



## G26 Council Member Meeting Attendance by Electronic Means

### Policy Objective

To establish the Shire of Ravensthorpe's decision making framework enabling electronic attendance at in-person meetings and for the conduct of meetings by electronic means.

This policy is to be read in conjunction with the *Local Government Act 1995* ('the Act') and Regulations

14C, 14CA, 14D and 14E of the *Local Government (Administration) Regulations 1996*.

### Definition

- **"Electronic Means"** refers to the approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication [Admin.r.14CA(3)]. The electronic means must be determined before the suitability of a location and equipment can be assessed as part of a request to attend electronically to an in-person meeting or to an electronic meeting.
- **"Members"** refers to a council member and any other person appointed as a member of a committee under Section 5.10 of the Act.

### G26.1 Electronic Attendance at an In-Person Meeting [Administration Regulations 14C and 14CA]

- a) For efficiency and the avoidance of unnecessary inconvenience, Members are to submit requests for electronic attendance at the earliest opportunity, but in any case, requests must be received so that there is sufficient time for the request to be considered and the necessary technology and meeting protocols to be implemented.
- b) A request for electronic attendance at an in-person meeting:
  - (i) Is to be provided to the Shire President;
  - (ii) Where the Shire President is unavailable to approve a request, the request is to be considered by Council (the request is to be moved, seconded and approved);
  - (iii) Where the Shire President rejects a request, the requester may ask Council to reconsider the request; and
  - (iv) The Shire President may refer their own request to the Deputy Shire President, [acting under Section 5.34 of the Act]; or alternatively, may refer the request to Council for decision.

Note: for committees, a request for electronic attendance to an in-person committee meeting can only be approved by the Shire President or Council (not the relevant committee). Similarly, a request for a committee to be held as an electronic meeting (outside of a declared emergency) must first be approved by Council.

- c) Where a request meets the following criteria, approval will not be unreasonably withheld:
  - (i) The electronic means of instantaneous communication, and the location and equipment from which the Member seeks to attend the meeting, are determined as suitable for the Member to effectively engage in deliberations and communications throughout the meeting [Admin.r.14C(5)];



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- (ii) The Member has made a declaration prior to the meeting, or that part of the meeting, that will be closed, that confidentially can be maintained. In the absence of such a declaration, the Member is prohibited from participation in the meeting, or that part of the meeting, that is closed [Admin.r.14CA(5)]; and
  - (iii) The approval does not exceed prescribed limitations for the number of meetings attended by that Member by electronic means [Admin.r.14C(3) and r.14C(4)].
- d) Records of requests and decisions about requests must be retained:
- (i) Where the President makes the decision, the record is retained as a Local Government record (e.g. email communication) in accordance with the Local Government's Record Keeping Plan and protocols established by the CEO; and
  - (ii) Where Council makes the decision, the decision must be recorded in the minutes [Admin.r.11(d)].
- e) The CEO shall ensure that necessary administrative and technological support is readily available to facilitate attendance by electronic means at any meeting, on the basis that approvals may be given at any reasonable time prior to commencement of the meeting by the Shire President or during the meeting itself by Council for a Council meeting.

G26.2 Conducting a Meeting by Electronic Means [Administration Regulation 14D and 14E]

- a) Ordinary meetings will primarily be held as in-person meetings.
- b) Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the Shire President or the Council can approve a meeting to be held by electronic means:
  - Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means [Admin.r.14D(2)(a)(b)].
- c) Where it is otherwise considered expedient or necessary (and there is no declared emergency), the Council may resolve to authorise the meeting to be held by electronic means [Admin.r.14D(2)(c)], subject to:
  - (i) The prescribed limitation is not exceeded on the number of electronic meetings allowed [Admin.r.14D(2A)];
  - (ii) The CEO has been consulted, before the electronic means by which the meeting is to be held is determined by the Shire President or Council resolution [Admin.r.14D(3)(4)];
  - (iii) The decision has given due regard to whether the location from which each Member seeks to attend the meeting and the equipment each Member intends to use, are suitable to ensure each Member is able to effectively engage in deliberations and communications throughout the meeting; and
  - (iv) Each Member has made a declaration prior to the meeting, or that part of the meeting, that is closed, that confidentially can be maintained [Admin.r.14D(6)]. In the absence of such a declaration, a Member is prohibited from participation in the meeting, or that part of the meeting that is closed.
- d) Where a meeting is authorised to be held as an electronic meeting, the CEO must ensure



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details are:

- (i) published on the Shire of Ravensthorpe's Official webpage [Admin.r.12];
- (ii) provided in the Notice of Meeting/Agenda; and
- (iii) broadly promoted to ensure community awareness, such as through social media, newsletters, on noticeboards, etc.

