis. Another suggestion is to provide councillors and the public such reports outside of the meeting process – sharing via email and publishing on the council website at the same time as the Agenda goes out to provide for any questions with or without notice

After items for noting are dealt with, decisions items can be addressed individually. Items to be addressed while acting as planning authority in accordance with section 25 of the LGMPR can be addressed in the same manner and subsequent to other council business items.

Closed meeting items can be dealt with at the end of the agenda but note that meeting recording for the public and live streaming should be switched off at this stage.

➤ ***NB. Be aware that when switching meeting recording off and back on again, some platforms add the second recording to the same file as the first part of the meeting. This means that open and closed session recording can get mixed in the same file.***

Pecuniary interests must still be included in the agenda pursuant to section 8 of the LGMPR.

## 2.4 Written Notice of Meetings Not to be Held in Person

Although the COVID-19 Act and the associated Minister's notice vary the LGMPR to allow remote meetings in the approved manner, Section 18(3) requires that the method of hosting for the meeting be:

*“...determined by a notice in writing, that is, by a means specified in one of the above paragraphs, delivered, by the person who ordinarily presides over such meetings of the body*

*of persons, to each other member of the body of persons, unless it is not reasonably practicable to do so...”*

Essentially, this means that the chairperson (usually the Mayor, LGMPR section 10) must provide a written notice to each official participant of the method of hosting / the remote meeting platform. This section is explicit in allowing the notice to be via electronic mail. Most online web conferencing platforms will provide a meeting invitation with connection details; for convenience and compliance, these should be included in the notice. It's probably worth advising attendees at this point if the meeting will be recorded or live streamed. For expediency and the avoidance of doubt, it is recommended that the chairperson indicate that council meetings will be held remotely in the manner specified until further notice.

## 2.5 Home Office Setup

All meeting participants and support staff should select a suitable location to connect to the remote meeting. Meeting set up should generally try to achieve the following:

### Checklist 2. Optimising Home Office Setup

- Privacy – use a home office or private room, particularly for closed meetings. Avoid outdoor spaces with the potential to be overheard.
- Quiet – use a space that is free from background noise. Again, avoid outdoor spaces with no protection from noise intrusion.
- Device – utilise a modern device you are familiar with.
- Headphones - preference headphones or headsets over speakers wherever possible. Speaker noise can feedback into your microphone and create echoes for other participants. Speaker noise can be overheard and can present a confidentiality risk. Headsets/headphones with integrated microphones are more private and manage noise much more effectively.
- Webcam – video conferencing allows for better meeting participation and engagement.
- Microphone location – move your microphone close to you to pick up your voice and as far away from speakers as practical.
- Meeting materials ready – ensure you have the meeting agenda and note-taking tools at the ready, whether printed or paperless.

## 2.6 Meeting Etiquette – Participating Constructively

To assist in achieving a constructive and smooth flowing meeting, develop a set of rules to guide participants in contributing to the meeting. Send your rules around before the meeting and you may wish to repeat them at the outset or in the chat function at the beginning of the meeting. Below is an example of etiquette to guide online participation.

### Meeting Etiquette (Example)

- (1) **Connect early** – Please connect 5-10 minutes early to each session to test your connection and allow the meeting to run smoothly. Session start time is 10.00am.
- (2) **Reduce noise:**
  - (a) **Mute button on** – Keep your mute button on while you are not presenting or speaking. This will reduce background noise.
  - (b) **Use headphones instead of speakers** – Speakers can feed noise into your microphone and create an echo for all the other participants. If you can, please prefer headphones, dial in on your phone, or use a conference phone to call.
  - (c) **Microphone away from speakers** – if speakers are unavoidable.
  - (d) **Use the chat** – While chat should not be used to ask formal questions or provide formal answers, it can limit interruptions when there are questions related to technical issues or if seeking procedural clarification. Chat can be used for voting but there are some limitations that councils should be aware of related to that use – see voting. Chat can also be used to indicate you wish to speak to a matter.
  - (e) **Some platforms allow participants to raise their hand.** This can be a useful tool for the Chair in gauging whether someone wishes to speak and (with the same limitations as chat) can be used in voting.
- (3) **Don't panic!** – Moving to this format is a learning experience for everyone – and glitches are guaranteed! Please be patient.

For official business meetings, many authors recommend dressing to a remote meeting in the same way you would to a meeting in-person: in workwear<sup>4</sup>.

## 2.7 Practice Meeting

Before your first formal meeting, organise a practice run a day or more before the meeting to ensure everything can run smoothly and give participants a chance to familiarise themselves with the platform and its functions. In particular, run through the critical formal components of the meeting, such as motions and decisions, so that these can be completed fluidly on the day.

