

**To: Council**

**On: 30 September 2021**

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**Report by: Director of Finance and Resources**

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**Heading: Governance Arrangements**

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## **1. Summary**

- 1.1 The main purpose of this report is to set out arrangements for the next cycle of Board meetings starting in mid-October 2021 up to and including the full Council meeting on 16 December 2021.
- 1.2 The report outlines arrangements for meetings going forward taking into account a number of key developments since the last Council meeting, including:
- the successful use of the hybrid model for conducting Board meetings; and
  - the Scottish Government's decision to move to "Beyond Level 0" with effect from 9 August 2021 which removed most of the restrictions to control the transmission of Covid-19.
- 1.3 The arrangements set out in the report aim to allow maximum flexibility to enable meetings to take place in the most appropriate and safe way, depending on the guidance that is in force at the time the meetings are due to take place.
- 1.4 The report also covers the arrangements for the appointment of a new chief executive, some Board appointments by the Labour Group and provides an update on the appeal by Paul Mack against the sanction of disqualification imposed by the Standards Commission of Scotland.
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## 2. Recommendations

### 2.1 Council is asked to:

- a) note the successful completion of the first cycle of Board meetings using the Public-i system to facilitate the conduct of hybrid meetings that were broadcast live,
- b) note the terms of the Protocol for the Conduct of Hybrid meetings that was agreed for use for those meetings, a copy of which is attached as an appendix to this report,
- c) approve the arrangements for the next cycle of Council and Board meetings set out in section 4 of this report, which will continue to include the option to use hybrid meetings involving elected members attending meetings in person in Renfrewshire House, should Scottish Government Guidance allow it,
- d) note that Sandra Black has intimated her intention to retire from her post as chief executive and Head of Paid Service of Renfrewshire Council with effect from 15 December 2021 and that a recruitment process has begun to find her successor,
- e) agree that in the event that there is a period of time between the current chief executive retiring and the new chief executive starting in post, the Chief Executive's Appointments Panel will approve arrangements for the appointment of an acting chief executive,
- f) note that the appeal by Paul Mack against the sanction of disqualification imposed on him by the Standards Commission for Scotland was heard by the Sheriff Principal on 31 August 2021 although the decision is still awaited,
- g) approve the following Board appointments by the Labour Group:
  - Cllr Karen Devine-Kennedy will replace Cllr Jim Sheridan as a member of the Finance, Resources and Customer Services Policy Board.
  - Cllr John Hood will replace Cllr Jim Sheridan as a member of the Communities, Housing and Planning Policy Board.
  - Cllr Jim Sharkey will replace Cllr Jim Sheridan as a member of the Leadership Board.
- h) note that a further report on the arrangements for future meetings of Council and Boards will be brought to the next Council meeting on 16 December 2021.

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### **3. Background**

- 3.1 At its last meeting on 24 June 2021, the Council agreed that officers could plan for the introduction of the use of hybrid meetings for the next cycle of Council and Board meetings, should Government guidance permit the return of some elected members to Renfrewshire House to attend meetings in person.
- 3.2 On 13 April 2021 the First Minister announced plans to accelerate the easing of lockdown and provided an indicative timetable for this to happen. That timetable provided for the whole of Scotland to be in level 3 from 26 April 2021 with a move to Level 2 on 17 May 2021, to Level 1 in early June and to Level 0 by the end of June 2021. That timetable provided sufficient optimism to plan for the re-introduction of meetings in the Council Chamber for the August/September 2021 cycle of meetings either fully in person or by hybrid meeting using the Public-i system.
- 3.3 Since the last meeting of the Council on 24 June 2021, Renfrewshire like all other Scottish local authority areas, moved to Level 0 on 19 July 2021 and then moved to a stage referred to as “Beyond Level 0” which had the effect of removing all legal restrictions relating to Covid-19 with effect from 9 August 2021. The move to “Beyond Level 0” happened in advance of the first Board meeting of the current cycle of meetings on 17 August 2021.
- 3.4 The current guidance which applies to office-based working is that where possible you should continue to work from home. However, the guidance does allow for a phased return to office-based workplaces. In these circumstances, it was accepted that the return of elected members to Board meetings should be included as part of the phased re-opening of Renfrewshire House
- 3.5 The main obstacle to a return to Board and Council meetings where everyone is present in the Chamber is the requirement for physical distancing in the workplace. Although legal requirements have been removed, there is still a duty on the Council to protect the health and well-being of its elected members and employees. To reflect this, the Protocol that has been adopted for hybrid meetings maintains a 2 metres physical distancing requirement in the Council Chamber.
- 3.6 All of the Policy Boards as well as the Leadership Board and the Audit Risk and Scrutiny Board have taken place as hybrid meetings. These meetings have been carried out in accordance with the agreed protocol which is an appendix to this report. The intention is that the Public-i system will also be used for all future meetings of the Regulatory Functions Board. A further consideration for the re-introduction of physical meetings of that Board is that arrangements would also have to be made to allow access for those applicants appearing in front of the Board.

