



Department for
Communities

An Roinn
Pobal

Deapartment fur
Commonities

www.communities-ni.gov.uk

Call for Evidence Northern Ireland District Councils - Remote/Hybrid Meetings

December 2021

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Introduction

This call for evidence seeks views on the use of the current arrangements which made provision for district councils in Northern Ireland to hold meetings remotely or in a hybrid format during the coronavirus pandemic.

This call for evidence refers to the **Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020**, made under **section 78 of the Coronavirus Act 2020**. These regulations came into operation on 1 May 2020 and

applied to meetings taking place before 7 May 2021. Subsequently, the **Local Government (Meetings and Performance) Act (NI) 2021 extended these regulations until March 2022**.

If any changes to legislation are made as a result of this call for evidence, they would apply to Northern Ireland only.

Impact assessment: If any policy changes are made following this call for evidence they will be subject to appropriate assessment. No impact assessment has been conducted at this time.

How to respond

Comments should be sent by 5pm 15 February 2022 to:

You can email your responses to:

lgpdconsultations@communities-ni.gov.uk
or download and post to:

Local Government Remote Meetings
Consultation
Department for Communities,
Local Government & Housing Regulation
Division,
Level 4,
Causeway Exchange,
1-7 Bedford Street,
Town Parks,
Belfast,
BT2 7EG

When you reply it would be very useful if you could confirm whether you are replying as an individual or submitting an official response on behalf of an organisation.

If you are replying on behalf of an organisation please include:

- your name
- your position in the organisation (if applicable)
- the name of your organisation
- an address (including postcode)
- an email address

Response to Call for Evidence:

We will consider the responses received and publish an outcome report on the Departmental website.

In line with good practice and sustainable development, this document has been published electronically.

Accessibility:

A range of alternative formats are available upon request from this Department.

Please email the Department at:

lgpdconsultations@communities-ni.gov.uk

Or write to:

Local Government Remote Meetings
Consultation,
Department for Communities,
Local Government & Housing Regulation
Division,
Level 4,
Causeway Exchange,
1-7 Bedford Street,
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BT2 7EG.

Privacy, Confidentiality and Access to Call for Evidence Responses

For this Call for evidence, we may publish all responses except for those where the respondent indicates that they are an individual acting in a private capacity (e.g. a member of the public). All responses from organisations and individuals responding in a professional capacity may be published. We will remove names, email addresses and telephone numbers from these responses; but apart from this we will publish them in full.

Responses to this Call for Evidence may be subject to requests under the Freedom

of Information Act 2000 (FOIA) and the Environmental Information Regulations 2004 (EIR). All disclosures will be in line with this legislation. If you feel that information that you provide should be treated as private or confidential, please explain why so that we can take this into account.

All personal data will be processed in line with the requirements of the Data Protection Act 2018/UK General Data Protection Regulations.

The Department for Communities privacy notice, which gives details of your rights in respect of the handling of your personal data, can be found at: <https://www.communities-ni.gov.uk/dfc-privacy-notice>.

Purpose of this Call for Evidence

The Department for Communities would like to gather evidence about the use of the current arrangements for district councils in Northern Ireland to meet remotely or in hybrid format, as set out in the [Local Government \(Coronavirus\) \(Flexibility of District Council Meetings\) Regulations \(NI\) 2020](#).

The powers in section 78 of the Coronavirus Act 2020 were brought in specifically to make express provision for local authorities in England, Wales and Northern Ireland to deal with the challenges of holding physical meetings during the coronavirus pandemic. They have helped district councils to redeploy resources to deal with the pandemic and ensure that essential business continues whilst protecting the health and safety of their members, officers and the public.

We are aware that experience of remote meetings has been varied, and that while the experience of managing and participating in remote meetings has grown considerably during the period since the remote meetings regulations came into operation, there have been examples of the difficulties this format has posed for some authorities.

We have received representations from the local government sector making the case for permanent provision for remote meetings to be explored. The Department for Communities would like to hear from interested parties

about the pros and cons of making such arrangements permanent in Northern Ireland and the use of the arrangements to date.

We are particularly interested to receive any quantitative data that can be included to substantiate the responses you make.

