

# THE WEST YORKSHIRE ADOPTION JOINT COMMITTEE

## Rules of Procedure for Meetings

### 1) Frequency of Meetings

- a) WYAJC shall meet a minimum of once per year.
- b) Additional meetings shall be fixed at the discretion of the Chair.

### 2) Agenda for Meetings

- a) The clerk shall settle the agenda for any meeting in consultation with the Chair.
- b) In settling the agenda the Clerk shall ensure that at each meeting of WYAJC the following business will be conducted:
  - i) consideration of the minutes of the last meeting;
  - ii) exempt information – potential exclusion of the press and public, if any;
  - iii) late items, if any;
  - iv) declarations of interest, if any;
  - v) consideration of reports submitted by the Chair of the Management Board or the Director of Children’s Services for the Host Authority, if any; and
  - vi) any other matter set out in the agenda for the meeting(which shall indicate which are Key Decisions<sup>1</sup> and which are not).

### 3) Notice of Public Meetings

- a) The Clerk will arrange to give notice of the time and place of a public meeting by publishing the agenda, together with every report, for that meeting on the One Adoption Agency for West Yorkshire website at least five clear working days before the meeting.
- b) Where the meeting is convened less than five clear working days before the meeting, notice will be given by publishing the agenda, together with every report, for that meeting on the One Adoption Agency for West Yorkshire website at the time the meeting is convened.
- c) Where an item is added to the agenda for a meeting after publication of that agenda, copies of the revised agenda and any report relating to that item, will be published on the One Adoption Agency for West Yorkshire website when the item is added to the agenda.
- d) Nothing in this rule requires a copy of an agenda, item or report to be available for inspection by the public until a copy is available to members of the decision making body concerned.

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<sup>1</sup> As determined in accordance with the definition used by the Host Authority.

#### 4) Notice of Private Meetings

- a) The Clerk will exclude access by the public to reports which in his/her opinion<sup>2</sup> contain:
  - i) confidential information; or.
- b) exempt information, and the report includes the reasons why, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.
- c) Where the whole or part of any report is not available for inspection by the public because it contains confidential or exempt information every copy of that report or part of that report must be marked “not for publication” and must state that it contains confidential information or, by reference to Schedule 12A Local Government Act 1972 the description of exempt information which it contains.

#### 28 Days’ Notice

- d) At least 28 clear calendar days before a meeting at which exempt or confidential information is to be considered, the Clerk will arrange for a notice to publish on the One Adoption Agency for West Yorkshire website a notice of the intention to hold a meeting, or part of a meeting of WYAJC in private.
- e) The notice will include a statement of the reasons why it is intended that the meeting, or part of the meeting, should be held in private.

#### 5 Days’ Notice

- f) At least five clear working days before a meeting at which exempt or confidential information is to be considered, the Clerk will publish further notice of the intention to hold the meeting of WYAJC in private. This will be done by including in an open report to the meeting:-
  - i) A statement of the reasons for the meeting to be held in private;
  - ii) Details of any representations received about why the meeting should be open to the public; and
  - iii) A statement of response to any such representations

#### Urgent Meetings At Which Exempt Or Confidential Information Is To Be Considered

- g) Where the date a meeting must be held makes compliance with rules 4d to 4f impracticable then the meeting may only consider exempt or confidential items in private with the agreement of the chair of the relevant Scrutiny Board of the Host Authority. In considering the matter the Scrutiny Board Chair must be satisfied that the meeting is urgent and cannot reasonably be deferred.

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<sup>2</sup> The Clerk shall be advised by the Monitoring Officer where there is any doubt as to the confidentiality of any matter

- h) As soon as reasonably practicable after obtaining the Scrutiny Chair's agreement the Clerk will publish on the One Adoption Agency for West Yorkshire website notice of the intention to hold the meeting at which exempt or confidential information is to be considered. This will be done by including in an open report to the meeting:-
  - i) The reason why the meeting is urgent and cannot reasonably be deferred
  - ii) Confirmation of the agreement of the chair of the relevant Scrutiny Board.

5) Meetings to be held in public

- a) All meetings of WYAJC will be held in public<sup>3</sup>. However the public must be excluded from the the part or parts of a meeting whenever:-
  - i) Confidential information is likely to be disclosed during an item of business;
  - ii) The meeting passes a resolution, identifying the relevant part of the meeting to which it applies, that the public should be excluded because exempt information, described with reference to Schedule 12A Local Government Act 1972, is likely to be disclosed during an item of business; or
  - iii) A lawful power is used to exclude a member or members of the public in order to maintain orderly conduct or prevent misbehaviour at the meeting. The public may only be excluded from that part or parts of the meeting to which the circumstances set out above relate, and where, if required, notice has been given in accordance with paragraphs 4d to 4h above.
- b) The Recording Protocol: Third Party Recording of Committees, Boards and Panels<sup>4</sup> shall apply to public meetings of WYAJC.