### Checklist 3. Checking Meeting Functionality:

- Connection** – check that everyone is able to connect through the chosen platform.
- Sound** – check everyone's sound quality, that they can hear and be heard without echoes.
- Mute** – check that everyone is able to locate and use the mute function.
- Video** – use video if the connection bandwidth and quality can support it, but turn it off if it is causing audio quality to decline.
- Chat** – check that everyone is able to locate and use the chat function and know what to use it for.
- Dismiss attendees** – check that the chairperson or technical facilitator is able to dismiss an attendee and re-admit them to the meeting, such as for managing pecuniary interests.
- Screen sharing** – check that you are able to share your screen and participants can see it.
- Record** – test that you can record your practice meeting.
- Key meeting processes** – test critical components of the meeting, including motions and decisions.

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<sup>4</sup> For example: <https://digitalready.tas.gov.au/blog/videoconferencing-etiquette-march-2020/>

## 2.8 Have a Backup Plan

Technical glitches happen – often. Make sure you are prepared to quickly troubleshoot connection problems and have a contingency plan in place. We recommend running the meeting itself on a quality, online conferencing platform but also keeping a phone number to the technical facilitator handy for all participants to deal with any connectivity issues. The chairperson should have alternative contact phone numbers and email addresses for all participants, should the meeting need to be moved to a teleconference.

# 3 Conducting Remote Meetings

Whether you are a participant, chairperson, or support personnel, conducting a remote meeting is not as fluid as meeting in person, so require special handling from all involved. This is especially important for formal council meetings with formal procedures to deal with conducting council business.

## 3.1 Chairing a Remote Meeting

The chairperson already has pivotal role in regular council meetings to facilitate the smooth transaction of council business, but this becomes all the more crucial in managing remote meetings. Consider the advice in the following sections to manage an efficient and effective meeting.

### 3.1.1 General Tips

#### (1) Prior to formally opening the meeting:

- (a) Check in personally on all attending councillors and support personnel to gauge both their connection quality and their readiness for the remote meeting.
- (b) Advise participants that the meeting is to be recorded and live streamed (if applicable).
- (c) Remind participants of the meeting etiquette and the phone number of the technical facilitator if they cannot resolve their own connection problems.
- (d) Advise participants of how voting will be done and collected.

#### (2) After formally opening the meeting:

- (a) Check attendance formally by roll call to be recorded in the minutes, identifying each elected representative. Support personnel in attendance should be noted.
- (b) Check and advise for the minutes that the meeting is being recorded and live streamed (if applicable).

#### (3) Assist participants' navigation through the meeting:

- (a) Share the screen of the chairperson or the technical facilitator, showing the meeting agenda.
- (b) Give constant opportunities for participants to keep up:
  - (i) Slow the meeting down and check in on participants;
  - (ii) Introduce each agenda item with the page number;
  - (iii) Call out each page number while moving through the agenda.

#### (4) Facilitate in-turn debate and discussion, but direct this only at appropriate points:

- (a) There may be multiple councillors speaking at once, provide opportunities to speak in turn;
- (b) Cycle discussion around all attendees;

- (c) Check in with participants before moving on from a point of discussion/debate;
  - (d) Check the chat box regularly for any points being raised or attendees waiting to speak.
- (5) Clarify any confusion at the time. If necessary, have the minute taker repeat the sequence of events in question for clarity and elected representatives to confirm. Do not proceed past decision items without resolving uncertainty first.

### 3.1.2 Motions, Debate and Voting (Sections 16-28)

The standard procedures of Part 2, Division 2 – Motions, and Division 3 – Voting, including debate procedures, continue to apply for remote meetings, but connecting remotely will make these more difficult. To manage multiple people attempting to speak at once you can either go around the group in orderly turns, or you can use the chat function of the remote meeting platform.

#### *Motions and Debates*

For motions and debates, simply going around the group seeking movers and seconders should operate sufficiently and give all attendees the opportunity to speak.

#### *Voting*

For voting, asking councillors to record their vote for or against in the chat function provides a clear and written response that is easy to tally. Furthermore, the recording function of most web conferencing platforms will also record the written chat responses, providing a very transparent public record. Collecting votes by the chat function could occur as follows:

**Voting through the Chat Function:**

Chairperson:        *[Speaking]* I now put the motion before the Council and ask Councillors to enter their vote in the chat as either ‘for’ or ‘against’.

*[Writing]* Voting on item 2.2.

Councillor 1:        *[Writing]* For 2.2

Councillor 2:        *[Writing]* Against 2.2

Councillor 3:        *[Writing]* For 2.2

Chairperson:        *[Writing]* For 2.2

Chairperson:        *[Writing]* Voting closed on 2.2

*[Speaking]* Thank you everyone for your votes. The motion is carried 3 to 1 in favour.

