

WYRE FOREST DISTRICT COUNCIL
ETHICS AND STANDARDS COMMITTEE
29TH MARCH 2010

The Use of ICT in Meetings

OPEN	
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APPENDICES	Appendix 1: Briefing Note

1. PURPOSE OF REPORT

- 1.1 To update Members on the further consultations that have taken place regarding the use of ICT in meetings.
- 1.2 To ask the Council to give consideration to the Constitution being amended to prohibit the making or receiving of calls at committee meetings and for all phones at committees to be turned to silent.

2. RECOMMENDATION

- 2.1. **The Committee is asked to RECOMMEND to Council that the Council's Constitution be amended to prohibit the making or receiving of calls at committee meetings and all phones at committees to be turned to silent.**

3. BACKGROUND

- 3.1 At the last meeting of the Ethics and Standards Committee a report on this subject was withdrawn to allow for further consultation.
- 3.2 The suggestion that the Council consider the use of ICT in meetings had arisen at a meeting of the Ethics and Standards Committee on 15th December 2009 when it was suggested that guidance be drafted on this matter. Concerns had been expressed about some Members using their mobile phones during Council meetings.

4. KEY ISSUES

- 4.1 As highlighted in the attached briefing note, there is a risk of challenge by members of the public, applicants or objectors if Members appeared not to be giving full attention to the presentation of evidence that required a vote at a Regulatory Committees.
- 4.2 It is important not to undermine the legitimate and efficient use of ICT at meetings.

5. FINANCIAL IMPLICATIONS

- 5.1 The cost of any judicial review relating to a regulatory decision could be substantial.

6. LEGAL AND POLICY IMPLICATIONS

- 6.1 There is concern about the use of mobile phones particularly with regard to regulatory committees where the decision could legitimately be changed by way of judicial review if members do not give their full attention during presentation of an application to the Committee.

7. EQUALITY IMPACT NEEDS ASSESSMENT

- 7.1 As the briefing note is intended to apply to all Members and Officers it is considered that there are no issues arising from the Equality Impact Assessment.

8. RISK MANAGEMENT

- 8.1 There is a risk of legal challenge to a regulatory decision if it is perceived that a Member has not given an application their full attention.

9. CONCLUSION

- 9.1 Standards for England encourage Ethics and Standards Committee to take the lead in setting standards by giving clear guidance to Members. It is considered that the Briefing Note gives clear advice to Members regarding the use of mobile phones in Council meetings and the risks associated with the integrity of regulatory decisions.

10. CONSULTEES

- 10.1 Chairman and Vice-Chairman of Ethics and Standards Committee

11. BACKGROUND PAPERS

- 11.1 Minute ES.19, Ethics and Standards Committee, 15th December 2009

Briefing Note:

THE USE OF ICT IN MEETINGS

The starting premise for the use of ICT at meetings must recognise that Wyre Forest District Council is a modern Council and any guidance must recognise the importance of efficient and effective communication including electronic agendas and note taking.

Certain Members have, in confidence, raised their concerns about Members using Blackberries in regulatory meetings. (In particular planning meetings where objectors, or officers have been addressing meetings and Members have been distracted by messages on their Blackberries.)

There is a very real risk of challenge by members of the public, applicants or objectors if Members appear not to be giving full attention to the presentation of evidence that they will be voting on at Regulatory Committees. It is therefore important to consider restrictions on the use of Blackberries/mobile phones in circumstances where Members are determining planning or other applications.

It is important that any proposals on regulation of ICT does not undermine the legitimate and efficient use of ICT at meetings e.g. laptops. Members/Officers need to be able to access electronic agendas and make their own notes on items during committees. It would also be impossible to distinguish between legitimate/illegitimate use of laptops and prohibiting the use of laptops in meetings would be a backward step by the authority in the requirement to facilitate modern ways of working.

It would be pertinent to amend the Constitution to prohibit the making and receiving of phone calls at committees and the requirement for all phones at committees to be turned to silent. This would enable Members/Officers to receive particularly urgent calls without disturbing the meeting.

This note has been prepared by the Monitoring Officer in consultation with the Chief Executive.