

Protocols for Council & Committee Meetings, Briefings & Information Sessions by Electronic Means

Procedure Number	PRO-PROCMV3
File Number	9/PRO/PROCMV/2
Responsible Officer	Chief Executive Officer
Adopted	21 April 2020
Last reviewed at Council Meeting	18 January 2022
Minute Number	21254/2
Due date of next Review	November 2022

1. Preamble

- 1.1 In accordance with the variations made to the [Local Government Act 1999](#) and [Procedures at Meetings Regulations 2013 by the Electronic Participation in Council Meetings Notice \(No 1\) 2020](#) (the Notice), a Member may participate in a Council or Committee meeting, briefing or information session by electronic means.
- 1.2 The Notice states that where audio and visual connection are available, both must be used for the duration of the meeting, with the exception of leaving the meeting for a Conflict of Interest.
- 1.3 Meetings must still be conducted in line with the current provisions as follows:
 - 1.3.1 [Local Government Act 1999](#)
 - 1.3.2 [Local Government \(Procedures at Meetings\) Regulations 2013](#)
 - 1.3.3 [Code of Practice for Access to Council & Committee Meetings & Documents](#)
 - 1.3.4 [Council Members Code of Conduct](#)
- 1.4 The following protocols have been developed to assist Members during individual electronic participation using an audio-visual connection to participate via electronic means in a meeting, briefing or information session.
- 1.5 Please note, if a Member is attending a Council meeting room with a designated audio-visual connection, the Member will participate in the meeting just as they would if they were in physical attendance, with the exception that they must raise their hand to register their desire to speak and vote, as specifically detailed in the sections below.

2. Definitions

- 2.1** **Electronic means** includes a telephone, audio-visual connection, computer or other electronic device used for communication;
- 2.2** **Member** means an Elected Member of Council, or a appointment member of a Council Committee.

3. Form of Participation by Electronic Means

Where

- a) a Member is to participate in a council meeting, information or briefing sessions by electronic means; and
- b) the electronic means has the functionality to allow the Member to participate in the meeting by being heard but not seen or by being both seen and heard; and
- c) the electronic means of Council has the functionality to allow the Member to be heard but not seen or to be both seen and heard,

the Member must participate by being both seen and heard.

4. Roll Call, Attendance, Apologies and Leave of Absence

- 4.1 The Presiding Member will open the meeting and will verbally confirm each Members attendance. Members will verbally respond when called.
- 4.2 In line with the new provision, the means in which a Member “attended” a meeting will need to be recorded within the Minutes of the meeting. i.e.:
[Note: All Members attended the meeting via audio-visual connection, with the exception of the Mayor who attended in person.]
- 4.3 Advice of Apologies and Leave of Absence will remain the same.

5. Alerting the Presiding Member to Participate in the Meeting

- 5.1 Members attending a Council meeting room with a designated audio-visual connection, should physically raise their hand to indicate their desire to speak.
- 5.2 If a Member is attending the meeting via an individual audio-visual connection, they should physically raise their hand to indicate to the Presiding Member should they wish to:
 - State a Conflict of Interest
 - Move or Second a Motion
 - Move an Amendment
 - Vary a Motion
 - Debate
 - Ask a Question
 - Provide a Personal Explanation
 - Raise a Point of Order
 - Call a Division
- 5.3 Following the raising of a Member's hand, the Presiding Member will indicate whose turn it is to speak as per normal meeting procedures.

6. Voting

- 6.1 When the Presiding Member calls for the vote, Members in favour of the motion will physically raise their hand to indicate their vote.
- 6.2 If all Members raise their hands the Presiding Member will call the vote as Unanimous.
- 6.3 If the vote is not Unanimous, the Presiding member will request Members voting against the motion to raise their hands.
- 6.4 The Presiding Member will call the vote as Carried or Lost.



7. Divisions

- 7.1 If a Member attending via an individual audio-visual connection wishes to call a Division, they should indicate this by physically raising their hand and stating they wish to call a Division.
- 7.2 The Presiding Member will then ask:
 - 7.2.1 For all those in favour of the motion to physically raise their hand. The Presiding Member, taking into consideration show of hands from the Members attending a Council meeting room with a designated audio-visual connection and those attending via an individual audio-visual connection, will confirm verbally those members in favour, and
 - 7.2.2 For all those against the motion to physically raise their hand. The Presiding Member, taking into consideration show of hands from the Members attending a Council meeting room with a designated audio-visual connection and those attending via an individual audio-visual connection, will confirm verbally those members against.
- 7.3 Once the vote is counted the Presiding Member will call the outcome of the vote.

