



Title: Electronic Participation	
Policy #: G-ELE-1	
Approved by Regional Council	Page #: 1 (of 5)
Issued: April 27, 2022	Revised:
Responsibility: Regional Clerk and Regional Chair	Section: General

1. Policy

- 1.01 In accordance with the Procedural By-law 44-2018, as amended, the Regional Clerk, in consultation with the Regional Chair, shall establish practices and procedures for electronic participation.

2. Purpose

- 2.01 To outline the rules, policies and procedures with respect to participating in meetings of Council, Standing Committees, Committee of the Whole, Advisory Committees and local boards when electronic participation is available.
- 2.02 To ensure that as many aspects as possible for electronic participation mimic those for in-person participation, including the enforcement of the rules and consequences of in-person participation.
- 2.03 To ensure the transparency of Council and Committee deliberations during meetings in which participants may be attending electronically.

3. Definitions

- 3.01 “Council Chambers” means the Council Chambers meeting room located at the Regional Municipality of Durham headquarters building
- 3.02 “Device” means the technology used to access the electronic meeting platform, these may include, but are not limited to, mobile devices such as smart phones and tablets, or desktop computers
- 3.03 “Electronic Meeting Platform” means an application or digital platform used to allow participants to attend a meeting via the internet, examples include, but are not limited to, Zoom and Microsoft Teams
- 3.04 “Electronic Participation” means attending a meeting through an electronic meeting platform
- 3.05 “Hybrid Meeting” means a meeting at which participants may be attending both in-person or via an electronic meeting platform

- 3.06 “In-person” means attending a meeting by being physically present in the designated meeting room
- 3.07 “Participant” means a member of the Council, Committee or local board; or a member of the public, or staff who is attending the meeting either electronically or in-person
- 3.08 “Region” means the Regional Municipality of Durham
- 3.09 “Streaming” means broadcasting the meeting in real-time via the Region’s website: durham.ca

4. Background

- 4.01 Bill 187 received Royal Assent on March 19, 2020 to amend the Municipal Act, 2001 to provide that during emergencies, should they choose to, members of councils, local boards and committees of either of them who participate electronically in open and closed meetings may be counted for the purposes of quorum.
- 4.02 On March 25, 2020 Regional Council amended the Procedural By-law #44-2018 to allow for members of Regional Council and local boards to participate electronically in Standing Committee, Committee of the Whole, Board and Council meetings, in cases where an emergency has been declared to exist in all or part of the municipality, and that such participation count towards quorum, and that delegations also be permitted via electronic participation.
- 4.03 The Procedural By-law was further amended on June 24, 2020 to allow for electronic participation at all times for Advisory Committee, Standing Committee, Committee of the Whole, Board and Council meetings. However, members would not be counted towards quorum or be able to participate in closed meetings unless it was during a declared emergency, in accordance with the Municipal Act.
- 4.04 Bill 197 received Royal Assent on July 21, 2020 to amend the Municipal Act, 2001 to allow for members of Council who are participating electronically to count towards determining quorum and to participate in closed meetings at all times. The procedural By-law was amended on July 29, 2020 to reflect these new provisions.

5. Preamble

- 5.01 These procedures may be amended from time to time by the Regional Clerk, in consultation with the Regional Chair, and will be made available on the Regional website at durham.ca.
- 5.02 These procedures may be amended to coincide with the electronic meeting platform and the technology being used. Currently, the Region uses Microsoft TEAMS.
- 5.03 Separate procedures explaining how to use the electronic meeting platform may be sent via email to members prior to each meeting which will be held electronically. If members will also be in attendance in the meeting room, the procedures may also be printed and made available in the room.

- 5.04 This document is intended to provide clarity on electronic meeting procedures only and should be considered as a companion document to the Procedural By-law 44-2018, as amended. Should there be a discrepancy between these procedures and the Procedural By-law, the Procedural By-law shall take precedence.

6. Declared Emergencies

- 6.01 These procedures may be amended if an emergency has been declared, for example during a pandemic emergency, members of the public may not be allowed to attend the meeting in-person and delegates may have to participate electronically.
- 6.02 If a hybrid meeting is being conducted during a pandemic situation, then those attending in-person may be required to wear a mask or face covering when they enter the meeting room and may remove it once they are in their designated seating area, in compliance with any current public health orders. Additionally, those attending in person may need to complete a screening process, or meet other requirements as outlined in legislation. Notification of attendance may also need to be provided to the Clerk at least 24 hours prior to the meeting to ensure that physical distancing measures can be met where required.

