

## ELECTRONIC ATTENDANCE AT MEETINGS

|                                  |  |
|----------------------------------|--|
| <b>Responsible Directorate:</b>  | <i>Corporate Strategy &amp; Performance</i>    |
| <b>Responsible Service Unit:</b> | <i>Council &amp; Corporate Support</i>         |
| <b>Contact Person:</b>           | <i>Manager Council &amp; Corporate Support</i> |
| <b>Date of Approval:</b>         | <i>8 October 2024</i>                          |
| <b>Council Resolution No:</b>    | <i>CS03-10/24</i>                              |

### 1. POLICY STATEMENT

The City of Wanneroo is committed to providing a fair and equitable process to determine requests for electronic attendance at meetings.

### 2. OBJECTIVE AND PURPOSE

#### Objective

The objective of this policy is to establish the decision-making framework to support effective electronic participation and attendance at in-person meetings.

#### Purpose

The purpose of this policy is to:-

- set the parameters which guide electronic attendance at meetings; and
- define the circumstances that Council considers suitable to permit electronic attendance at in-person meetings; and
- support good decision making, efficiency and effectiveness in Council's meeting processes.

### 3. KEY DEFINITIONS

**E-attendance** means electronic attendance at an in-person meeting.

**Group Delegate** refers to a person who has been appointed to a City of Wanneroo working group, advisory group or community reference group, as established by Council.

**Group meeting/s** means a meeting of a working group, advisory group or community reference group, as established by Council.

**In-person meeting/s** means a meeting that, under normal circumstances would be held with all attendees being present in-person and includes relevant meetings, other meetings and group meetings.

**Member/s** refers to a Council Member and any other person appointed as a Member of a Committee under Section 5.10 of the Act.

**Other meeting/s** means a Council Member Briefing Session, Workshop, Forum, Presentation or any other meeting arranged to provide information to all Council or Committee Members.

**Proposed meeting** means the meeting for which the electronic attendance request applies.

**Regulation** means a regulation of the *Local Government (Administration) Regulations 1996*.

**Relevant meeting, means:-**

- (a) an Ordinary Meeting of the Council; or
- (b) a Special Meeting of the Council; or
- (c) a meeting of a Committee of the Council; or
- (d) a meeting of an Audit Committee of a local government.

**Relevant period** has the same meaning as Regulation 14C of the *Local Government (Administration) Regulations 1996* and means the period of 12 months ending on the day on which the proposed meeting is to be held.

## 4. SCOPE

This policy applies to all Council Members of the City of Wanneroo, a Member of a Committee and Group Delegates.

## 5. IMPLICATIONS

Priority 7.1 Clear direction and decision making:-

“The City of Wanneroo will have a clear plan for the future and be able to demonstrate successful results. Decision-making will focus on achieving the best outcomes and be in line with the Vision, Goals and Priorities informed by the community.”

## 6. IMPLEMENTATION

### 6.1 General Principle

- a) All Council Members recognise the importance of decision-making in their role to represent the community. Attendance at meetings is a necessary and valuable part of this process.
- b) All relevant meetings, other meetings and group meetings will primarily be held as in person meetings.
- c) Whenever possible, Members and Group Delegates will attend meetings in-person, rather than by electronic means.
- d) Requests for attendance by electronic means at a meeting, should only be considered in accordance with legislation and this Policy.

### 6.2 Requests for e-attendance

- a) All requests to attend a meeting electronically must be submitted in writing and:-
  - i. in the case of a Member making the request, to the Mayor and CEO. Submissions may be sent to Council Support for processing; or

- ii. in the case of a Group Delegate making the request, to the Group Contact Administrator; and
  - iii. provide all of the required information, including reasons, as detailed in this Policy via the 'Request for Electronic Attendance at a Meeting Form'; and
  - iv. be submitted as far in advance as is reasonably practical and at minimum, two full working days prior to the proposed meeting.
- b) Requests to attend a relevant meeting electronically will be submitted to the next Ordinary Council Meeting for determination. Such requests will be considered during Item 1 of the order of business titled 'Attendances'.
  - c) If a request to attend a relevant meeting is submitted by the Mayor or the Chairperson of a Committee, then the Mayor or Chairperson (as the case may be) may choose to defer the presiding of that relevant meeting to the Deputy Mayor or Deputy Chairperson.
  - d) If a request to attend a Special Council Meeting is received and there is no Ordinary Council Meeting to be held prior to the Special Council Meeting to which the request relates, then that request may be considered at the Special Council Meeting during the Item 1 of the order of business titled 'Attendances'.

