

GOVERNANCE AND AUDIT COMMITTEE

20 October 2020

Present:-

Councillor Nick Barlow, Councillor Paul Dundas,
Councillor Mark Goacher, Councillor Sam McCarthy,
Councillor Chris Pearson (Chairman), Councillor Dennis
Willetts, Councillor Barbara Wood

Also Present: -

227. Local Government and Social Care Ombudsman – Annual Review Letter 2019/2020

Andrew Weavers, Strategic Governance Manager, attended to present the report and assist the Committee with their enquiries. The Committee heard that there had been no public interest reports issued, and only one complaint upheld by the Local Government and Social Care Ombudsman (the Ombudsman) with one key service improvement recommendation, which had been agreed and completed. Andrew drew the attention of the Committee to the fact that during 2019/2020, the Council had been contacted 210,377 by members of the public, and that in contrast to this only twenty complaints had been received by the Ombudsman during the same period.

Councillor Pearson commented that it was useful to see how the Council was performing in terms of complaints, and to be able to compare performance against that of other Local Authorities of similar size. Councillor Willetts expressed his pleasure at the low number of complaints that had been received across the County, and commented that it was heartening to see how well Local Authorities were performing.

RESOLVED that the contents of the Local Government & Social Care Ombudsman's Annual Review Letter for 2019/2020 be noted.

228. Health and Safety Report 2019/20

Carl Free, Corporate Health and Safety Officer, attended to present the report and assist Members with their enquiries. The Committee heard that the Health and Safety Policy had received no fundamental changes, save for being updated to reflect changes in the organisational structure of the Council. Carl explained that

there had been a number of changes in the ways of working during the year due to the Covid pandemic, but that scheduled work on audits and other health and safety matters had still be carried out, so far as was possible. With regard to the response to Covid, the Committee heard that it had been necessary to produce documentation, templates and guidance to be distributed to various Officers and teams across the Council. Carl had provided support and updates to the Covid Strategic and Operation Group, and also increased health and safety training to redeployed staff in critical areas. He had managed centrally the provision of Personal Protective Equipment (PPE) to staff across the Council, and as a result of this all staff had the correct PPE needed at all times. Considerable work had also been undertaken to make Council sites such as offices and Leisure World as Covid secure as possible in order to allow the safe return of staff and customers.

The Committee heard that lone working protective devices were in use, allowing staff to alert colleagues if they were in distress through the push of a button on these devices. The use of a smartphone app for this purpose had also been trialled with positive feedback. An internal audit had been undertaken of the health and safety function, and the Health and Safety Team had achieved reasonable assurance.

Carl explained that due to the current situation, the health and safety induction training for new employees had been moved to an online course, to ensure this was still offered, and that first and manual handling training had continued to be delivered to all staff requiring this.

With regard to incidents reported concerning serious injuries to staff or members of the public, these had stayed low, and only two had been received this year concerning a 'slip and trip' incident and an asthma attack. The importance of staff wellbeing was highlighted as a priority in the updated People Strategy, particularly at the current time.

Councillor Willetts counselled that although the Council had a robust Health and Safety Policy which protected members of staff and members of the public, it was necessary to keep this under review as the years went by to ensure that what was in place ten years ago was still suitable today. He was pleased with the low level of incidents being reported, as well as the work that had been put in place due to the Covid pandemic, which demonstrated how good practice would be carried on under the current difficult circumstances. In general terms, Councillor Willetts expressed his opinion that health and safety matters seemed be well in hand, and praised staff for their diligent work.

Councillor Dundas queried how health and safety for staff was being managed now that the majority of staff were working from home, and what message was being given to staff to ensure that they were supported as fully as possible. In response, Carl Free explained that although the Council did not have direct control of people's homes as workplaces, the staff survey recently carried out in May demonstrated that ninety seven percent of staff agreed or strongly agreed with the statement "I know how to keep safe and healthy at home during the Covid pandemic. A further survey had just finished which was intended to capture the current picture, and indicated that in some areas staff were slightly less happy. Carl confirmed that once the survey

responses had been analysed, action would be taken to address any concerns raised.

