An update for SOLACE on …

Transitioning to the new normal:
Political Governance

Introduction

This is a follow up to a paper produced in May, summarising key findings and observations on the political governance arrangements in place in Scottish councils. This paper has been produced as it was recognised many councils were exploring options for new arrangements when information was being collated for the original report in May and that an update post summer recess would be helpful.

In the original paper, we proposed updating Appendix A following the summer recess and again at the end of the year as the 'new normal' becomes clearer. It appears the arrangements in place currently will broadly remain so until the end of the year. Given the recent rise in COVID-19 cases and the unlikely move to Phase 4 in the Scottish Government's route-map through COVID, we expect the current arrangements in most cases will continue to be needed into 2021.

As such, we propose taking stock of the arrangements after moving to Phase 4 of the route-map.

Methodology

We collated this information by reviewing council papers and websites, and from responses by officers to requests for information. A summary of the collated information can be found at Appendix A.

Changing picture of political governance arrangements

The overall finding is that councils in Scotland have adapted to the circumstances. All 32 councils have arrangements in place for remote meetings and aren't relying on delegation to officers or emergency committees to the extent seen earlier in the pandemic.

Around five councils are operating with a hybrid of physical and remote attendance (depending on the type of meeting) as best we could tell.

Microsoft Teams is the most popular platform, with some councils using this in conjunction with other technology to allow livestreaming of meetings to the public and press. Councils are actively exploring other technological solutions to support greater public access to meetings.

Around half of councils reported or were found to be livestreaming meetings or allowing members of the public to participate (deputations etc.) in at least one meeting. Many of the councils that do not currently livestream or allow the public to participate, were exploring options for doing so.

Arrangements in England

There is no updated appendix for English councils, but conversations with the Association of Democratic Services Officers (ADSO), indicates a similar picture to that of Scotland.

Councils in England had been relying on delegated decision making in the early stages of the pandemic but had been moving to remote, physically distanced meetings or a hybrid of the two. Remote meetings are expected to continue in England and the sector is pushing for legislation which allows councils in England to operate meetings remotely, due to end in April 2021, to be extended.

Observations

1. Governance arrangements are more flexible and able to quickly adapt to changing circumstances

While councils have adapted to remote meetings and no longer relying on delegation to officers and a small group of members, there is still a desire to keep governance arrangements flexible to deal with spikes in the pandemic and the need to respond quickly. Constitutional documents (Standing Orders, Schemes of Delegation etc.) have been amended to deal with the type of emergencies posed by this pandemic and councils on the whole have arrangements that will ensure they can conduct business effectively during an emergency. Some councils are carrying out reviews of constitutional documents with a view to making further changes as experience of the arrangements facilitates new knowledge on what works best.

2. Councils are likely to face tough decisions about the sustainability of current arrangements

Anecdotal feedback from several council officers suggests remote meetings are taking longer than when they were held face-to-face. At least one council has conducted an analysis of the length of time meetings are taking and found they were taking significantly longer. That isn't to say that this is the case across all councils and meetings, just that no anecdotal evidence on this was offered.

Some officers also noted that remote meetings required additional support staff and at least one council has agreed to fund a new post to provide the necessary technical support for remote/hybrid meetings.

Analysis of Local Finance Returns (LFRs) shows Corporate and Democratic Core across the 32 councils has decreased around 21% in cash terms between 2010/11 and 2018/19, which raises questions about the ability of councils to support remote/hybrid meetings with current resources.

Remote arrangements may facilitate a better work-life balance for elected members, and make the role more attractive to people, particularly those with caring responsibilities and additional employment.

Given remote arrangements are expected to be in place for the foreseeable future, and some councils are indicating there is little desire to remove the potential for remote access

when physical meetings can return, elected members and officers will face tough decisions about how they resource quality local governance arrangements that are flexible, safe, enable effective scrutiny and decision-making, while balancing the need to protect budgets for frontline services.

3. Local Government is the closest sphere of governance to communities and needs to lead by example in making sure arrangements facilitate public scrutiny of decisions.

