

Subject	Consultation on Remote Attendance and Proxy Voting at Local Authority Meetings	Status	For Publication
Report to	Authority	Date	12 December 2024
Report of	Monitoring Officer		
Equality Impact Assessment	Not Required	Attached	No
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1 **Purpose of the Report**

- 1.1 To seek Authority Members' views and approval for a response to the Government's consultation "Enabling remote attendance and proxy voting at local authority meetings" as set out at Appendix A.

2 **Recommendations**

- 2.1 Members are recommended to:
- a. **Consider the consultation questions and provide views on any changes to be made or additional comments to add to the response drafted at Appendix A; and**
 - b. **Approve the submission of the response, incorporating any changes agreed at this meeting, on behalf of the Authority.**

3 **Link to Corporate Objectives**

- 3.1 This report links to the delivery of the following corporate objectives:
Effective and Transparent Governance

To uphold effective governance showing prudence and propriety at all times.

The subject matter of the Government's consultation is central to the effectiveness and transparency of the arrangements in place for the democratic process in the governance of the Authority.

4 **Implications for the Corporate Risk Register**

- 4.1 The actions outlined in this report do not have direct implications for specific risks in the register but some of the factors considered in drafting a response are informed by the risks around member knowledge and skills.

5 Background and Options

- 5.1 The Government has launched a short consultation to seek views on the detail and practical implications of allowing remote and hybrid attendance and proxy voting at local authority meetings in England. The consultation opened on 24 October, running for 8 weeks and will close on 19 December 2024.
- 5.2 The ministerial foreword to the consultation sets out the aim to support the local government sector to modernise democratic engagement and remove unnecessary barriers to this. It recognises that attendance of elected members at local authority meetings is a core part of the democratic process and the importance of opportunities for local residents to engage directly with the people they have elected to take key decisions on their behalf; whilst also recognising that it may not always be possible for members to attend local authority meetings in person.
- 5.3 The Government therefore intends to amend the law to introduce provisions for remote attendance at local authority meetings.
- 5.4 The stated intent is that this increased flexibility will strike the balance between the principle that significant in-person engagement remains vitally important, and a recognition that there will sometimes be a need to accommodate members' requirements to attend meetings remotely. It is hoped that this will encourage a wider diversity of people willing and able to stand and actively participate in local democracy by creating improved conditions where meetings are accessible and inclusive.
- 5.5 In addition, the Government is seeking views on the possible introduction of proxy voting for those occasions when an elected member, due to personal circumstances, may be unable to attend even remotely, for example during maternity, paternity or adoption leave.
- 5.6 The consultation is an open one and responses are invited from local authority elected members, all types and tiers of authorities, and local authority sector representative organisations.
- 5.7 Authority members may wish to respond to the consultation themselves of course and may also be aware of any responses to be submitted by the Councils in South Yorkshire.
- 5.8 This report sets out a proposal to submit a response on behalf of the Pensions Authority. An initial draft response is attached at Appendix A.

Remote Attendance at Local Authority Meetings

- 5.9 Members will be aware that during the COVID-19 pandemic in 2020, the Government introduced temporary national regulations enabling local authority meetings to be conducted virtually, safeguarding public health while ensuring local governance could continue. Under these regulations, the Authority conducted its meetings remotely via Microsoft Teams until the regulations were repealed in May 2021.
- 5.10 Whilst this was not an optimal circumstance, it nevertheless was managed effectively and there were benefits gained from the additional flexibility.
- 5.11 In the Authority's own context, the factors that need to be considered in relation to enabling remote attendance at meetings include:
 - a. The benefits that this would bring in relation to greater flexibility for members that might enable attendance at a meeting remotely as an alternative to having to send apologies and miss a meeting altogether when circumstances prevent travelling to the meeting in-person.

- b. The importance of the quality of interaction and debate when present at meetings in person, particularly considering the highly technical and complex issues dealt with by Members at Authority meetings.
 - c. The vital aspect of training and seminars and how these are delivered alongside the formal meetings – whilst the aim is to provide a hybrid option for these wherever possible, it is again important to recognise the benefits of having some in-person presence for such events to aid the quality of the learning experience.
 - d. If following the consultation, the Government legislate as intended to allow remote attendance at local authority meetings, prior to being able to implement this, the Authority will need to review the technological infrastructure provision at Oakwell House to ensure it is sufficient and suitable to support this effectively alongside in-person attendance and the live-streaming of meetings.
- 5.12 Based on these considerations, a potential response has been drafted that is broadly supportive of the principle of granting powers to local authorities to allow remote attendance at meetings, but in a controlled and balanced way that would require at least some in-person presence at all formal meetings and to require certain controls and procedural measures to ensure that standard constitutional arrangements are followed.
- 5.13 Question 9 on the consultation seeks views on whether the proposal would particularly benefit or disadvantage individuals with protected characteristics such as disabilities or caring responsibilities. Members' views on this would be welcome as it could be considered in both ways:
- a. Benefiting such individuals by enabling attendance without having to travel and by providing flexibility and ability to use technology available to participate;
 - b. Potentially disadvantaging individuals if they are unable to benefit from the additional support available in person at meetings.

Proxy Voting

- 5.14 Proxy voting is a form of voting whereby a member of a decision-making body may delegate their voting power to another representative to enable a vote in their absence.
- 5.15 The Government's consultation sets out that it is possible that some members may find that, due to their personal circumstances, they are temporarily unable to participate in meetings even if remote attendance provisions are in place. It is suggested that provisions for proxy voting could provide additional flexibility to those who really need it on a time-limited basis, allowing affected members to indirectly exercise their democratic duty, participate in their local authority's governance, and ensure that their views are taken into consideration. In the context of local authorities, the representative would have to be another elected member of the local authority.
- 5.16 Given the technical nature of the decisions required for the Authority and the nature of its representation, we are suggesting that our response does not support the introduction of proxy voting as it would not be appropriate, nor particularly beneficial, in our context.

Consultation Response

- 5.17 The draft response is attached at Appendix A. Members are asked to consider the questions in the consultation and provide views on any of the proposed answers in the document and any further comments or considerations they wish to be included in the response.

6 **Implications**

6.1 The proposals outlined in this report have the following implications:

Financial	None directly.
Human Resources	None directly.
ICT	None directly
Legal	The outcome of the consultation may lead to a change in legislation that may require changes to be made accordingly in the Authority's Constitution.
Procurement	None directly

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Background Papers	
Document	Place of Inspection
Government Consultation – Enabling Remote Attendance and Proxy Voting at Local Authority Meetings	Enabling remote attendance and proxy voting at local authority meetings - GOV.UK