COUNCIL POLICY 1.1.9
Elected Members

Title:	1.1.9 ELECTRONIC ATTENDANCE AT MEETINGS
Adopted:	19 November 2025
Last Reviewed:	19 November 2025 (NEW)
Associated Legislation:	Section 5.25 of the *Local Government Act 1995*. Regulations 14C, 14CA, 14D and 14E of the *Local Government (Administration) Regulations 1996*
Associated Documents:	
Review Responsibility:	Chief Executive Officer
Delegation:	-

Previous Policy Number/s Nil

Objective:

1. To establish the Local Government's decision making framework enabling electronic attendance at in-person meetings and for the conduct of meetings by electronic means.
2. This policy is to be read in conjunction with the *Local Government Act 1995* ('the Act') and Regulations 14C, 14CA, 14D and 14E of the *Local Government (Administration) Regulations 1996.*

Scope:

This policy applies to Council Members and Committee Members. Ad hoc meetings with Shire Officers and/or external stakeholders may also be available to attend electronically by all attendees. In these instances, authorisation by the Shire President/Council is not required.

Definitions:

Term	Definition
Electronic Means	refers to the approved electronic requirements to access an in-person meeting or attend an electronic meeting, encompassing hardware and software requirements to enable instantaneous communication [Admin.r.14CA(3)]. The electronic means must be determined before the suitability of a location and equipment can be assessed as part of a request to attend electronically to an in-person meeting or to an electronic meeting.
Meeting *[as per 14C(1) of the Local Government (Administration) Regulations 1996]*	(a) an ordinary meeting of the council; or (b) a special meeting of the council; or (c) a meeting of a committee of the council; or (d) a meeting of an audit committee of a local government.
Members	refers to a council member and any other person appointed as a member of a committee under Section 5.10 of the Act.

Policy Statement:

Meetings will be held primarily as in person meetings, and the CEO will be consulted before a decision by the President or by Council resolution is made to approve or deny a request to attend a meeting electronically or to hold an electronic meeting.

For efficiency and the avoidance of unnecessary inconvenience, Members are to submit requests for electronic attendance at the earliest opportunity, but in any case, requests must be received so that there is sufficient time for the request to be considered and the necessary technology and meeting protocols to be implemented.

1. Electronic Attendance at an In-Person Meeting [*Admin Regs. 14C and 14CA*]

1.1 Requests

(a) Requests to attend meetings electronically are to be in writing to the CEO and President, and must indicate the means of communication, proposed location and equipment to be used; and

(b) Requests are to be provided as soon as practicable, ideally at least 3 days prior to the scheduled meeting date but no later than 4 hours prior to the meeting the request relates to. Requests made within 4 hours may be granted but must be extenuating circumstances and is at the discretion of the President / Council to accept, in consultation with the CEO.

(c) Failure to comply with the above, may result in the Request not being approved.

(d) Records of requests and decisions about requests must be retained:

i) Where the President makes the decision, the record is retained as a Local Government record (e.g. email communication) in accordance with the Shire's Record Keeping Plan and protocols established by the CEO; and

ii) Where Council makes the decision, the decision must be recorded in the minutes [Admin.r.11(d)].

(e) The CEO shall ensure that necessary administrative and technological support is readily available to facilitate attendance by electronic means at any meeting, on the basis that approvals may be given at any reasonable time prior to commencement of the meeting by the President or during the meeting itself by Council for a Council meeting.

NOTE: for committees, a request for electronic attendance to an in-person committee meeting can only be approved by the President or Council (not the relevant committee). Similarly, a request for a committee to be held as an electronic meeting (outside of a declared emergency) must first be approved by Council.

1.2 Authorisation

(a) The Shire President's authorisation will have regard to whether the location from which the member intends to attend the meeting, and the equipment to be used are suitable to enable the member to effectively engage in deliberations and communications during the meeting.