Councillor Pearson enquired whether home working guidance had been issued, and whether all staff working from home had undertaken a risk assessment of their home working environment and any equipment that they had. Carl confirmed that all staff working from home had been required to fill in a display screen environment assessment which included the working environment as a whole, and that general safety guidance had also been issued. Staff were also supported by a wellbeing group which met regularly to discuss any ideas and concerns, and a number of initiatives had been put in place to assist staff, and further detail of all the support offered was contained in the People Strategy. Dan Gascoyne, Chief Operating Officer, confirmed that senior management at the Council were acutely aware of the need to work harder to stay in touch with staff in the present climate, and it was important to keep surveying staff to monitor how people were feeling, and offer any support necessary; particularly as it had been recognised that current working environments lacked the usual social contact and interaction. Dan praised the hard work that had been undertaken by Carl in response to the Covid crisis to ensure that staff were kept as safe and up to date as possible.

In Summary, Councillor Pearson noted that it was pleasing to see there had only been a couple of serious incidents reported in 2019/2020, but requested that in future consideration be given to including statistics on all incidents reported to give an indication of the more general position.

RESOLVED that the Health and Safety report for 2019/20 be noted, and Health and Safety Policy for 2020/21 be approved.

229. Review of Remote (Digital) Council Meetings

Andrew Weavers, Strategic Governance Manager, attended to present the report and assist the Committee with their enquiries. The Committee heard that the report had been prepared prior to the majority of Essex being placed into the Government's high level 'Tier 2' restrictions in relation to the Covid-19 pandemic, however, it was felt that this served to emphasise the recommendations contained within the report. In the future the safety of Councillors and Officers had to be of paramount importance, and concerns around the health of Officers and Councillors should be taken into account when considering the need for face to face or hybrid meetings at the time being.

The Committee were advised that carrying out remote meetings was authorised under Regulations introduced in April 2020, however, these are due to expire on 6 May 2021 unless extended by the Government. Andrew considered that Local Authorities should have the flexibility to continue to hold meetings remotely beyond this date, as it looked as though remote meetings would be a necessity for the duration of the current municipal year.

The Committee were reminded that public meetings were currently being held using Zoom, and broadcast to the public via the Council's YouTube channel. As part of the review of these remote meetings, a survey of Councillors, Officers and the public had been undertaken, leading to responses from thirty two Councillors and thirteen Officers, but sadly no responses from members of the public, despite the deadline for responses having been extended. Despite the lack of public response, it was pointed out that levels of public engagement with Council meetings was higher than ever before. The results of the Councillor and Officers surveys had been collated in the report, and Members were advised that overall there had been a positive reaction to remote meetings, together with the work that had been undertaken by the Democratic Services and IT teams. Drawing some key statistics from the survey responses demonstrated that overall, sixty three percent of Councillors were in favour of remote or hybrid meetings, with ninety percent of responses indicating that the correct equipment possessed to allow participation in remote meetings. Andrew noted that some references had been made to the provision of a second computer screen for Councillors to assist their participation in remote meetings, confirming that this would be arranged any Councillor who wished it. Continuing to look at the results of the survey, eighty eight percent of Councillors felt that they had received sufficient training to enable them to participate in remote meetings, and additional training would be made available for any Councillor who requested it.

With regard to the Have Your Say! arrangements at remote meetings, the Committee heard that these were working well, including where representations were being made on behalf of third parties. It was suggested that the ability to contribute remotely to all meetings should be retained in the future.

The attention of the Committee was drawn to the viewing statistics for public meetings which were contained within the report. It was pointed out that a comparison to the number of listeners to the audio broadcasts of meetings from the previous year, revealed a rise of sixty four percent when compared with the number of views of remote meeting broadcasts.