8. Leave of the Meeting

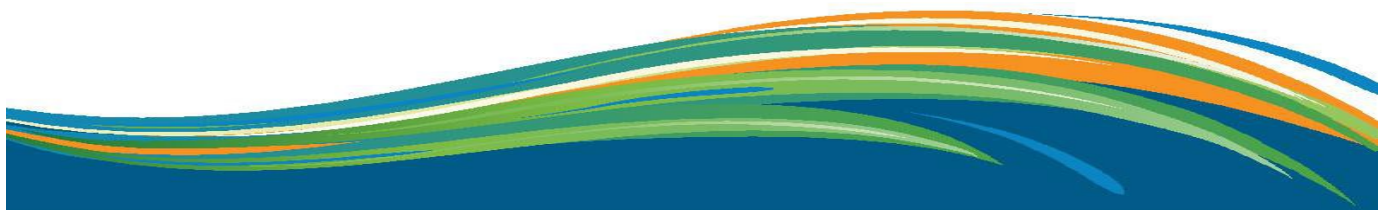
For a Leave of the Meeting, the Presiding Member will ask for “all those in favour” to physically raise their hand. Members are to leave their hands raised until such time as the Presiding Member confirms “leave was granted/not granted”.

9. Conflicts of Interest

- 9.1 If a Member is attending via an individual audio-visual connection, it is preferred that Members physically raise their hands to declare a conflict interest at the beginning of an Item. If this is not practical and needs to be declared immediately to ensure that the Member is not involved within the Item debate, the Member is to politely interrupt business by turning on their microphone to bring their conflict to the Presiding Member’s attention.
- 9.2 If a Member needs to leave the meeting due to a material conflict, or because they intend to deal with an actual or perceived conflict in the same manner, the Member must leave the meeting by disconnecting from the electronic means, so that they cannot view or hear any discussion or voting **and** must not view or listen to the discussion or voting via any live stream or recording of the meeting.
- 9.3 Those Members attending a Council meeting room with a designated audio-visual connection, should leave the room as they would at a normal meeting.
- 9.4 Refer “On-Hold” instructions below which will address this requirement to “disconnect” (logout) of a virtual meeting (Section 74(7)(c)).

10. “On Hold” in Zoom

- 10.1 Addressing a Conflict of Interest using Zoom requires the Meeting Host to place a Member “On Hold” temporarily.
- 10.2 The process to put a member “On Hold” will be managed by a dedicated Meeting Administrator and this role will be undertaken by a Council staff member as a Meeting Host/Co-Host.
- 10.3 When the Meeting Administrator places a Member “On Hold”, it removes them from the current discussion.
- 10.4 The Member **will not** be able to hear or see the other Members nor the other Members see or hear that Member until the Meeting Administrator admits the Member back into the meeting again.
- 10.5 A Member should be prepared to be admitted back into the meeting as this will happen automatically and without notice.



- 10.6 A Member **SHOULD NOT close out of Zoom**, as they will not be able to return to the meeting.

11. Deputations

- 11.1 The application process for a deputation will be in accordance with Council's [Deputation to Council Policy](#).
- 11.2 Deputies will be encouraged to join a meeting virtually and to use audio and visual, if this is available to them.
- 11.3 Alternatively, and by arrangement only, a Deputy may attend a Council meeting room with a designated audio-visual connection to allow the deputation to be made.
- 11.4 A Deputy will be admitted into the meeting temporarily to conduct their deputation. The Members will be able to ask Deputies questions and this can be done by alerting the Presiding Member by physically raising their hand.
- 11.5 Once the deputation has been completed, the Deputy will revert back to an attendee (no ability to interact in the meeting).
- 11.6 Deputation notes can be provided prior to the meeting or forwarded at a later time for inclusion in the Minutes.

12. Presentations

- 12.1 Presenters will be invited to the meeting and will be admitted into the meeting temporarily to undertake their presentation.
- 12.2 Alternatively, and by arrangement only, a presenter may attend a Council meeting room with a designated audio-visual connection to allow the presentation to be made.
- 12.3 The Members will be able to ask the presenter questions, and this can be done by alerting the Presiding Member by physically raising their hand.
- 12.4 Once the presentation has been completed, the presenter will revert back to an attendee (no ability to interact in the meeting).

13. Confidential Items

- 13.1 Confidential Items will proceed as normal. Zoom Webinar has the ability to excuse members of the public (attendees) to “lock” a meeting, where an Item is resolved to be heard in confidence. Once a meeting is “locked” attendees will be unable to re/enter the meeting.
- 13.2 The Presiding Member will excuse attendees and the Meeting Administrator will “lock” the meeting.
- 13.3 If a Member is attending via an individual audio-visual connection, they must ensure that no other person is able to have access to the audio or visual elements of the confidential discussion.
- 13.4 Confidential items will not be recorded, and the Meeting Administrator will be advised when the recording is paused in order for the confidential discussion to commence.