Throughout this call for evidence the phrases ‘remote meetings’ and ‘remote meetings arrangements’ will be used interchangeably to refer to the provisions for councils to meet remotely or in hybrid format, as set out in the Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020.

These regulations make provision for district councils to hold meetings remotely, for example through typical digital conference software (e.g. Zoom, Skype, Teams) or telephone conference calls. However, they do not require them to be held remotely or even in a single format. This means, for example, that district councils can hold ‘hybrid’ meetings (where some members attend virtually and other members attend in person) and they are also still able to hold fully ‘in-person’ physical meetings.

You can therefore assume that any reference to ‘remote meetings’ or ‘remote meetings arrangements’ also refers to hybrid meetings. The term ‘member’ will be used to refer to any elected council members covered by the regulations above.

Background

There was no express provision for remote meetings for district councils in Northern Ireland pre-pandemic. The Local Government (Coronavirus) (Flexibility of District Council Meetings) Regulations (NI) 2020 which came into operation following the introduction of the Coronavirus Act 2020, made provision for councils in Northern Ireland to hold meetings before 7 May 2021 remotely (such as through digital conferencing software or telephone conference) so that they could protect their members and comply with public health guidance. Subsequently, the Local Government (Meetings and Performance) Act 2021, which

came into force on 27 August 2021, extended those regulations until the date that section 78 of the Coronavirus Act 2020 is due to expire (currently 24 March 2022).

As district councils in Northern Ireland have now had extensive experience of conducting remote meetings over the past year, this call for evidence is an opportunity to understand these experiences and inform a decision about whether to make these arrangements permanent. Any permanent change would require subordinate legislation that would be subject to the agreement of the Northern Ireland Assembly.

Questions

The Department for Communities would like to gather evidence about the use of the arrangements that make provision for district councils to meet remotely or in hybrid format during the coronavirus pandemic.

Q1. Generally speaking, how well do you consider the current remote meetings arrangements work?

Very Well

Well

Neither well nor poorly

Poorly

Very Poorly

Unsure

While the powers in section 78 of the Coronavirus Act were brought in specifically to help district councils in Northern Ireland (and local authorities in England and Wales) deal with the challenges of holding meetings during the coronavirus pandemic, the Department would also like to hear from interested parties about the pros and cons of making permanent provision, in whole or in part, for district councils in Northern Ireland.

Q2. Generally speaking, do you think district councils in Northern Ireland should have the ability to hold at least some meetings remotely on a permanent basis?

Yes

No

Unsure

Beyond having provision to avoid face-to-face meetings during the coronavirus pandemic, we are aware of feedback from councils about additional benefits of being able to hold remote meetings including, but not limited to, the environmental and cost benefits of reduced travel, increased participation from local residents, and the potential to attract more diverse council members. We are keen to obtain representative views on the benefits of remote meetings and would particularly welcome any quantitative evidence to support these views.

Q3. What do you think are some of the benefits of the remote meetings arrangements? Please select all that apply.

- More accessible for council members
- Reduction in travel time for councillors
- Meetings more easily accessed by local residents
- Greater transparency for council meetings
- Documents (e.g. minutes, agendas, supporting papers) are more accessible to local residents and others online
- Easier to chair meetings in an orderly fashion
- A virtual format promotes greater equality in speaking time during meetings
- I do not think there are any benefits to remote meetings
- Other (please specify)

One area which may have been impacted through the holding of remote meetings is the cost savings they have achieved, particularly regarding a reduction in travel expenses and accommodation costs. We would be interested to receive any quantitative data about the cost savings that have been achieved, including any estimates of the comparative cost of running a remote meeting versus a face-to-face meeting.

Q4. (For district councils only) Have you seen a reduction in costs since implementing remote meetings in your council?

- Yes
- No
- Unsure

Reference has also been made to the difficulty that some members have had with the remote meeting format, particularly in relation to the difficulties in managing misconduct, the challenges of working with unfamiliar software and technological issues caused by a poor internet connection. We are keen to obtain representative views on the disadvantages of remote meetings and would particularly welcome any quantitative evidence to support these views.

Q5. What do you think are some of the disadvantages of the remote meetings arrangements, and do you have any suggestions for how they could be mitigated/overcome? Please select all that apply.