### **6.3 Maximum number of e-attendees**

- a) A maximum number of three Members are permitted to attend a relevant meeting electronically.
- b) Requests will be considered and determined in the order of receipt until the maximum number of attendees is reached.

### **6.4 Electronic Means**

The electronic means by which a Member may attend a meeting under an authorisation under regulation 14C(2) include telephone, video conference or other means of instantaneous communication, as determined by the Mayor or Council. The Council determines that the permissible means for electronic attendance at a meeting is preferred to be via video conference and that:-

- a) the video conference platform (for example Zoom or MS Teams) is to be suited to the venue, style and type of meeting being conducted, but any electronic platform is subject to the endorsement of the CEO with due consideration of the effectiveness and implementation of administering that platform; and
- b) the video camera is to remain on at all times and the Member or Delegate is to remain visible whilst attending a meeting electronically unless:-
  - i. that Member or Delegate is required to leave the meeting due to a conflict of interest or inability to maintain confidentiality; or
  - ii. otherwise authorised by the Mayor, Council or Presiding Member in accordance with the determining authority outlined in Section 7 of the Policy; and
- c) the microphone is to remain on mute unless called upon to speak;
- d) visual cue cards are to be used to indicate a desire to speak, a need to declare a conflict of interest, a request for procedural motion/point of order and so forth.

### **6.5 Criteria for attending electronically**

- a) Regulation 14C(5) requires that the Mayor and/or Council must have regard to:-
  - i. whether the location from which the Member intends to attend the meeting, and
  - ii. the equipment that the Member intends to use to attend the meeting,

are suitable for the Member to be able to effectively engage in deliberations and communications during the meeting. Effective engagement means maintaining a reliable connection with continuous and clear participation.

- b) A Member or Delegate is required to provide the details of the location and the equipment to be used when submitting a request for electronic attendance at a meeting.
- c) Subject to all the requirements in this Policy being fulfilled, the Council determines that requests for electronic attendance at a meeting will be considered under the following circumstances:-
  - i. Member is on a leave of absence previously granted by the Council; or
  - ii. Member/Delegate is unwell but makes a declaration they are fit to participate electronically; or
  - iii. Member/Delegate has a conflicting engagement; or
  - iv. Member/Delegate is located in a region outside of the Perth metropolitan area but still within Western Australia; or
  - v. Member/Delegate is intrastate, or is overseas.
- d) A request for electronic attendance will not be supported if the Member or Delegate is:
  - i. in a public location; or
  - ii. travelling (for example, in transit, enroute, or in a moving vehicle or other mode of transport); or
  - iii. if the electronic attendance would result in the Member attending more than half of the relevant meetings in the relevant period (the preceding 12 months including the proposed meeting), in accordance with Regulation 14C(3). For clarification, the limitation in this clause 6.5(d)(iii) does not apply to group meetings or other meetings.
- e) In all cases, the full details and reasons for any request are to be provided in writing for consideration.

### **6.6 Method of determining voting when attending electronically**

- a) The Presiding Member will decide the method to be used to determine a Members' vote at a meeting.
- b) In general however, a Member who attends a meeting electronically will be required to use both a visual cue card as well as a verbal confirmation to indicate their vote.
- c) The Administration may manually record a Members' vote (once determined) through the use of electronic voting software.