Provisions in the Coronavirus (Scotland) Act 2020 allow councils to exclude members of the public from attending meetings on public health grounds. The Scottish Government has extended those provisions but there will be an expectation that technology is used to ensure democratic processes are open and transparent to the public. The general trend is positive in this regard but councils who haven't committed to livestreaming meetings or allowing the public access in real time, can expect to face challenge on this as more councils provide this option.

Councils should be commended for making use of existing technology and provision for providing the public with live access to meetings. It is likely that new solutions will be available in the near future, particularly if providers see legislative changes to permanently allow councils in England to run remote or hybrid meetings, given they make up nearly 85% of the market across the UK.

Appendix A: COVID-19 Scottish Councils Political Governance Arrangements

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
Aberdeen City	At the Urgent Business Committee on 30 June 2020, it was agreed that all Committee, Sub-Committee and Working Group meetings would recommence with effect from 10 August 2020 and these meetings would be held in the Town House. On that basis the Council's decision making has returned to relative normality. The Council's Urgent Business Committee met three times in lieu of other committees and Full Council, however it has now been stood down with no further Urgent Business Committee meetings scheduled. The next Full Council meeting is not due to take place until 14 December 2020.	Meetings are now hybrid in nature with some Councillors and officers in the Town House and some Councillors and officers taking part remotely using Microsoft Teams. An AV solution was installed by the Council's webcasting provider to enable hybrid meetings to take place, whereby participants can see and hear each other at both ends and this is also synchronised with the webcasting system.	No public or media are currently allowed into the Town House where meetings are being held, therefore all meetings are being webcast live and available to view retrospectively from the archive. Public participation can take place via Microsoft Teams, for example licensing applicants who wish to speak or deputations.

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
Aberdeenshire	The council agreed the COVID19 Governance revisals making remote participation their default mode of conducting business. Council meetings continuing remotely include: 1. Full council 2. IJB 3. Area Committees 1. Policy Committees 2. Licencing Board / Licencing sub-committee Elected Members have taken well to the approach.	Aberdeenshire Council currently uses Skype for Business. Meetings are livestreamed and also recorded and published online after the meeting (with the exception of the exempt and confidential items).	The tech allows partners such as Police Scotland to continue to participate in meetings. Skype allows all participants sight of every participants' email addresses which causes a data protection issue when multiple members of the public are attending. The council therefore allow the public to participate by telephone and ensure that any presentations or additional materials are emailed to them in advance of the meeting.
Angus	A special meeting of full Council took place via Zoom on 3rd April to agree a series of interim measures in relation to decision-making to ensure democratic accountability during the lockdown period and member involvement in decision-making, albeit with smaller committees. This was the first remote meeting held by a local authority in Scotland. Two special committees were established, the Special Education Committee and the Special Arrangements Committee and interim Standing Orders were approved. The Special Arrangements Committee met three times. Regulatory Committee meetings also took place over this period again using Zoom. A decision was taken in June that meetings of all service committees resume in Sept. A full cycle of meetings has now taken place. Live streaming of meetings commenced in October. A review of the arrangements will take place in Dec 2020.	Yes, via Zoom	Meetings live streamed. Press can access live meetings remotely. Applicants/objectors can address Regulatory meetings remotely. Several Placing Requests involving parents have taken place remotely. Deputations are still taking place and access is provided for that particular item of business. Police Scotland and Fire Service have also participated at meetings using dial in.

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
Argyll & Bute	The Council agreed at a Special meeting at end of June that all Area Committees and Strategic Committees (with the exception of the Policy and Resources (P&R) Committee scheduled for August / September) would resume on a virtual basis. Council meeting on 24th September agreed to reinstate programme of Council and Policy and resources Committee meetings and review arrangements in April 2021.	Yes Skype for Business	Press have been invited to all meetings and public invites issued where requested e.g. Planning meetings
City of Edinburgh	All formal meetings of the Council, including Council, executive committees and other committees are taking place virtually using MS Teams until December 2020, taking into account public health guidance. A new set of interim Standing Orders have been developed. They are broadly the same as the pre Covid-19 Standing Orders with minor changes to reflect that the meetings are virtual.	Yes MS Teams A MS Teams channel has been set up for each executive committee. The purpose of the channel is to share information with elected members outside formal committee meetings.	Meetings are webcast live
Clackmannanshire	The Council has reinstated committee meetings with a revised schedule. The Emergency Decision Making Forum (EDMF) is continuing as a permanent committee to take decisions in an emergency, though it is likely to meet only in exceptional circumstances. Meetings are being held remotely via MS Teams until January 2021 when there will be a further review.	Yes MS Teams	No
Comhairle nan Eilean Siar	Council and committee meetings are taking place via Microsoft Teams.	Yes Most meeting are on MS Teams.	Meetings are webcast live