With regard to behaviours in meetings, seventy two percent of Councillors felt that the Remote Meetings Protocol was helpful. Some areas of concern had been highlighted, for example Members disappearing from their screens during a meeting, and although some of the issues were addressed by the Protocol, the Committee may wish to consider how this would be refined further to provide greater assistance.

The move to providing only digital agendas had been a success, with significant savings made on printing, and the provision of only digital agendas would continue in the future, unless there was a demonstrable need for a printed agenda document to be provided for individual Councillors.

It was proposed that Committee briefing meetings should continue to be held remotely as a matter of course, but that individual Committee Chairs should retain the flexibility to be in a room with Officers if necessary during a meeting if the business being dealt with was complicated or the meeting had a particularly large number of participants.

The mechanisms used for taking decisions in remote meetings were considered, and the Committee heard that formalising decisions taken in meetings potentially presented its own problems, particularly when all participants were not visible on the screen at the same time. It was suggested that the rules be revised to consider when a named vote was required, or when a decision could be taken less formally.

It was pointed out to the Committee that, with a couple of notable exceptions, the length of meetings had only increased by a small amount on average, and the majority of Councillors who responded to the survey felt that the current times allowed for breaks were adequate. In spite of this, sixty nine percent of Councillors felt that the current maximum of four hours for a meeting was too long, and the Committee was invited to consider whether any change in the rules was appropriate.

It was suggested that Officers undertake further work on the potential provision of more sophisticated equipment to further support ongoing remote or hybrid meetings, with a further report on this subject to be presented to this Committee in due course, However it was noted that there was currently no budget available to fund this.

In conclusion, Andrew recommended that the Authority continue with remote meetings but keep them under review. Hybrid meetings were an option for the future, provided health and safety concerns could be dealt with, and Officers and Councillors were happy to attend these. Hybrid meetings were, however, not being recommended at this time.

Councillor Pearson expressed his thanks to Officers for the work undertaken in getting the remote meetings running so smoothly, and he remarked on the importance of the etiquette of remote meetings and presenting to the public and colleagues in an appropriate manner.

Councillor Goacher confirmed that he would support all the six proposals contained within the report, and he felt that the Council should not return to 'in person' meetings during the current Covid situation, although he would support hybrid meetings in the future. Speaking strictly of a time post-Covid, Councillor Goacher did express some concerns around the ability of all residents to be able to use technology to access remote meetings, and commented that remote meetings also removed some of the social, collaborative and ceremonial aspects of more traditional public meetings. Having studied the report, Councillor Goacher confirmed that he was particularly pleased with the level of engagement with public meetings via YouTube, with some meetings having been viewed hundreds of times, which was far in excess of attendance for physical meetings. Councillor Pearson supported the comments made, and he would support some meetings being carried out remotely ad infinitum where this was appropriate.

Councillor Dundas agreed with Councillor Goacher's comments, and he felt it important that in the future at least meetings of full Council were held in person as this would only be five times a year and would show the public some of the work of the Council. He consented that any future meetings would be dependent on government guidance following the ending of the current regulations on 7 May 2021. Councillor Dundas confirmed his support for the recommendations in the report, and

commented on some of the survey outcomes, explaining that he did not feel that remote meetings were necessarily longer, and noting that remote meetings seemed to be more popular with Officers than Members.

Councillor Pearson added his support to a review of the equipment being used and provided to Councillors and Officers with the intention of ensuring that participation in remote meetings was as easy as possible.