Where a council is providing public access to the Meeting via audio transmission or recording only, chat can still be used but the Chair should read the votes submitted by chat allowed so that there is transparency in the audio.

Voting by voice is still achievable, but votes will need to be taken one by one, by individually asking each councillor their vote for or against, with the responses tallied by the chairperson or support staff.

Voting using a show of hand requires all attendees to use video conferencing with a robust connection. Because of this, it is considered less reliable and is not recommended.

Voting by exception might be convenient but it can confuse abstaining votes and cause decisions to be questioned so is not recommended.

➤ ***NB. In tallying every vote, ensure all original attendees are still present and a quorum is maintained.***

### 3.1.3 Secret Ballot

Voting by secret ballot is very difficult using online platforms, so should be avoided if possible. If a secret ballot must be employed, then the chairperson can ask councillors to email through responses to the General Manager, who can report the outcome of the vote. All councillors must be able to access their email at the time of the ballot for this to function.

### 3.1.4 Public Question Time (Section 31)

The ability to field questions is hampered with remote meetings, so should be treated differently. In particular, section 31(2)(b) in Public Question Time gives the chairperson the discretion to invite any member of the public present at an in-person meeting to ask a question during the meeting. This is very difficult to facilitate in a fair and orderly manner. To deal with this, the council may wish to relax the requirement of section 31(1) to provide written notice of a question from 7 days down to 2 days before the meeting.

Councils should clearly publicise any revised approach to public question time.

### 3.1.5 Dealing with Technical Difficulties – Adjournment and Abandonment

Connection problems and technical difficulties are extremely common, so expect them to arise. Have your technical facilitator at the ready to resolve issues.

Always be aware of your quorum requirement of the LGMPR (section 11) to transact council business, especially during items for decision, for example:

- What is your absolute majority / the minimum number of councillors you need to take a valid vote?
- If councillors drop connection but you still have a quorum, how long will you wait for reconnection before proceeding?
- If councillors drop connection such that you lack a quorum, how long will you wait before:
  - Adjourning (section 13)?
  - Abandoning the meeting (section 12)?

There are no clear rules to determine these circumstances, but LGAT recommends, for example, the following:

Circumstance	Action
Councillor loses connection but quorum remains	<ul style="list-style-type: none"> <li>❖ Record instance in minutes and:               <ul style="list-style-type: none"> <li>➤ Items for noting: proceed</li> <li>➤ Items for decision: allow up to 5 minutes for reconnection, then proceed.</li> </ul> </li> </ul>
Councillor loses connection causing quorum to be lacking	<ul style="list-style-type: none"> <li>❖ Record instance in minutes, and</li> <li>❖ Wait 10 minutes for reconnection before adjourning for 20 minutes;</li> <li>❖ Take a role call before adjourning for the minutes;</li> <li>❖ Reconvene after 20 minute adjournment; if quorum still lacking, abandon the meeting.</li> </ul>

### 3.1.6 Dealing with Pecuniary Interests and Conflicts of Interest

Managing pecuniary or conflicts of interest and ensuring that they do not impact council decisions must still occur, as required by sections 48-49 of the LG Act and sections 8 and 11 of the LGMPR and Council's Code of Conduct. Councillors with a pecuniary interest or conflict of interest in respect to an item on Council's meeting agenda must not participate in debate or voting on that matter. The chairperson must use their chosen conferencing platform effectively to be aware of who is currently participating in the meeting and to dismiss (using the platform tools) any attendees with a pecuniary interest if they are having difficulties leaving the meeting themselves.

Once that part of the meeting is dealt with, the excluded councillor(s) may be re-admitted to the meeting. You may need to notify the councillor(s) when they are able to reconnect to the meeting, so using a mobile phone message or phone call may be the best way to notify them.

### 3.1.7 Closed Meetings (Section 15)

The usual procedures of LGMPR section 15 apply for closed parts of meetings. However, the chairperson should ensure live streaming is switched off and public meeting recording is stopped.

Councillors must be extra vigilant when moving into a closed meeting that they cannot be overheard by members of their household.

## 3.2 After the Meeting

Once the meeting is finished, turn off live streaming and meeting recording. The meeting organisers and facilitators may wish to stay online to follow up any meeting issues and actions required. There are two main ways to do this:

- (1) The best and safest way to do this and ensure privacy is to completely close the current meeting and begin an entirely new one with the relevant people.
- (2) Alternatively, you can stay online in the current meeting, which has more potential for privacy to be breached. Wait for everyone not involved in the follow up meeting to disconnect and use your meeting controls to dismiss any connections that should not be participating.

Meeting minutes are to be treated in the same way, as stipulated by Part 2, Division 5 (Minutes) of the LGMPR.

It is recommended the meeting organisers and facilitators check in with the meeting attendees at some point after the meeting to gauge their experience of the remote meeting format and seek feedback for improvement.