



Memorandum

The Regional
Municipality of Durham
Legislative Services

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Alexander Harras
Regional Clerk

Date: August 18, 2023
To: Regional Chair Henry and Members of Regional Council
From: Alexander Harras, Regional Clerk
Subject: Electronic Participation Policy

In accordance with section 7.10 of Council's Procedure By-law #65-2022, the Clerk, in consultation with the Regional Chair, shall establish practices and procedures for electronic participation.

Please be advised that the policy for Electronic Participation at meetings has been updated and is attached for your reference. The updated Policy will replace Appendix B of the Procedure By-law.

The Policy outlines the rules for participating electronically in meetings of Council, Standing Committees, Committee of the Whole, Advisory Committees and local boards, when electronic participation is available.

The updates are administrative in nature and include removing references to the use of Microsoft Teams, removing pandemic centric rules, rearranging the order of some rules, and combining the Background/Preamble sections and making them more succinct. Rules requiring members to keep cameras on while participating virtually remain in place.

Please contact the undersigned with any inquiries.

Respectfully submitted,

A handwritten signature in blue ink, appearing to be 'AH'.

Alexander Harras
Regional Clerk



Regional Municipality of Durham
Corporate Services
Council Policy Manual

Title: Electronic Participation	
Policy#: CS-ELE-1	
Approved by: Regional Council	Page#: 1 (of 4)
Issued: April 27, 2022	Revised: August 18, 2023
Responsibility: Regional Clerk and Regional Chair	Section: Corporate Services

1. Policy

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

2. Purpose

- 2.01 To outline the rules, policies and procedures with respect to participating electronically 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 mirror those for in-person participation, including the observation of the rules of procedure and 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, including but 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, including but not limited to Webex, Zoom, Microsoft Teams and EasyConf Connect.
- 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.

4. Background & Preamble

- 4.01 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 updated on July 29, 2020 to reflect these new provisions.
- 4.02 The Region of Durham Council Chambers supports Hybrid Meetings. Members participating in-person use cameras and microphones in the Chambers to be seen and heard by others participating in-person and electronically. Members participating electronically use their personal device to connect to the meeting and use the microphone and camera on their device to be seen and heard by Members in the Chambers and connected electronically. The meeting experience should be comparable for those participating in-person and electronically.
- 4.03 This document is intended to provide clarity on electronic meeting procedures only and is a companion document to the Procedural By-law. Should there be a discrepancy between this document and the Procedural By-law, the Procedural By-law shall take precedence.
- 4.04 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 and/or included as an appendix to the Procedural By-law.

5. Procedures

Rules

- 5.01 General reminders for electronic participation rules may be verbally outlined by the Clerk or their designate at the beginning of every meeting as required.

Attendance

- 5.02 The Clerk or their designate shall make note of which members are participating in-person and which members participating electronically during a Hybrid Meeting.

Requests to Speak & Communication

- 5.03 Members participating in-person shall indicate a request to speak by pressing the microphone button located at their seat in the Council Chambers.
- 5.04 Members participating electronically shall indicate a request to speak by pressing the Request to Speak button on the user interface of the Electronic Meeting Platform.
- 5.05 Members participating electronically may indicate a Point of Order or Point of Privilege by pressing the Raise Hand button on the user interface of the Electronic Meeting Platform.
- 5.06 The Chair or Clerk of the meeting shall have control over the speakers list and will activate speakers’ microphones.

- 5.07 The “chat” feature of the Electronic Meeting Platform shall not be used and is not monitored by the Chair or the Clerk. Members with urgent communications to the Chair or Clerk are advised to e-mail clerks@durham.ca, which is actively monitored during meetings.

Public Delegations/Presentations

- 5.08 Public delegates and presenters are permitted to participate electronically.
- 5.09 Regional AV employees may operate any electronic presentation material to assist delegates and presenters.

Closed Sessions

- 5.10 Should a meeting go into closed session, members participating electronically who have made a declaration of interest on the matter to be discussed shall disconnect from the meeting and may join again once the closed session has concluded.
- 5.11 Members participating electronically in a closed session shall ensure the confidentiality of the meeting by taking necessary precautions, including for example:
- Participating from a private location with no other individuals in the room; and
 - Wearing a headset during the closed session.

Use of Video

- 5.12 Members participating electronically in the meeting shall turn their cameras on during meetings so that they are visible to the Chair and all other meeting participants.
- 5.13 Members participating electronically may “blur” their background to ensure their privacy, if such features are available in the Electronic Meeting Platform.

Motions

- 5.14 Members are encouraged to submit any motions they wish to make in advance of the meeting via email to clerks@durham.ca, noting the mover and seconder.
- 5.15 Motions may be circulated during the meeting and may be displayed to all participants as necessary.

Voting

- 5.16 Members participating electronically are expected to vote if they are signed-in to the meeting. If a Member needs to leave the meeting for any reason, they are to sign out of the Electronic Meeting Platform and may re-join at a later time. 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 not otherwise disqualified from voting.
- 5.17 When a recorded vote is called, Members are to indicate how they wish to vote using the Electronic Meeting Platform.
- 5.18 Members participating electronically who do not vote will be marked as “Absent” if it is not possible to determine whether the member is present and not voting. If it can be ascertained with certainty that the member is present and they did not vote, they will be counted as a “No” vote in accordance with the *Municipal Act*.

Service Disruptions

- 5.19 If the livestream or Electronic Meeting Platform encounters a service disruption during a Hybrid Meeting, then the meeting will recess until service is restored. If service is unable to

be restored within thirty (30) minutes, the Chair may adjourn the meeting to a later date/time.

- 5.20 Multiple livestreams may be operated for redundancy purposes. Failure of one livestream shall not require a recess or adjournment if another livestream remains active.
- 5.21 Members experiencing connectivity issues during a meeting are encouraged to contact clerks@durham.ca for technical support. However, active Hybrid Meetings will not be delayed or recessed for individual members experiencing technical issues during a meeting which are unrelated to a service disruption affecting all participants.

Declared Emergencies

- 5.22 These procedures may be varied as necessary during a declared emergency.
- 5.23 If a declared emergency precludes Council, staff, or members of the public from participating in-person, those individuals may be required to participate electronically.

6. References

- 6.01 Region of Durham Procedural By-law
- 6.02 *Municipal Act, 2001*

7. Inquiries

- 7.01 For additional information regarding this policy please contact Council Services at clerks@durham.ca.