

CAN WE RESUME IN PERSON MEETINGS OR SHOULD WE CONTINUE WITH VIRTUAL MEETINGS?

This guidance is for the EALC Member Councils, Chairman and Mayors, Councillors and Clerks.

You are strongly advised to read this guidance in its entirety. Please note the guidance was issued on 26th June, however the EALC sought further assistance and was not ready to publish this until we received some clarification. The clarification is included in this statement.

NALC writes:

Following the government announcement of further easing of lockdown restrictions from 4th July 2020, as at 26th June 2020 both NALC and SLCC strongly advise local councils to continue to meet remotely, without the need for face to face contact. The government rules still state that we should all work from home if we can.

Local councils have the powers to hold public meetings remotely by using video or telephone conferencing technology until May 2021 and most councils will have no need to meet in person. Furthermore, local councils have the duty to allow the public to observe council meetings without placing restrictions on the number attending, which many council meeting venues will not be able to accommodate in a safe way at this time.

However, where a local council does have an identified need to hold a physical meeting, as they are unable to conduct council business any other way, they can consider doing so from 4th July. These meetings must be managed within the social distancing and 'safer workplaces' guidance produced by government, which includes the requirement to conduct a risk assessment to determine if it is feasible and safe to hold a physical meeting.

It is important that this risk assessment is carried out, and any identified actions to reduce risk to attendees are implemented before any face to face meetings resume. Councils must keep documentation of this risk assessment and the reasons why the council has taken the decision to return to face to face meetings.

Clarification from NALC/EALC

The difficulty comes because this isn't a situation where the law provides a definitive solution. The NALC changed their stance adding in a caveat around the possibility to consider an in-person meeting. However, NALC still strongly discourage in-person meetings. The NALC statement aims to lay out this situation where we still strongly advise councils to meet remotely – providing the information for why we are still holding that view despite other parts of society easing lockdown, and what actions they would need to take if they wish to take a different approach.

It is difficult to determine what would constitute such a need. With the remote meetings regulations it is hard to see why a council would 'need' to meet physically – a 'need' is different to a desire or wish for physical meetings. However, that is a matter for the council to decide. With the diversity of the sector perhaps there is a council that absolutely cannot make use of remote meetings in any form to conduct essential council business, this would

be an exceptional case and not the norm. And even in that case, we state a council can 'consider' a physical meeting but even then only if a risk assessment finds this to be feasible and safe.