- 3.7 In recent weeks there has been a significant increase in the number of positive cases of Covid-19 in the community which has resulted in some caution about any further relaxation of restrictions that would lead to the full return of elected members to the Council Chamber. Any decision to remove the current physical distancing requirement in the Chamber will only be taken after a full risk assessment has been completed taking into account the relevant Scottish Government Guidance in force at the time.
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#### **4. Arrangements for the next Cycle of Board meetings**

- 4.1 The installation of the Public-i system created the opportunity for the Council to hold hybrid Board meetings in Renfrewshire House with at least some elected members and officers being present with others accessing the meeting remotely.
- 4.2 This meant that the system was available for its use to begin at formal Board meetings in August 2021, to take advantage of the loosening of Covid related restrictions. All of the Council's Policy Boards, the Audit, Risk and Scrutiny Board and the Leadership Board have taken place using the Public-i system. In all cases these have been hybrid meetings with some members present in the Chamber while others accessed the meeting remotely.
- 4.3 It is proposed to continue with the current arrangements for Board meetings which allows for hybrid meetings with the option available to the Convener of each Board to hold the meeting remotely by Teams if they wish, in line with the agreed Protocol.
- 4.4 Until the position is absolutely clear regarding the control of Covid-19 infections and the Council is convinced that it is safe to do so, there is no proposal at this time to remove the current physical distancing restrictions in place in the Council Chamber as described in paragraph 3.5.
- 4.5 It is proposed to extend the use of the Public-i system for meetings of the Regulatory Functions Board starting with the meeting on 27 October 2021.
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#### **5. Chief Executive of Renfrewshire Council**

- 5.1 Sandra Black has intimated that she is retiring from her post as Chief Executive and Head of Paid Service of Renfrewshire Council with effect from 15 December 2021. A recruitment process to identify her successor has started and an Appointments Panel comprising 9 elected members has been established.
- 5.2 Members will be advised of the appointment of the new chief executive once the decision has been made. This is anticipated to be in November 2021.

- 5.3 In the event that there is a gap between the current chief executive retiring and the new chief executive being in post, the intention would be to appoint an acting chief executive to provide cover during that time. The arrangements for making any appointment of acting chief executive will be approved by the Appointments Panel.
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## 6. Appeal Against Disqualification

- 6.1 Members have previously been advised that following a Hearing, the Standards Commission of Scotland imposed a sanction of disqualification on Paul Mack to reflect their findings that he had breached several paragraphs of the Councillors Code of Conduct.
- 6.2 The Standards Commission's decision was the subject of an appeal and the appeal was heard by the Sheriff principal on 31 August 2021. However, the decision in the appeal has still to be issued. Members will be advised of the decision as soon as it is known.
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## 7. Changes to Board Memberships

- 7.1 Cllr Devine has intimated that he wishes to make some changes to the representation of the Labour Group on three Boards. These involve replacing Cllr Sheridan with Cllr Devine-Kennedy on the Finance, Resources and Customer Services Policy Board, with Cllr Hood on the Communities, Housing and Planning Policy Board and with Cllr Sharkey on the Leadership Board.
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## Implications of the Report

1. **Financial** – None.
2. **HR & Organisational Development** – The report refers to the appointment of a new chief executive.
3. **Community/Council Planning** – None.
4. **Legal** – As detailed in the report.
5. **Property/Assets** – None.
6. **Information Technology** – The report refers to the successful introduction of a system from Public-i which enabled meetings to be undertaken with some members being present in the Chamber with others accessing remotely and also for those meetings to be broadcast live.

7. **Equality & Human Rights** - The recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for noting only. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – The proposals in the report recognise that it's formal Council and Board meetings only take place in Renfrewshire House when it is safe to do so. The report also acknowledges that where meetings can take place in Renfrewshire House, the number of attendees will be limited by the social distancing restrictions that are in place at the relevant time.
9. **Risk** – None.
10. **Privacy Impact** – The report refers to the introduction of live broadcasting of Council and Board meetings.
11. **Cosla Policy Position** – None.
12. **Climate Risk** – None.

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#### **List of Background Papers –**

- 1) Minute of the Council meeting on 24 June 2021.

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**RENFREWSHIRE COUNCIL- PROTOCOL FOR HYBRID MEETINGS**

**A. Introduction**

1. On 24 June 2021 the Council approved a report setting out the arrangements for the introduction of Council and Board meetings which allowed some elected members to be present at a meeting in the Council Chamber and others to access the same meeting remotely. These are referred to as “hybrid meetings” for the purposes of this document.
2. The same report approved by Council authorised the Head of Corporate Governance to put in place protocols for the proper conduct of hybrid meetings in consultation with the Group and Party Leaders.
3. This document is the protocol for the conduct of hybrid meetings for the purposes of the Council authorisation. The protocol is supplemental to the Council’s procedural standing Orders, which will continue to apply to Council and Board meetings except to the extent that they are inconsistent with the terms of this protocol.