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
Dumfries & Galloway	The Ad Hoc Sub Committee established has been wound up now and Committees are meeting once again. These meetings continue to be hybrid in nature and a mix of members join on Microsoft Teams (the default position) or physically attending. Meeting venues have had to be reconfigured, risk assessed and re-evaluated in respect of IT and connections etc.	Hybrid Microsoft Teams	Full council and main committees live streamed on Youtube. Recordings available afterwards. Meetings of Sub Committees etc. are being recorded and uploaded subsequently.
Dundee	Full council and committee meetings are taking place remotely. Recovery sub-committee in operation if needed to deal with urgent business which can't wait until the next meeting of the relevant committee.	Yes	Yes
East Ayrshire	Established an Executive Committee just before lockdown consisting of Leader and Depute Leader, two Labour Members, two Conservative Members and one Independent. Since the beginning of September, all Council meetings are now up and running again	Hybrid Executive Committee, Planning committee and Council meetings from April through to August were held by video conferencing with a physical presence in a meeting room for the Chair and small number of key officers to support the Chair. Since the beginning of September, all Council meetings are now up and running again using the same model as described above.	No
East Dunbartonshire	All Council meetings are being held remotely and streamed live to the public.	Yes	Meetings are streamed live on Youtube

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
East Lothian	Council came out of emergency recess on 17 August 2020. Council is now operating as per published committee schedule on a remote basis, using Public-i Connect Remote system.	Yes All Council, committee and sub-committee meetings are being held remotely, using Public-i Connect Remote.	Meetings are webcast A representative from the Council's local press is invited to 'attend' remote meetings
East Renfrewshire	Council and Committee meetings have recommenced and are being held remotely.	Yes	Meetings are recorded and available to view on YouTube
Falkirk	Interim decision-making arrangements have been put in place until 30th September with an Emergency Executive being retained with a remit' to take all decisions for the Council (other than in regulatory matters) where the decisions are necessary to allow the Council to respond to the emergency situation, to plan for recovery, are significant or otherwise time critical'. Meetings are taking place remotely but a hybrid/blended option would be considered if the Scottish Government indicates a move to phase 4 of its route map for COVID19.	Yes	Deputations can be made via video link. Meetings livestreamed to the public
Fife	All committees are now up and running and will do so remotely until the end of the year. The only exception to this is the Licensing Board and Committee; these are both being held in the Chamber and are open to the public.	Yes Using MS Teams for remote meetings See previous column for Licensing meetings	Livestreaming Committee meetings to the public, with the exception of the Licensing Board and Regulation and Licensing Committee, which are in person meetings (numbers limited by safe physical distancing).
Glasgow	The council has reinstated all its committees and is using Microsoft Teams to hold these remotely.	Yes Microsoft Teams	No live webcasts of meetings. Recordings available to view as soon as possible after the meeting