Councillor Willetts confirmed to the Committee that he would be happy to continue with remote meetings for ever and suggested that the Council lobby government as strongly as possible to ensure that this was possible in the future. He expressed his belief that the way that Local Government carried out business would change fundamentally in the future, particularly in areas like Colchester which included large rural areas with Councillors who had to journey some distance to attend physical meetings. He reminded the Committee that the purpose of any Committee was to take decisions, and not to provide entertainment, and he suggested that increased viewing of meetings should not necessarily be taken as an indication of successful governance. Councillor Willetts went on to express sought assurances as to how remote meetings would work with professionals attending and actively participating in the meeting. He further enquired whether the Protocol could be revisited to clarify whether or not Councillors were required to have their cameras on throughout the entirety of a meeting, citing examples where Councillors may wish to turn their cameras off by way of protest at a point being made in a meeting. He confirmed that he was an advocate of holding more frequent meetings remotely as these did not place the same strain on Officers and Councillors with regard to travel time, but that the more frequent meetings should then be shorter in duration. Councillor Willetts final point was to urge consideration be given to a more formal webcast system if there was ever a return to formal meetings, and that budget issues should not stop the Committee supporting this.

Councillor Pearson noted the comments about the length of meetings, and he raised the potential health issue of spending too long in front of a computer screen, suggesting that it may be more appropriate to introduce a break in meetings after ninety minutes.

Councillor McCarthy expressed his strong disagreement with points previously made that remote meetings should continue forever, as he felt that wholly remote meetings were damaging to democracy and decision making, which was better done in person or via hybrid meetings, once this was possible again. He also addressed points previously made about the length of meetings, and he felt that meetings were not too long, and there had only been two meetings which had approached the four hour mark, with the average meeting being about two hours in length, which was appropriate. Councillor McCarthy further requested that an additional report on remote working be presented to this Committee in March 2021, to re-evaluate the position in the light of the situation at that time.

Councillor Barlow suggested that the change in the way meetings were being held would lead to a change in the way that they were expected to be held in the future. With many people now used to remote meetings for their work, careful consideration

was needed to determine which business needed to be dealt with in person, and which could be dealt with remotely, and the Council would need to adapt to people's changing expectations. He supported the use of remote meetings for briefings, and suggested that the use of the 'chat function' contained within remote meeting software should be considered during public meetings, as this may enable simple questions to be asked and answered quickly without having to interrupt the main meeting. He also considered that ways of voting in remote meetings should be considered to potentially avoid the need for taking a roll call of Members each time a decision was required which could be time consuming, particularly in a Full Council meeting.

Andrew Weavers confirmed that he did not envisage a complete return to meetings in person after the pandemic, but rather considered that a form of hybrid meetings should be adopted to allow those Members who wished to, to attend in person. This would also allow Officers and members of the public to address the meeting remotely, and in offering more flexibility would allow greater participation in Council meetings.

RECOMMENDED to Full Council:

- (a) All meetings continue to be remote (digital) by default and hosted via Zoom and live streamed by YouTube for the remainder of this municipal year. However, this be kept under review in the light of evolving Government guidance and legal requirements.
- (b) All briefings for committee and panel chairs and group spokespersons be held remotely.
- (c) The possibility of hybrid and face to face meetings be considered when both Government Guidance and legislation permits and following a Covid- 19 health and safety risk assessment for each meeting.
- (d) Chairs of meetings retain flexibility to determine how formal votes are conducted taking into account the following principles:-
 - (i) Non-controversial items be agreed by the chair asking participants to indicate verbally whether anyone is against a proposal.
 - (ii) Where the subject matter is controversial or relates to a quasi -judicial matter, a roll call of councillors be taken to ensure transparency.
- (e) Chairs of meetings retain the option of being physically present with officers when required, suitably socially distanced, whether it be due to procedural complexity of the meeting or of the nature of business to be transacted.
- (f) Government be lobbied to extend the Regulations to enable remote and hybrid meetings to continue beyond May 2021.

230. Work Programme 2020-2021

Matthew Evans, Democratic Services Officer, attended the meeting to present the report and assist Councillors with their enquiries.

The Committee discussed the comments made by Councillor McCarthy during the meeting, and requested that a further report be brought to this Committee at its meeting in March 2021, focussing on an update on the Remote Meetings Protocol, the provision of equipment and a general overview of the current situation.

RESOLVED that the work programme be approved, subject to the addition of a further Review of Remote Working report to the agenda for the meeting in March 2021.