G26.3 Participating in Meetings by Electronic Means

- a) Presiding at Meeting – Where the Shire President is approved to attend an in-person meeting by electronic means, the Shire President may choose to defer to the Deputy Shire President [acting under Section 5.34 of the Act] for the purpose of presiding at the meeting.
- b) Conduct – Members are to be familiar with their Meeting Procedures Local Law and Code of Conduct requirements, in particular, protecting confidential information and appropriate communication practices, when participating in a meeting by electronic means.
- c) Meeting Procedures – Where provisions of a Meeting Procedures Local Law are not applicable to an electronic meeting environment, the Presiding Member may need to consider modification or suspension of the inconsistent subject provisions.
- d) External Parties Participating in Closed Meetings – Where external parties are invited to participate in a closed part of an electronic meeting (such as auditor attending an Audit Committee electronic meeting), before being approved to attend by a resolution of the meeting, they are to first confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.
- e) 50% cap - A Member may only attend a meeting remotely by electronic means, provided they have not attended more than half of all council meetings in the previous 12 months by this method. The 50% attendance cap ensures that elected members and committee members attend at least half of all meetings conducted over a 12 month period, in person.

G26.4 Electronic Means – Regulation 14CA and 14D

- a) Where possible the Shire of Ravensthorpe will conduct its electronic meetings via Microsoft Teams as the approved software platform. The Ravensthorpe Council Chambers has been appropriately equipped to deliver remote attendance using Teams and a Meeting ID and



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Passcode will be forwarded to elected members to enable electronic attendance. Other platforms may be considered at the discretion of the CEO.

- b) The Shire has the following protocols that are necessary to enable an authorisation for attendance by, or holding a meeting by, electronic means, including:
- i. **Location** – Members must confirm that the location from which they attend is safe, quiet, private, devoid of distractions, and where a meeting is closed to the public, a place where confidentiality can be maintained. Location requirements must be satisfied before authorisation is given to a Member to attend any meeting by electronic means;
  - ii. **Equipment** – Policy provisions may specify the requirement to use Local Government provided equipment; and/or if they are not using equipment supplied by the Local Government, the minimum technical and security requirements that must be evidenced by the Member. Equipment requirements should be satisfied before authorisation is given to a Member to attend any meeting by electronic means; and
  - iii. **External Parties Participating in Closed Meetings** – Approval for an external party to attend by electronic means a closed part of a meeting will be subject to policy provisions relevant to: approved electronic means, location and confidentiality. For clarity, these provisions do not apply to participation in public question time.

[G26.5 Agenda Briefings, Corporate Discussions and other meetings](#)

This Policy's conditions as outlined under clauses 26.4 (namely electronic means, location, equipment and external parties provisions) also apply to Elected Member attendance at Agenda Briefing meetings, Council Corporate Discussion sessions and any Council Workshops. Although electronic attendance at these types of meetings is not covered by legislation, it is considered important to include them in the policy to provide clarity for members around how to apply for electronic attendance at these types of meetings and to provide controls to ensure confidentiality is able to be maintained at meetings, and to enable all members to effectively engage in communications and deliberations during these types of meetings. For clarity, cap provisions do not apply to meetings not covered by the legislation.

<b>DOCUMENT CONTROL BOX</b>		
<b>Custodian:</b> Chief Executive Officer		<b>Decision Maker:</b> Council
<b>Compliance Requirements:</b>		
<b>Legislation:</b> 5.126 [Training for Council Members] of the Local Government Act 1995 5.127 [Report on Training] of the Local Government Act 1995 5.128 [Policy for continuing professional development] of the Local Government Act 1995 r35 [Training for Council Members] Local Government Administration Regulations 1996		
<b>Industry:</b>		
<b>Organisational:</b>		
<b>Document Management:</b>		
<b>Risk Rating:</b> Medium	<b>Review Frequency:</b> 2 Years	<b>Next Due:</b>
<b>Version #</b>	<b>Decision Reference:</b>	<b>Description:</b>
a	OCM 18/07/23 – Item 12.1	New Policy
b	OCM 17/12/2024 Item 12.1.2	Policy Reconfirmed – No Amendments