14. Leaving and Resuming During a Meeting

- 14.1 The Meeting Administrator will monitor movement for attendees via electronic means, and advise the Minute Secretary. Members may leave a meeting in the same sense and resume as required.
- 14.2 Members will be taken to have left their seat if they are no longer visible via their audio-visual connection.
- 14.3 Members must not turn off their visual connection during a meeting, including if they temporarily vacate the meeting.

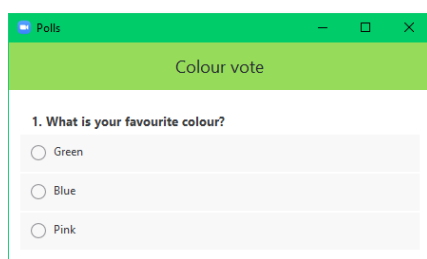


15. Adjournment of a Meeting

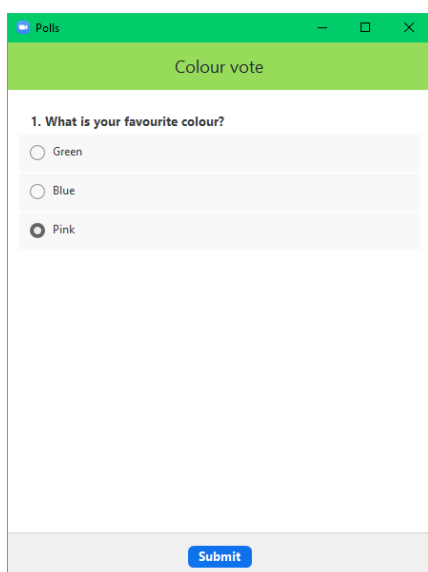
- 15.1 This be in accordance with the *Local Government (Procedures at Meetings) Regulations 2013*.
- 15.2 As in the instance of Members leaving a meeting, microphones will remain muted and videos will remain on. The live minutes will reflect the Adjournment for a break in line for the nominated adjournment time.
- 15.3 Members will be expected to resume their seats at the conclusion of the adjournment time whereby the Presiding Member will seek a motion to resume the meeting.
- 15.4 If a Member is not visible when the meeting resumes, the normal process of recording them taking their seat at the nominated time (once visible) will be made in the minutes.
- 15.5 If a Member attending by an individual audio-visual connection, intends to leave the meeting permanently at any stage during a meeting, the Member should physically raise their hand to alert the Presiding Member of their intention.
- 15.6 The Member can then disconnect from the meeting by clicking on the Leave Meeting button.

16. Council Appointments/Ballots

- 16.1 Council appointments to external bodies and ballots will be conducted using the Polling function in Zoom for those Members attending via an individual audio-visual connection, (to be managed by the Meeting Administrator); and via normal ballot for those Members attending a Council meeting room with a designated audio-visual connection.
- 16.2 To use the Polling function, ballots can be non/anonymous, multi-pick or single choice.
 - 16.2.1 The Meeting Host will create a poll, it will appear on the screen:



- 16.2.2 The Member will then make the selection and then click Submit.



- 16.3 Alternatively, if the Polling function is not utilised, an electronic ballot will be conducted via email, with Members confidentially emailing the Minutes Secretary who will collate the physical

and electronic votes.

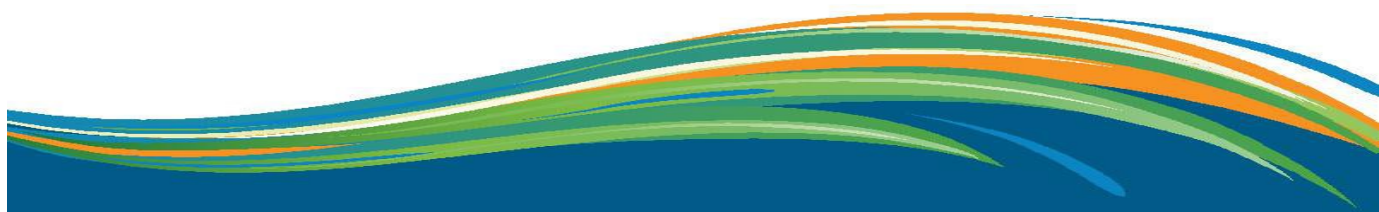
- 16.4 Once the vote is counted the Presiding Member will call the outcome of the vote.

