

PROTOCOL ON WEBCASTING AND ELECTRONIC VOTING

Council – 20 February 2024

Report of: Monitoring Officer

Status: For consideration

Also considered by:

- Governance Committee – 30 January 2024

Portfolio Holder: Cllr. Thornton

Contact Officer: Martin Goodman, Ext. 7245

Recommendation to Governance Committee: That it be recommended to Council that the attached draft Protocol on Webcasting and Electronic Voting be adopted.

Recommendation to Council: That the attached draft Protocol on Webcasting and Electronic Voting be adopted.

Reason for recommendation: This decision will be taken in furtherance of a Council resolution of 14 November 2023.

Introduction and Background

- 1 Since the Covid-19 pandemic, all formal Council meetings have been broadcast on YouTube where possible. This practice was mandated by emergency legislation at the time, which has since ceased to be in force.
- 2 The Council's Constitution makes no provision for webcasting. It however sets out that there are two methods for taking a vote, being a show of hands or (if demanded) a recorded vote. These are set out in rules 24.3 and 24.4, which will remain the default notwithstanding the terms of this Protocol.
- 3 On 14 November 2023, the Council resolved that as soon as possible:
All public meetings of the Council, Cabinet and Committees will be recorded on video, this record will be made immediately available, and will be saved on a publicly available website.
A system of electronic voting will be installed to make it straightforward and efficient to record the votes of individual Councillors.
The governance committee consider a Protocol for the recording of public meetings and the use of the electronic voting system to recommend to Council for inclusion within the council's constitution.

- 4 This Protocol once approved by Council will form a new Appendix Z2, with the existing Protocol on Reporting Meetings being renamed as Appendix Z1.
- 5 Members are specifically advised that recordings will not be for commercial or political use. Under the Protocol, the Council will not give permission for recordings to be copied, broadcast by other means, edited by Members or third parties, altered, or in any way reused. It will reserve the right to take legal action against any party who contravenes this provision and for the avoidance of doubt it will be a breach of the Code of Conduct for any Member to directly or indirectly do so.
- 6 Voting electronically is lawful. It is also lawful to record and broadcast Council meetings. However, for the avoidance of doubt, Member attendance by 'Zoom' does not constitute attendance as recognised under the Local Government Act 1972. Such attendance is not the subject of this report.
- 7 Member approval of the attached draft Protocol, or a similar Protocol agreed by Members, is sought.

Other options Considered and/or rejected

In view of the Council resolution there is no alternative but to seek to agree a Protocol.

Key Implications

Financial

None.

Legal Implications and Risk Assessment Statement.

There are potential GDPR implications whenever data is retained or a broadcast made. However, these issues are entirely capable of being contained and addressed within existing data practices and policies. In particular, the proposed Protocol retains the right for video to be edited to protect the rights and freedoms of data subjects.

Equality Assessment

The decisions recommended through this paper have a remote or low relevance to the substance of the Equality Act. There is no perceived impact on end users.

Net Zero Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to be Net Zero by 2030. There is no perceived impact regarding either an increase or decrease in carbon emissions in the District, or supporting the resilience of the natural environment.

Conclusions

Members are asked to approve the attached Protocol, or a similar Protocol.

Appendices

Appendix A – Draft Protocol on Webcasting and Electronic Voting

Background Papers

None

Martin Goodman

Monitoring Officer