(b) Where the President is unavailable to approve a request or a request is rejected by the President, the request may be referred to Council for consideration (the request is to be moved, seconded and approved).

(c) Where a request meets the following criteria, approval will not be unreasonably withheld:

i) The electronic means of instantaneous communication, and the location and equipment from which the Member seeks to attend the meeting, are determined as suitable for the Member to effectively engage in deliberations and communications throughout the meeting;

ii) The Member has made a declaration prior to the meeting, or that part of the meeting, that will be closed, that confidentially can be maintained. In the absence

of such a declaration, the Member is prohibited from participation in the meeting, or that part of the meeting, that is closed; and

iii) The approval does not exceed prescribed limitations for the number of meetings attended by that Member by electronic means.

(d) Where a decision is made by the President for attendance by electronic means, the President is to provide written notice of the decision to the CEO.

(e) Where Council makes the decision, the decision must be recorded in the minutes [Admin.r.11(d)].

1.3 Location

(a) Elected Members, Committee Members, and Shire Officers attending meetings electronically are to ensure that the location is suitable.

(b) As a general rule, a suitable location is considered to:

i) Provide for a secure, password protected, reliable internet connection; and

ii) Be a room/space that is quiet, devoid of distractions and private; and

iii) Be a room/space with suitable controls to ensure confidentiality is not breached.

1.4 Electronic Means

(a) The Shire conducts electronic meetings primarily through Microsoft Teams but will also utilise other virtual meeting tools on occasion.

(b) Access to the meetings link will be sent:

i) to the Members and Shire Officers through their @mingenew.wa.gov.au email address; and

ii) to the Committee Member's designated e-mail address as a meeting invitation only after written approval by the President; and

iii) Where applicable, to an authorised external party's designated email address.

(c) Those attending electronically shall ideally arrive at least 10 minutes prior to the commencement of the actual meeting to ensure connectivity and resolve any issues with connectivity if they arise prior to the meeting commencing.

1.5 Equipment

(a) Where practicable, members and officers attending meetings electronically are to use the electronic equipment provided by the Shire for Council business (such as iPads).

(b) Use of Shire provided equipment ensures ease of providing technical assistance if required.

(c) Committee members are to ensure their electronic equipment is of a suitable standard with the appropriate software/app installed to enable attending meetings electronically.

1.6 Electronic Meeting Attendance Limitations (50% cap)

(a) Members may only attend a meeting by electronic means, provided they have not attended more than half of the council or committee meetings in the previous twelve (12) months by this method. This includes the proposed meeting; and

(b) Members' meeting attendance will be recorded and monitored by Manager Governance and Community in the form of a register which is to be published on the Shire's website and reported in the Shire's Annual Report each year;

(c) Members' electronic attendance will also be recorded in the relevant meeting minutes.

(d) The 50% cap does not apply to a member who is a person with a disability as defined in s.3 of the *Disability Services Act 1993*.

(e) The 50% cap does not apply to Shire Officers attending as observers.

1.7 Participation in meetings by electronic means

(a) Presiding at Meeting: Where the President is approved to attend an in-person meeting by electronic means, they may choose to defer to the Deputy President for the purpose of presiding at the meeting.
(b) Conduct: Members are to be familiar with their Meeting Procedures and Code of Conduct requirements, in particular, protecting confidential information and appropriate communication practices, when participating in a meeting by electronic means.
(c) Meeting Procedures: as provided for in clause 8.1(1) of the *Shire of Mingenew Standing Orders Local Law 2017*, the agreed method for a member attending electronically, to indicate a desire to speak during a meeting, is to raise their hand (physically or electronically if software provides) if attending with video or to otherwise verbally indicate to the Presiding Member.
(d) External Parties Participating in Closed Meetings: where external parties are invited to participate in a closed part of an electronic meeting (such as Auditor attending an Audit and Risk Committee electronic meeting), before being approved to attend by a resolution of the meeting, they are to first confirm they have met the electronic means, location and equipment suitability requirements of this policy, including maintaining confidentiality.
(e) Video participation: A Member who has been authorised to attend a meeting by electronic means must have their video camera switched on and remain visible to the Presiding Member and other Members throughout the meeting.
Where a temporary technical or connectivity issue prevents the Member from using video, the Member must immediately advise the Presiding Member. The Presiding Member may permit the Member to continue participating without video for a reasonable period while the issue is being resolved.
This requirement does not apply where the electronic means of attendance approved by the President or Council does not support video communication.

