

West Yorkshire Combined Authority

Interim Addendum to Standing Orders (including modifications to Standing Orders)

1. Pre-amble

Regulations¹ issued under the Coronavirus Act 2020 now allow meetings of the Combined Authority to be held remotely, that is, without any or all Members to be physically present in a room. They also remove the requirement for the annual meeting in 2020. Applying the Regulations will enable essential decision-making to continue whilst upholding democratic principles and enabling all to comply with public health guidance, during the course of the coronavirus pandemic.

This interim Addendum to Standing Orders (“the Addendum”) modifies the Combined Authority’s existing Standing Orders, in accordance with, and further to, the Regulations.

2. Timescales

This Addendum applies to any meeting which is required to be held, or is held, before 7 May 2021.

3. Definitions

In these interim Standing Orders:

“Meeting” means any meeting of

- the Combined Authority, or
- any committee of the Combined Authority, or
- any sub-committee of the Combined Authority.

“Member of the Combined Authority” includes

- a co-opted member of a committee or sub-committee whether voting or non-voting, and
- any independent member of the Governance and Audit Committee.

¹ The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

“Remote Access” means by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.

“Standing Orders” means all or any of the following adopted by the Combined Authority, as the context requires:

- Procedural Standing Orders,
- Access to Information Appendix to Procedural Standing Orders,
- Code of Practice for Recording Meetings,
- Scrutiny Standing Orders, and
- Members’ Code of Conduct

4. Application of Standing Orders

Standing Orders continue to apply, subject to any modification set out in the Addendum. If any Standing Order conflicts with the Addendum, the Addendum shall take precedence.

5. Meeting times and dates

Procedure Standing Orders 5 and 6 are modified to allow the Combined Authority² without further notice³ to

- hold any meeting on any date and time, or
- alter the frequency of, move or cancel any meeting⁴.

6. Place of meetings

Any reference in Standing Orders to a meeting is not limited to a meeting of Members all of whom, or any of whom, are present in the same place.

In Procedure Standing Order 8.1 and otherwise in any Standing Orders where the context so requires, any reference to a “place” where a meeting is held, or to be held, includes reference to more than one place including electronic digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

7. Notice of meetings

Procedure Standing Order 9.1 is to be read as if after "at the Combined Authority’s offices" there were inserted "or on the Authority's website".

² or the Head of Legal and Governance Services in consultation with the Chair

³ For the avoidance of doubt, this does not override the statutory requirements to provide notice etc. in relation to individual meetings

⁴ The Head of Legal and Governance Services may alter the frequency, move or cancel a meeting in consultation with the relevant Chair, without requirement for further notice.

8. The annual meeting

The requirement in Procedural Standing Order 5.1 for the Combined Authority to have an annual meeting is disapplied.

Where an appointment would otherwise have been made or is required to be made at the annual meeting, the appointment will continue until the next annual meeting of the Combined Authority or until such time as the Combined Authority determines.

9. Attendance at meetings

Any reference in Standing Orders (however expressed) (including in Procedure Standing Orders 14 (Chair and Vice-Chair) and 15 (quorum)) to being “present” at a meeting includes being present through Remote Access, subject to a Member being in remote attendance.

Any Member who is present at a meeting through remote access attends in Remote Attendance at any time if the Member is able —

- (a) to hear, (and where practicable see), the other Members in attendance, and
- (b) to be heard (and where practicable seen) by the other Members in attendance, and
- (c) to hear, and where practicable see, any members of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
- (d) to be heard and, where practicable, be seen by, any member of the public entitled to attend the meeting in order to exercise a right to speak at the meeting, and
- (e) to be heard and, where practicable, seen by any other members of the public attending the meeting.

All of these conditions (a) - (e) must be satisfied for a Member to be in Remote Attendance. For this purpose, any reference to a Member, or a member of the public, attending a meeting includes that person attending by Remote Access.