### **6.7 Confidentiality**

- a) Regulation 14CA(5) requires that a 'Member must not attend the meeting or the closed part of the meeting unless, before the meeting, or the part of the meeting, is closed, the Member declares that the Member can maintain confidentiality during the meeting or the closed part of the meeting (as the case requires)'.
  - b) If the Member makes the declaration and subsequently cannot maintain confidentiality, the Member must leave the meeting or the closed part of the meeting (Regulation 14CA(6)).
  - c) A Member's declaration must be recorded in the minutes of the meeting (Regulation 14CA(7)).

### **6.8 Records to be maintained**

- a) The minutes or notes (as the case may be) for the meeting will record all requests received and the decision made for e-attendance.
- b) Administration will maintain a register of electronic attendance including the details of the date, type of meeting, reasons for authorisation being approved or declined, and the number of times a Member or Delegate has attended a meeting electronically.

### **6.9 Group Meetings and Other Meetings**

Whilst the legislative requirement of authorisation does not apply to Group Meetings or Other meetings, to provide consistency across the City's meeting process, guidelines for electronic attendance at these types of meetings have been included in this Policy.

- a) As standard, Group Meetings and Other Meetings will not be subject to this Policy.
- b) At the discretion of the Presiding Member/Chairperson, Group Meetings and Other Meetings can implement this Policy in which case requests to attend Group Meetings and Other Meetings will be subject to all of the provisions of this Policy with the exception of:-
  - i. the maximum number of e-attendees per meeting; and
  - ii. the maximum total attendances by a Member or Delegate within the relevant period; which are both to be determined by the Presiding Member/Chairperson of the group or other Meeting.

This option to be enacted by a statement to this effect by the Presiding Member/Chairperson at the commencement of the Meeting, recorded in the Minutes.

### **6.10 External Person attending a meeting electronically**

- a) If an external person is invited to attend a meeting (or part thereof) by electronic means, (for example, an auditor attending an Audit Committee), before being authorised to attend the meeting, the external person is to first confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.
- b) The decision for an external person to attend a meeting electronically will be subject to the authority level detailed in section 7 of this Policy.

### **6.11 Exceptional Circumstances**

- a) Where a request to attend a meeting electronically contains circumstances that are not detailed in this Policy, the request will:-
  - i. in the case of the request being to attend a relevant meeting or other meeting, be referred to the Mayor in the first instance. The Mayor may refer any request to attend a relevant meeting to the Council for consideration and may refer their own request to the Deputy Mayor, (acting under Section 5.34 of the Act).
  - ii. in the case of the request being to attend a group meeting, be referred to the Chairperson/Presiding Member for consideration.

**6.12 Holding a relevant meeting by electronic means**

- a) A relevant meeting may be held by electronic means subject to legislative requirements.
- b) Regulations 14D and 14E provide the requirements and circumstances for holding a relevant meeting by electronic means.
- c) If a decision is made to hold a relevant meeting by electronic means, so far as is practicable the provisions of this Policy will apply to the electronic meeting, with the exception of the maximum number of e-attendees per relevant meeting.

**7. AUTHORITIES AND ACCOUNTABILITIES**

Regulation 14C(2)(b) provides that a Member of a Council or Committee may attend a meeting by electronic means if the Member is otherwise authorised to attend the meeting by electronic means by the Mayor or Council.

The following ‘Authority to Determine’ table details Council’s guidance on what level of authorisation is to be applied for determining requests for e-attendance at a type of meeting:-

| <b>Type of Meeting</b>   | <b>Authority to Determine</b>  |
|--|--|
| 7.1 Ordinary Meeting of the Council, or Special Meeting of the Council.  | Council  |
| 7.2<br><br>A meeting of a Committee of the Council; or a meeting of an Audit Committee of a local government.  | Council or, if a request to attend a Committee meeting is received and there is no Ordinary Council Meeting to be held prior to the Committee meeting to which the request relates, then that request is to be considered by the Mayor*. |
| 7.3 Council Member Briefing Session, Workshop, Forum, Presentation or any other meeting arranged to provide information to all Council or Committee Members. | The Mayor* or, in the case where the Mayor is unavailable to make the decision, the Deputy Mayor.  |
| 7.4 Working group, advisory group or community reference group, as established by Council.   | The Presiding Member of that Group.  |

\* The Mayor may refer their own request to the Deputy Mayor, (acting under Section 5.34 of the Act).