It is harder for members to talk to one another informally

Meetings are less accessible for council members or local residents who have a poor-quality internet connection

Meetings are less accessible for council members or local residents who are unfamiliar with video conferencing/technology

There is less opportunity for local residents to speak or ask questions

Some find it more difficult to read documents online than in a physical format

Debate is restricted by the remote format

It is more difficult to provide effective opposition or scrutiny in a remote format

It is more difficult to chair meetings in an orderly fashion

Virtual meetings can be more easily dominated by individual speakers

It might enable democratically elected members to live and perform their duties

outside their local area on a permanent basis, therefore detaching them from the communities they serve

I do not think there are any disadvantages to remote meetings

Other (please specify)

The Department for Communities considers that there are also many advantages of holding meetings face-to-face. For example, physical meetings provide numerous opportunities for councillors to speak with one another informally and build alliances, as well as to encounter local residents face-to-face and listen to their concerns in person.

Additionally, some members have referenced the vast improvement in the quality of debate when there is a lively atmosphere and they are able to make full use of their oratory skills to persuade and influence others. Some may consider remote meetings stifling and that physical meetings are essential to effective democracy and scrutiny.

Q6. What do you think are some of the main advantages of holding face-to-face meetings, as opposed to remote meetings?

If provision for remote meetings were made permanent, it might be preferable for the Department to constrain the meetings or circumstances in which remote meetings can be held to ensure that effective democracy and scrutiny can still take place.

There are some occasions, for example, where a remote meeting format may be seen as more appropriate, such as for smaller sub-committees, meetings convened at short notice, or for meetings where attendees are drawn from a large geographical area i.e. for some joint committees and for rural councils. On the other hand, there are occasions where a remote meeting format may be viewed as less appropriate, for example larger meetings involving Full Council or a council's Annual Meeting.

Q7. If permanent arrangements were to be made for district councils in Northern Ireland, for which meetings do you think they should have the option to hold remote meetings?

For all meetings

For most meetings with a few exceptions (please specify)

Only for some meetings (please specify)

I think councils should be able to decide for themselves which meetings they should have the option to hold remotely

I do not think councils in Northern Ireland should have the option to hold remote meetings for any meetings

Unsure

Q8. If permanent arrangements were to be made for district councils in Northern Ireland, in which circumstances do you think councils should have the option to hold remote meetings?

In any circumstances

Only in extenuating circumstances where a meeting cannot be held face-to-face or some members would be unable to attend (e.g. severe weather events, coronavirus restrictions)

I think councils in Northern Ireland should be able to decide for themselves which circumstances they should have the option to meet remotely

I do not think councils in Northern Ireland should have the option to hold remote meetings under any circumstances

Other (please specify)

Unsure

While district councils in Northern Ireland have risen magnificently to the challenge of ensuring vital council business continues by conducting meetings remotely during these unprecedented times, there may be concerns

that, if the arrangements were to be made permanent, a situation could arise where remote meetings arrangements were used by a majority party to avoid effective scrutiny or abuse the power in some other way.

Q9. Would you have any concerns if district councils in Northern Ireland were given the power to decide for themselves which meetings, and in what circumstances, they have the option to hold remote meetings?

Yes

No

Unsure

Q10. If yes, do you have any suggestions for how your concerns could be mitigated/overcome?

In deciding whether and how remote meetings arrangements may be made permanent for district councils in Northern Ireland, the Department for Communities needs to ensure that it complies with the statutory equality duties to have due regard to promote equality of opportunity and good relations. In particular, the Department would need to avoid unlawfully discriminating (either

directly or indirectly) against individuals across the nine equality categories, and also consider whether the arrangements advance greater equality of opportunity and good relations.

The potential benefits that remote meetings could have for members or potential members with disabilities or young families has been stated. However, there are also those for whom remote meetings could pose additional difficulties, for example those with hearing or visual impairments or those more likely to struggle with the technology.

We are keen to consider views on these aspects of remote meetings and would particularly welcome any quantitative evidence to support views provided.

Q11. In your view, would making express provision for district councils in Northern Ireland to meet remotely particularly benefit or disadvantage any individuals with across the nine equality categories? e.g. those with disabilities or caring responsibilities?

Yes

No

Unsure

Available in alternative formats.

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