This provision applies even if there is any prohibition or other restriction in Standing Orders, and any such prohibition or restriction has no effect.

10. Public access to meetings

Any reference in Standing Orders (however expressed) to a meeting being “open to the public” includes access through Remote Access, and where a meeting is accessible to the public through Remote Access, the meeting is open to the public whether or not members of the public are able to attend the meeting in person.

A meeting shall not be taken as open to the public unless full details of how the public may access the meeting through Remote Access are published on the Combined

Authority's web-site, at least 5 clear days in advance of the meeting where reasonably practicable.

11. Voting

Show of hands

Where under Procedure Standing Order 19.10 a vote is taken by show of hands, the Chair will ask any Member in Remote Attendance who cannot be seen by other attendees to confirm verbally how they are voting. The individual vote of any Member confirming verbally in these circumstances will not be formally recorded in the minutes, except in accordance with Procedure Standing Order 19.12 (right to request an individual vote) or 19.13 (recorded vote).

Ballot

Procedure Standing Order 19.11, which provides for a ballot to be requested, is suspended where any Member at a meeting is in Remote Attendance.

12. Documents

Any reference in Standing Orders (however expressed) to a document being "open to inspection" includes being published on the Combined Authority's website.

Any reference in Standing Orders (however expressed) to "the publication, posting or making available of a document at offices of the Combined Authority" includes publication on the Combined Authority's website.

13. Officer decisions

In relation to public access to officer decisions as set out in the Access to Information Annex, the Combined Authority may make the written record and any background papers available for inspection through any (or all) of the following means:

(a) publishing the record and any background papers on the Combined Authority's website; or

(b) by such other means that the Combined Authority considers appropriate.

14. Protocol for any meeting for which there is Remote Access

Members and officers should have regard to the guidance set out in the Protocol attached as appendix 1 to the Addendum for any meeting for which there is Remote Access.

Protocol for any meetings up to 7 May 2021

1. Definitions

In this Protocol:

“Remote Access” means by electronic means, including by telephone conference, video conference, live webcasts, and live interactive streaming.

“Remote Attendance” means attending a meeting by Remote Access and complying with the conditions set out in the interim Standing Orders about being heard and seen by other attendees.

A “Member of the Combined Authority” includes

- a **co-opted member** of a committee or sub-committee whether **voting or non-voting**, and
- an **independent member** of the Governance and Audit Committee.

2. Introduction

This Protocol applies to meetings of:

- the **Combined Authority**,
- any **committee** of the Combined Authority (including the Overview and Scrutiny Committee and the Governance and Audit Committee), and
- any **sub-committee** of the Combined Authority.

It does not apply to meetings of working-groups.

All meetings for which there is Remote Access will be held in accordance with the **interim Addendum to Standing Orders**.

Other Standing Orders (including the Members’ Code of Conduct) still apply, but are modified in some respects by the Addendum. The usual requirements relating to the following (for example) still need to be followed:

- the publication of agendas and reports within statutory timescales,
- exempt and confidential information, and
- quora.

3. Remote Access meetings

All meetings should be held through Remote Access only, unless the Managing Director, in consultation with the Chair of the Combined Authority, and in accordance with public health guidance, agrees that a meeting may be of Members in the same room, which will be open to the public.

Appendix 1 to the Interim Addendum to Standing Orders

4. Attendance

Members may attend any meeting by Remote Access while the Addendum is of effect. For transparency, a Member in Remote Attendance should **try where practicable to connect on camera**, as well as audio. This will also help the meeting run smoothly.

Before the meeting starts, Governance Services will provide the Chair with a list of Members expected to be in Remote Attendance. At the beginning of the meeting, the Chair will ask any Member in Remote Attendance who is not able to be seen by attendees to **confirm their attendance verbally**, as a way of confirming their identity.

Leaving and joining the meeting

Members should **join the meeting promptly** to avoid interruption and should **attend the whole meeting** wherever possible.

