

NALC guidance published 4 February 2021:

The regulations that allow local authorities to hold meetings remotely apply to local authority meetings that are required to be held, or held, before 7 May 2021. This means that, without any further action from the government, all local authorities including local councils **must return to face to face meetings from 7 May**. NALC is working with a number of national bodies to press the government to extend these regulations beyond this date and will continue to stress the urgency and importance of this issue. However, at this time government has no plans to extend these regulations and so councils should start preparing for the real possibility of face to face meetings from May.

NALC's position remains that all local councils should continue to meet remotely while the regulations are in force. The guidance below has been written to help local councils prepare for the scenario that remote council meetings cannot lawfully take place from 7 May 2021. There is still much uncertainty around how legislation or COVID-19 risks may change over the coming weeks and months. NALC will update this guidance as the situation evolves. Each council will have to decide which course of action will best fit their needs and manage risks.

To help local councils prepare for this possibility some advice and suggestions are below:

- Consider what council business can be conducted before May so that the council can dedicate time to those issues in remote meetings. The more discussion and decisions you can conduct in remote meetings means the council can aim to hold fewer and shorter face to face meetings after May.
- This may require more meeting time than is currently planned, so the council should look at the meeting schedule in the run-up to May and see if more time or more meetings are required. Where possible, consider holding the annual council meeting and the parish meeting while the current Regulations permit for them to be held remotely (see also NALC's [Legal Briefing L01-20](#)).
- Consider when the council does need to meet face to face, and whether meetings can be delayed to later in the year when the potential COVID-19 risk may be further reduced.
- The council might consider holding a remote meeting as late as possible in April so that councillors who are unable to attend face-to-face meetings will have as much time as possible before disqualification by virtue of s.85 of the Local Government Act 1972 becomes an issue.
- It may help the council's business continuity to implement (or review) a scheme of delegation. This would allow the clerk to make certain decisions for the council, which would be especially important if the council were unable to hold meetings due to COVID-19 risks. In reviewing/adopting a scheme of delegation the council should ensure there is clarity around which decisions are delegated and which are not, for how long the scheme of delegation is in place, and when the scheme of the delegation will end or be reviewed.

Some tips that may help manage well-attended remote meetings are:

- keeping the meeting short with limited business/votes
- using electronic voting tools (many platforms have built-in tools for voting)

- if you plan to vote by a show of hands or calling a register then budget significant extra time for this
- building in public engagement through online tools, that you could use to ask the public to feedback or express views that you would usually discuss in a meeting You could do also do this before or after the meeting as a way of ensuring ongoing public engagement (there are a number of free tools available online)
- build in time to practice and prepare with the Clerk and Chairman in advance of the meeting
- Further guidance on [holding effective remote meetings](#) available from NALC

From May 2021, as face-to-face council meetings resume there will still be the risk to attendees of COVID-19 exposure. Councils should conduct a risk assessment in advance of a face to face meeting which should give consideration to what the council can do to reduce risk to councillors, staff and public including:

- Providing hand sanitiser to those entering the meeting room and making sure hand sanitiser is readily available in the room itself
- Staggering arrival and exit times for staff, councillors and members of the public
- Placing seating at least 2-metres apart
- Ensuring everyone wears face masks
- Holding paperless meetings
- If papers are provided, people should be discouraged from sharing with others and asked to take the papers with them at the end of the meeting to minimise how many people handle the papers
- Arranging seating so people are not facing each other directly
- Choosing a venue with good ventilation, including opening windows and doors where possible
- Choosing a large enough venue to allow distancing – this may mean choosing a different venue to what the council used before.
- The council (or venue owner/operator) will need to identify the venue's maximum capacity in their risk assessment, taking into account the need for social distancing. Consider how the council will ensure this capacity is not exceeded and how it will manage the situation if more people wish to attend than capacity allows. For example, could meetings be live-streamed or could members of the public submit questions via email?
- If the venue has an NHS QR code to support test and trace then all attendees should register using that app, for those without access to the app they should register attendance in line with the venue's test and trace procedure. NB all venues in hospitality, the tourism and leisure industry, close contact services, community centres and village halls must have a [test and trace procedure](#)
- Venues must conform with the government guidance for [multi-purpose community facilities](#) and for [council buildings](#). If the venue is run by the council then the council must take responsibility for this, otherwise, the council can ask the venue to provide confirmation that they do conform to this guidance
- The council must understand and ensure it is acting in compliance with the latest government [safer workplaces guidance](#)

Managing staff:

- It would be advisable to inform the clerk and any other staff whose role involves supporting or attending council meetings, as soon as possible that the council will need to prepare to return to face to face meetings from May onwards. This will allow them to make the necessary preparations as described above, and also to allow time to engage with staff to alleviate any concerns they may have related to attending physical meetings again.
- Councils should consult with staff (ask for and consider their views to try and reach an agreement) about returning to work as part of their preparations for face to face meetings.
- The council must make the workplace (including council meetings) as safe as possible for staff, this includes undertaking a risk assessment, taking reasonable steps to reduce risks identified in the risk assessment, and ensure it is acting in compliance with the latest Government [safer workplaces guidance](#)
- ACAS have produced useful [guidance for employers and employees](#) related to COVID-19, including advice on how to support staff to [return to the workplace](#) and how to manage situations where staff may be worried or not wish to return.