**B. Background**

1. There have been no Board meetings held in the Council Chamber at Renfrewshire House since March 2020. Instead, meetings have taken place remotely, most recently using the Microsoft Teams platform.
2. The gradual easing of Government restrictions relating to the control of the Covid-19 pandemic has now made it possible for elected members to return to Renfrewshire House to attend Board meetings although that return is subject to whatever Government guidance is in place at the date of each Board or Council meeting.
3. The arrangements set out in this Protocol are based on applying a physical distance requirement of at least 2 metres. This requirement restricts the number of people who are able to be present in the Council chamber for each meeting.
4. The maximum number of people who may be present in the Council Chamber is determined by the number of available seats taking into account the physical distancing requirements.
5. The maximum number is currently 26. This comprises the following:
  - 18 seats with microphones
  - 3 seats for clerks (no microphones)
  - 5 seats in the public gallery (no microphones).

6. The number of elected members on the Leadership Board and on three of the four policy boards is 15.
7. The Audit, Risk and Scrutiny Board has 9 members and the Regulatory Functions Board has 10 members. There are various other Boards and sub-committees, none of which have a membership in excess of 15.
8. Therefore, all elected members on those Boards should be able to attend meetings in Renfrewshire House.
9. The only exceptions to this overall position are the Full Council meetings where 43 members would require to be present and the Education and Children's Services Policy Board where there are 20 members including 3 representatives of religious groups.
10. For Full Council meetings and meetings of the Education and Children's Services Policy Board at least some of the members will have to attend remotely.
11. It is also the case that most officers attending Board and Council meetings which are being held in the Council Chamber will continue to do so remotely. The Chair may wish to discuss with the chief executive or relevant director if they wish to have certain senior officer (s) present in the Council Chamber.

**C. Prior to the Meeting**

1. The Notice calling the meeting will specify that the meeting will be webcast live and that elected members will in some circumstances be able to attend the meeting in person in the Council Chamber while others will be able to access the meeting remotely.
2. The Chair must be present in the Chamber. If the Chair is unable to attend the meeting, the Vice-Chair must be present in the Chamber.
3. Members should provide at least 24 hours' notice to the Head of Corporate Governance that they intend attending the meeting remotely, unless this is unavoidable for circumstances outwith their control.
4. All members with the exception of the Chair will be invited as "attendees".
5. All members (other than the Chair) attending a meeting in the Chambers should bring their own laptop with them to allow them to access emails. This will enable them to see any amendments circulated at the meeting. Members should ensure their laptop is fully charged before attending the meeting.
6. To prevent disruptive feedback noise, member will require to have their microphones and speakers on their laptops turned off.

7. The Chair will have a laptop provided and this will be set up in advance of the meeting.
8. The Chair's laptop will provide the Chair with access to the on-line meeting attendees list, a view of the on-line screen and the private chat function.
9. In addition to Committee Services staff operating the Public-I system, each meeting will be supported by two committee services clerks. The duties of Clerk 1 are to advise the convener, conduct any votes and be alert to any member who wishes to speak. The duties of Clerk 2 are principally to support the convener in relation to those members and officers accessing the meeting remotely. They will alert the convener to any member accessing the meeting remotely who wishes to speak. Clerk 2 will also be responsible for circulating any amendments to be considered at the meeting.
10. Members are encouraged to send any amendments they propose to make to the Committee Services officer assisting with the circulation of amendments whose email address will be communicated to the members attending the meeting. Ideally, the amendments should be passed to Committee Services in advance of the meeting.
11. Members attending the meeting in the Chamber will be allocated one of the available seats in the Chamber and the member must sit at the seat allocated to them.
12. The Convener has the power to determine whether any meeting of a Board or Full Council should be conducted remotely using the Teams platform.
13. The Chair may wish to consider whether any particular senior officers should be present in the Council Chamber for a meeting. They should discuss a requirement for an officer to attend with the chief executive or the relevant director.
14. The committee rooms are available for Groups to use immediately prior to a Board meeting or during any adjournment.

**D. At the Start of the Meeting**

1. The Chair will announce that the meeting will be broadcast live.
2. The Chair will also establish how many members are present in the Chamber and how many members are accessing the meeting remotely.
3. The Chair will also establish and state which officers (other than the officers operating the system) are present in the Chamber.

**E. During the Meeting**

- 1. Members must comply with any advice in place regarding Covid-19 to protect the health and safety of those attending or supporting the meeting.**
- 2. Members present in the Chamber must activate their microphones when speaking. Failing to do so will mean that their contribution will not be picked up on the webcast and those attending the meeting remotely will not be able to hear what is being said.**
- 3. All motions and amendments intimated during the meeting should be by email although the Chair may instruct that a motion or amendment is set out in the on-line meeting chat. The Chair may also request that the proposer of any motion or amendment reads their motion or amendment out for the purpose of informing those watching the remotely.**
- 4. Hard copy motions or amendments should not be circulated in the Chamber unless all members attending the meeting are present in the Chamber.**

**F. Contingency**

- 1. Where it was intended to use the Public-I system for a meeting but for any reason it is not possible to use that system, the meeting will be adjourned until such time as the Chair may decide to enable a Teams meeting to be set up. Once reconvened, the meeting shall then proceed as a remote meeting on the Teams platform and the procedures for holding a meeting using Teams shall apply.**