Members (including those who may be seen) should **inform the Chair** and the Governance Services Officer as soon as practicable if they

- **join the meeting part-way through,**
- **leave the meeting** before it is finished, **or**
- later **re-join** the meeting.

This will help the record of attendance to be accurate and ensure quorum has been met; the minutes will record these declarations.

5. Officers

An Officer may present a report (or otherwise contribute) to a meeting where this is normal practice, but only where they have Remote Access to the meeting which enables them to be heard by attendees.

A Governance Services Officer must be present at the meeting and must be in the room if a meeting is held in a physical room, but with some Members in Remote Attendance.

6. Other attendees

Any other person may attend and contribute to a meeting (in accordance with Standing Orders or otherwise invited to do so by the Chair), provided that they have Remote Access to the meeting which enables them to be heard by attendees.

7. Conduct of the meeting

The Chair should be proactive and verbally note the order of speaking at the beginning of discussion on an item.

Appendix 1 to the Interim Addendum to Standing Orders

Members in Remote Attendance who can be seen by other attendees and wish to speak on an item¹, should **raise their hand**. The Chair should check with any Member in Remote Attendance who can't be seen whether they wish to speak on each item. Members who cannot be seen may use a 'prompt' function to request time to speak or do so verbally if connected by telephone only.

Members should

- only **speak when invited to** by the Chair,
- **state their name** before making a comment if not visible via video,
- **not speak over each other**,
- keep their **microphones on mute** if they are not speaking,
- **state the relevant page or slide number** where referring to a particular document

8. Voting

The Chair should ask Members to collectively affirm any recommendation verbally. A Member in Remote Attendance must **inform the Chair if they do not wish to affirm the resolution**, at which point the Chair may ask for a show of hands – to be carried out in accordance with the Addendum, which provides for the Chair to ask any Member in Remote Attendance who cannot be seen by other attendees to confirm verbally how they are voting.

9. Exempt and confidential items

The **usual requirements** in relation to these continue to apply.

These items should be considered at the **end of a meeting** to facilitate prohibiting the public's access during these items.

The Governance Services Officer is responsible for ensuring that the public do not have access to the meeting during these items.

The Chair must not allow the meeting to discuss any exempt or confidential item until the Governance Services Officer has verbally confirmed that the public does not have access to the meeting.

A Member in Remote Attendance must not breach their **duty of confidentiality** to the Combined Authority by allowing any unauthorised person to be present in the same room as them when the meeting discusses an exempt or confidential item.

¹ Under Procedure Standing Order 18

Appendix 1 to the Interim Addendum to Standing Orders

10. Technical difficulties

If the Chair is made aware that the public's Remote Access to the meeting is lost or interrupted, the Chair should adjourn the meeting during any item which is open to the public.

The Chair should also adjourn the meeting if the Governance Services Officer loses their connection.

The Chair may briefly adjourn a meeting if made aware that a Member in Remote Attendance has lost their connection to the meeting.

If a significant number of Members in Remote Attendance lose their connection at the same time, the Chair may adjourn the meeting to another date or time even if the meeting is still quorate.

During any period when a Member has lost their connection, they are not deemed to be present at the meeting. If this happens, a Member should consider whether their absence during the item is such that it is inappropriate for them to take part in the vote.

The Chair may also defer an item if any other person who was expected to participate or contribute in relation to that item loses their connection.

11. Conflicts of interest

Members must **comply with the Members' Code of Conduct**, including making declarations of interest at a meeting. Any declarations made will be recorded in the minutes of the meeting.

A Member in Remote Attendance with a disclosable pecuniary interest in an item who has to leave the meeting² should **declare their interest verbally** to the Chair and **leave the meeting**. Once the item has been dealt with, the Governance Services Officer attending the meeting will tell the Member when they may re-join the meeting.

² in accordance with Procedure Standing Order 26.3