17. Information or Briefing Sessions

- 17.1 Members may participate in an information or briefing session by electronic means (an *electronic information or briefing session*).
- 17.2 A member of the Council or Council Committee participating in electronic information or briefing session is taken to be present at the information or briefing session provided that the member:
- a) can hear all other members present at the information or briefing session; and
 - b) can be heard by all other members present at the information or briefing session.

18. Publication and Retention of Recorded Livestreamed Meeting

- 18.1 Pursuant to Council's [Code of Practice for Access to Council & Committee Meetings & Documents](#) meetings and information or briefing sessions conducted via electronic means will be livestreamed and recorded for access by the public from Council's [website](#).
- 18.2 Recordings of items will not be made where the meeting has resolved that the matter be dealt with in confidence under section 90 of the *Local Government Act 1999*.
- 18.3 The recordings of all proceedings of Council are retained for a period of **six (6) months** from the date which each such recording was made.
- 18.4 Individual opinions or statements made during the course of the Council meetings are not the opinions or statements of Council.
- 18.5 Following any meeting, the Presiding Member and the Chief Executive Officer have the discretion and authority to direct the exclusion of all or part of any meeting recording that are considered inappropriate to be published.
- 18.6 Material considered to be inappropriate may include, but is not limited to material that may:
- Be defamatory
 - Infringe copyright
 - Breach the privacy of an individual or unauthorised disclosure of the personal information of an individual
 - Be offensive
 - Constitute discrimination
 - Constitute racial hatred or vilification, if based on the race, colour, national or ethnic origin of a person or group of people, and is likely to offend, insult, humiliate or intimidate
 - Disclose confidential or privileged information
- 18.7 In the event of an edited copy being placed on the Council's [website](#), Council will indicate that it is an edited recording. Council will also retain a copy of the unedited meeting livestream.



19. Safety and Security

- 19.1 If a Member is attending via an individual audio-visual connection, they are reminded to:
- 19.1.1 Be aware of their background, ensuring that it is of a professional standard, and there is nothing of value visible or providing hint to their location, if private.
 - 19.1.2 Keep personal effects, such as photograph or paperwork, hidden from view.
 - 19.1.3 Occupy a quiet space with adequate lighting which is without interruptions/background noise, and can be closed if the meeting goes into confidence.

20. Procedure Responsibility

The Chief Executive Officer is responsible for ensuring the proper operation of this Procedure.

21. Availability/Accessibility

- 21.1 This Procedure is available to be downloaded free of charge from Council's website: www.mid-murray.sa.gov.au.
- 21.2 This Procedure is available for inspection at Council's principal office during ordinary business hours. Hard copies, for a fee in accordance with Council's schedule of [Fees & Charges](#), can be provided upon request.

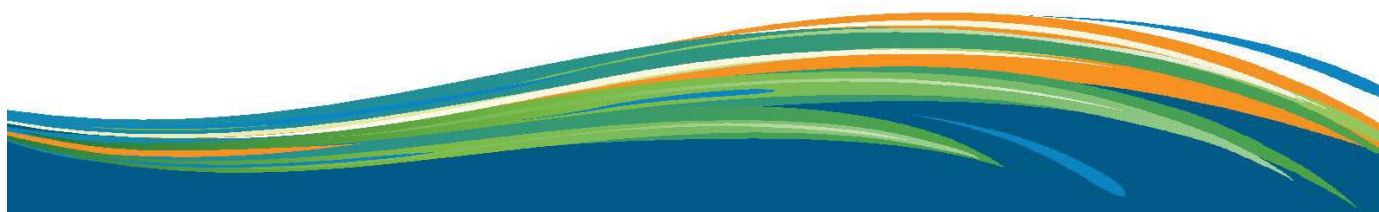
22. Legislative Framework / Other References

- 22.1.1 [Local Government Act 1999](#)
- 22.1.2 [Local Government \(Procedures at Meetings\) Regulations 2013](#)
- 22.1.3 [Code of Practice for Access to Council & Committee Meetings & Documents](#)
- 22.1.4 [Council Members Code of Conduct](#)

23. Document History

This Policy shall be reviewed at least every four (4) years or more frequently if legislation or Council requires.

Version	Adopted	Minute	Description of Change
1	21 April 2020	20925/1	Adopted
2	12 May 2020	20939/2	Minor amendments to reflect voting practices, and the removal of reference to the 'raise hand' function. Clarity over Council's provisions for livestream and recordings, pursuant to the Code of Practice for Access to Council & Committee Meetings & Documents.



3	18 January 2022	21254/2	<p>Inclusion of information and briefing sessions as matters to be conducted and recorded via electronic means.</p> <p>Amendments to reflect practical arrangements for conducting meetings and information and briefing sessions via electronic means.</p>
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