7. Hybrid Meetings/Technology Integration

- 7.01 The microphones in Council Chambers have been configured to work with electronic meetings. If there are members participating remotely and members participating in the Council Chambers (in-person), then those in the Chambers will use their devices to join the meeting and keep the microphone and speaker on their device turned off. They will use the microphones in Chambers to participate in the meeting and they will hear the meeting audio over the speakers in Chambers. Members in the Council Chambers and those participating remotely will use the cameras on their devices to enable the video feature. The meeting experience should be comparable for those participating in-person and those participating remotely.

8. Procedures

Convening and reconvening Meetings:

- 8.01 Each meeting will begin with a roll call conducted by the Clerk or designee.
- 8.02 If there is a recess during the meeting, a roll call will be conducted when the meeting resumes.
- 8.03 The Clerk will make note of which members participated in-person and which members participated remotely.
- 8.04 General procedural reminders will be verbally outlined by the Regional Clerk or designees at the beginning of every meeting.

Closed Meetings:

- 8.05 Should a meeting go into Closed Session, those members who have made a declaration of interest on the matter to be discussed will need to electronically “leave” the meeting and join again once the closed session is completed. The Regional Clerk must be satisfied the Member has left the meeting.
- 8.06 Those members participating in the closed session will be reminded that they are to be in a room by themselves and that no one else is to be privy to the closed meeting. Members participating from a remote location are required to wear a headset during closed sessions. Members must ensure the confidentiality of the meeting and that the deliberations are private.

Communication Via Meeting Platform:

- 8.07 The “chat” feature in the electronic meeting platform will be used only to indicate requests to speak or requests to question, not for discussion or comments.
- 8.08 The request to question or request to speak will not be acknowledged until the matter the member wishes to speak to is being considered.
- 8.09 Members participating in-person will also indicate requests to speak and requests to question using the “chat” feature in the meeting platform.

Use of Video Function:

- 8.10 Those participating in the meeting will turn their cameras on to use the “video” function on their device so that all participants are visible at all times. Those participating from somewhere other than the Council Chamber are urged to use the settings in Microsoft Teams to “blur” their background view to ensure privacy.

Declarations of Interest:

- 8.11 Members will audibly declare pecuniary interests as defined in the Municipal Conflict of Interest Act and will submit a written copy of their declaration electronically to clerks@durham.ca as soon as possible. Written declarations may be submitted prior to the meeting.

Motions:

- 8.12 Members will submit any motions they wish to make in advance via email to clerks@durham.ca and will identify a seconder. Motions may be circulated during the meeting and can be displayed in the Council Chamber.

Streaming:

- 8.13 If the live stream stops working during a meeting that involves electronic participation (full or hybrid), then the meeting will recess for 15 minutes while the live streaming issues are resolved. If the issues cannot be resolved during the 15 minute recess, then the meeting will be adjourned until the live stream is available.

Voting:

- 8.14 Members participating electronically are expected to vote if they are signed-in to the meeting. If the member needs to leave the meeting for any reason, they are to leave/sign-out and re-join the meeting once they are able too. The onus is on the member to adhere to the Procedural By-law, Municipal Act and Code of Conduct and vote if they are “present” at the meeting and are not disqualified from voting by any Act.
- 8.15 When a recorded vote is called for, a Roll Call vote is conducted by the Regional Clerk or designee; members are to audibly indicate how they wish to vote when their name is called. Members who do not vote will be marked as absent as it is not possible to determine whether the member is present and not voting.

9. Public Delegations/Presentations

- 9.01 Delegates and presenters may be permitted to participate electronically in a manner approved by the Regional Clerk and Chair, or in-person in the case of a hybrid meeting.
- 9.02 Regional AV employees will operate any electronic presentation material.
- 9.03 Delegates and presenters participating in-person will use the lectern in Council Chambers to speak. The microphone and surface of the lectern will be sanitized following each delegate.

10. References

- 10.01 Procedural By-law 44-2018, as amended
- 10.02 Municipal Act.

11. Inquiries

- 11.01 For additional information regarding this policy please contact the Regional Clerk at clerks@durham.ca