## 8. ROLES AND RESPONSIBILITIES

Council Support will process all requests for electronic attendance received for Relevant Meetings and Other Meetings.

Group Contact Administrators will process all requested for electronic attendance received for Group Meetings.

## 9. DISPUTE RESOLUTION (if applicable)

All disputes in regard to this policy will be referred to the Director Corporate Strategy & Performance in the first instance. In the event that an agreement cannot be reached, the matter will be submitted to the CEO for consideration.

## 10. EVALUATION AND REVIEW

Version 1 of this Policy is to be reviewed within 12 months of Council adoption.

Subsequently, this Policy is to be reviewed after each ordinary local government election but may be reviewed at any other time.

## 11. RELATED DOCUMENTS

- Request for Electronic Attendance at a Meeting Form (Appendix 1)

## 12. REFERENCES

*Local Government (Administration) Regulations 1996*

## 13. RESPONSIBILITY FOR IMPLEMENTATION

Manager Council & Corporate Support

## REVISION HISTORY

| Version                                  | Next Review | Record No.  |
|--|-------------|-------------|
| Version 1                                | March 2025  | 23/321154V1 |
| Administration change – Appendix 1 added | March 2025  | 23/321154V2 |
| Administration amendment (CS03-10/24)    | March 2025  | 23/321154V3 |

## Request for Electronic Attendance at Meeting

|  |  |
|--|--|
| <p><b>Requestor:</b></p> <p><b>E-attendance Meeting Type:</b><br/>For example, Ordinary Council Meeting, Special Council Meeting, Workshop, Forum, Advisory Group, Community Reference Group etc</p> <p><b>E-Attendance Meeting Date:</b></p> <p><b>Date the Request is Submitted:</b></p> |  |
|--|--|

Refer to Council adopted Policy - [Electronic Attendance at Meetings - City of Wanneroo](#)

| COUNCIL MEMBER REQUEST DETAILS  |  |
|---|--|
| 1. Detail the reason for your request to attend the meeting electronically or details of extenuating circumstances to be considered   |  |
| 2. Provide details of where you will be located whilst attending the meeting electronically   |  |
| 3. Will any other person/s be located within proximity to you whilst you are attending the meeting?   |  |
| 4. What is the electronic attendance method you will use? (eg, phone, laptop, iPad etc)   |  |
| 5. Confirm you will remain visible (on camera) at all times throughout the meeting (unless required to leave the meeting due to a conflict of interest or unless acknowledged as leaving the meeting by the Presiding Member) |  |
| 6. Provide details of phone / internet connection (for example, hotel wifi, personal hotspot etc).  |  |



|   |                |             |
|---|----------------|-------------|
| 7. How familiar are you with the reliability of the internet connection that you will be using?   |                |             |
| 8. How will you ensure confidentiality is maintained during the electronic meeting?   |                |             |
| 9. Other relevant information for consideration of this request.  |                |             |
| <b>ADMINISTRATION USE ONLY</b>  |                |             |
| Date Request receive by the Administration  |                |             |
| Would electronic attendance at this meeting result in the Member attending more than half of the relevant meetings in the relevant period (the preceding 12 months including the proposed meeting), in accordance with Regulation 14C(3)? |                |             |
| Have any other Councillors been approved to attend this meeting electronically? If so, who/how many?  |                |             |
| <b>DETERMINATION OUTCOME</b>  |                |             |
| <b>Approval Method</b>  | <b>Details</b> | <b>Date</b> |
| Mayor   |                |             |
| Council*  |                |             |

*\* If the authorisation is to be determined by Council, the request will be submitted at the Council Meeting preceding the E-attendance Meeting date. In such case, this completed form will be provided to all Council Members prior to the meeting. A simple majority decision is required.*