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
Highland	Formal meetings have been re-established and are being held remotely. Meetings are broadcast live and available for viewing for 12 months.	Yes Microsoft Teams	Meetings are broadcast live
Inverclyde	A provisional timetable is in place and all meetings of the Council, Committees, Sub-Committees and Boards being held on a remote online only basis until the implementation of Phase 4 of the Scottish Government Route Map.	Yes Webex	Meetings are recorded and available for the public to view afterwards
Midlothian	Full schedule of meetings	Remote meetings	Partly and continuing to examine further options for full public participation
Moray	The Council moved from an emergency cabinet to a temporary reduced committee structure which includes: • Full Council • Statutory committees (planning, licensing etc) • 2 consolidated committees, Environment/Finance and Social/ Education This is due to be reviewed in Feb 21. Meetings are being held remotely.	Yes The Council is working with its webcast provider towards hybrid physical/virtual meetings.	The council has been webcasting it's virtual meetings since April 2020. The public have been taking part in hearing procedures virtually.
North Ayrshire	The Council held a small number of remote committee meetings via MS Teams immediately prior to the summer recess (Cabinet, Planning and Integration Joint Board). Post summer recess, has resumed an almost complete timetable of committee meetings, all held remotely. Emergency delegated powers remain in place, for use as required.	Yes MS Teams from June–mid-September 2020. Moving to Public-i Connect Remote from 23 September 2020 for Council meeting. (Hybrid meeting equipment is also being installed for future use)	For MS Teams meetings, a recording of each meeting has been uploaded onto the Council's website following the meeting. From the September Council meeting onwards, all meetings normally open to the public will be webcast live.

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
North Lanarkshire	Committee cycle has been re-established with remote attendance.	Yes Webex	Meetings will be recorded and made available to the public
Orkney	Council meetings have been re-established and are being held remotely. A review of the arrangements will take place on 6th October.	Yes Microsoft Teams	Audio recordings are available
Perth & Kinross	The emergency power arrangements previously in place within the Council during the Covid 19 pandemic ceased on 17 August 2020. All Council/Committee/Board meetings are currently taking place virtually using Microsoft Teams and have been timetabled to end of September /early October 2020. A further timetable of meetings will go before Council early October 2020 – these have been scheduled as virtual meetings, whilst we await further guidance on opening up non-essential offices. Options to undertake hybrid meetings are currently being investigated.	Yes Microsoft Teams	The council has introduced a mechanism which allows members of the public to make deputations to virtual committee meetings by telephone. Meetings are broadcast live. The council has also conducted placing request appeals with participation from all involved parties by Microsoft teams.
Renfrewshire	Commenced Emergences Board which was already part of the council's decision-making structure. Membership of the Emergencies Board has been increased to 15 members but it now meets on a two-weekly basis by Teams. All other council boards and meetings are being held remotely via Teams.	Yes All Council/joint board/ committee meetings now being held remotely using Teams.	The meetings are recorded and published on YouTube but not webcast live and do not have any public participation.
Scottish Borders	Full Committee schedule now re-commenced.	All meetings are being held via Microsoft Teams	All public meetings are being live streamed and all speakers at Planning Committee etc. are invited into the meeting so that they can have the same input as was previously available when they attended meetings in person.

Council	Summary of decision-making arrangements	Remote Council/Committee Meetings	Public Participation
Shetland	Committee meetings have resumed http://www.shetland.gov.uk/coins/submissiondocuments.asp?submissionid=25608	Yes	Members of the media are invited to attend remotely and meetings are recorded and made available for public to view
South Ayrshire	Council meetings and Panels are operating and are being held remotely.	Yes	No
South Lanarkshire	Full programme of meetings now restored, with decisions taken by committees.	Mainly a blended approach, i.e. some members/officers are physically present and some are virtual. Physical distancing restrictions in place for those attending in person. A few meetings are still held by remote means, particularly agenda meetings.	No
Stirling	All Committees, Forums and Panels have been reinstated virtually. A Programme of Meetings has been set for virtual meetings until the end of 2020.	Yes Microsoft Teams	No
West Dunbartonshire	Post-recess the council has a full committee timetable which are all being done remotely.	Yes	Committees are audiocast but not the regulatory ones
West Lothian	In West Lothian, the Chief Executive was delegated powers to make decisions on urgent business. The Council Executive is restarting remotely and further essential committees (Education Executive, Audit Committee, Governance & Risk Committee, Licensing Committee and Development Management Committee), will be held remotely.	Yes, since 26 May 2020 Cisco Webex	Meetings since June 2020 and going forward are webcast (audio) live Members of the public who require to take part (e.g., licensing or planning committees) are invited and take part via WebEx for the item(s) of business concerned