1.8 Declaration by Attendee

(a) A member of the council or committee must not attend the meeting or the closed part of the meeting unless, before the meeting, or the part of the meeting, is closed, the member declares that the member can maintain confidentiality during the meeting or the closed part of the meeting [Admin.r.14D(6)].
(b) If a member makes the declaration and subsequently cannot maintain confidentiality, the member must leave the meeting or the closed part of the meeting [Admin.r.14D(7)].
(c) A member's declaration is to be recorded in the minutes of the meeting [Admin.r.14D(8)].

EXAMPLE DECLARATION: *"I [Member Name], declare that I am able to maintain confidentiality during the closed part of this meeting. If I am no longer able to maintain confidentiality, I will notify the Presiding Member and excuse myself from the meeting."*

2. Conducting a Meeting by Electronic Means [Admin Regs. 14D and 14E]

2.1 Default In-Person Meetings

All meetings will primarily be held as in-person meetings.

2.2 Declared Public Health or State of Emergency

(a) Where a declared public health or state of emergency, or associated directions, are in effect that prevent an in-person meeting being held, the President or the Council can approve a meeting to be held by electronic means.

(b) Meetings held by electronic means in these circumstances are not subject to, or included in, the prescribed limitation on the number of meetings held by electronic means [Admin.r.14D(2)(a)(b)].

2.3 No Declared Emergency

Where it is otherwise considered expedient or necessary (and there is no declared emergency), the Council may resolve (by simple majority) to authorise the meeting to be held by electronic means [Admin.r.14D(2)(c)], subject to:

i) The prescribed limitation (50% attendance cap on individuals) is not exceeded on the number of electronic meetings allowed [Admin.r.14D(2A)];
ii) The CEO has been consulted, before the electronic means by which the meeting is to be held is determined by the President or Council resolution [Admin.r.14D(3)(4)];
iii) The decision has given due regard to whether the location from which each Member seeks to attend the meeting and the equipment each Member intends to use, are suitable to ensure each Member is able to effectively engage in deliberations and communications throughout the meeting; and
iv) Each Member has made a declaration prior to the meeting, or that part of the meeting, that is closed, that confidentially can be maintained [Admin.r.14D(6)]. In the absence of such a declaration, a Member is prohibited from participation in the meeting, or that part of the meeting, that is closed.

2.4 Public Notice Requirements

Where a meeting is authorised to be held as an electronic meeting, the CEO must ensure details are:

i) published on the Local Government's Official webpage [Admin.r.12];
ii) provided in the Notice of Meeting/Agenda; and
iii) broadly promoted to ensure community awareness, such as through social media, newsletters, on noticeboards, etc.

2.5 Electronic Meetings open to the Public

(a) Where an electronic meeting is open to the public the Notice of Meeting/Agenda will:
    i) provide instruction on how a member of the public may participate in the meeting; and
    ii) set out the procedures for public question time; and
(b) Unconfirmed meeting minutes and the audio recording of the meeting will be published within 14 days for a council meeting [Admin.r.13(2)] or 7 days for a committee meeting [Admin.r.13(3)].
(c) during a declared emergency, the council or committee may determine at the meeting if it is appropriate to respond to questions raised at public question time or to set out the procedure for responding [Admin.r.14E(4)]

Reference Information

- e-meetings Guide and Policy from WALGA Governance Portal