6) Quorum

- a) The quorum shall be three members.
- b) No business shall be transacted at a meeting unless a quorum exists at the beginning of a meeting. If at the beginning of the meeting the clerk to WYAJC after counting the members present declares that a quorum is not present, the meeting shall stand adjourned.

7) Attendance at meetings

- i) The Chair may invite any person, whether a member or officer of one of the Participating Authorities or a third party, to attend the meeting and speak on any matter before WYAJC.

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<sup>3</sup> Regulation 3, Executive Arrangements Regulations 2012

<sup>4</sup> Appendix 1 to this document

- ii) Any person, whether a member or officer of one of the Participating Authorities or a third party, may be invited to attend on a standing basis following a unanimous vote of those present and voting at any meeting of WYAJC<sup>5</sup>.

#### 8) Voting

- a) Each Participating Authority shall have one vote which shall be exercised by the Principal Member or their substitute provided that the clerk has been advised of the substitution prior to commencement of the meeting.
- b) Voting shall be conducted by a show of hands.
- c) All questions shall be decided by a simple majority of the votes of the members present, the Chair having the casting vote in addition to his/her vote as a member of WYAJC in event of a tie.
- d) The minutes of the meeting shall include a record of the names of members who cast a vote for a decision, against a decision or abstained from voting on a decision where, before a vote is taken on any matter by WYAJC, any two members present may demand that the votes are recorded, or where a record of the votes is required by law.

#### 9) Recording of Decisions Taken at Meetings of WYAJC

- a) As soon as reasonably practicable after any meeting of WYAJC, the Clerk will produce a minute of every decision taken at that meeting and publish it on the WYAJC website together with the report in relation to the decision made. The minute will include;
  - i) A record of the decision including the date it was made,
  - ii) a statement of the reasons for each decision,
  - iii) details of any alternative options considered and rejected at that meeting and
  - iv) a record of any interest declared by any Member together with a note of any dispensation granted in respect of that interest .

#### 10) Public Access to Documents

##### Agendas, Reports and Minutes

- a) For six years after a meeting, the Council will make available for inspection:-
  - i) The agenda for the meeting;
  - ii) Reports relating to items when the meeting was open to the public;
  - iii) The minutes of the meeting excluding any part of the minutes of proceedings when the meeting was not open to the public or which disclose exempt or confidential information;

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<sup>5</sup> Such person shall not be a Member of the Committee and shall not be entitled to vote in relation to any item, however they shall be entitled to send a substitute to attend the meeting in their place.

- iv) A summary of any proceedings not open to the public where the minutes open to inspection would not provide a reasonably fair and coherent record;

#### Background Papers

- b) The author of a report will set out a list of those documents ('Background Papers') relating to the subject matter of the report which in his/her opinion:
  - i) Disclose any facts or matters on which the report or an important part of the report is based; and
  - ii) Have been relied on to a material extent in preparing the reportBut this does not include:-
  - i) published works;
  - ii) works which disclose confidential or exempt information;
  - iii) the advice of a political advisor; or
  - iv) any draft report or document.
- b) A copy of each of the documents listed will be made available for public inspection for four years after the date of the meeting.

#### Documents Available for Public Inspection

- c) In addition to publication on the One Adoption Agency for West Yorkshire website the Clerk will make available for inspection by the public on request during office hours at the Host Authority's offices at Civic Hall, Leeds and shall supply copies of :
  - i) Any agenda and reports which are open to public inspection;
  - ii) Any further statements or particulars necessary to indicate the nature of items in the agenda which are not open to public inspection; and
  - iii) If the Monitoring Officer thinks fit, copies of any other documents supplied to Members in connection with an itemto any person on payment of a charge for postage, copying and any other costs.

#### 11) Interpretation

- a) The ruling of the Chair<sup>6</sup> as to the interpretation of any question in relation to these rules of procedure shall be final.

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<sup>6</sup> Who shall seek the advice of the clerk

**Recording<sup>7</sup> Protocol: Third Party Recording of Committees, Boards and Panels**

**WYAJC wants to be open and transparent in the way in which it conducts its decision-making. Therefore recording is allowed at all meetings of the WYAJC to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings.**

1. Filming or other recording of all meetings of the authority, whilst those meetings are open to the public, is permitted<sup>8 9</sup>.
2. Those wishing to record proceedings should, as a courtesy, inform the chair (or clerk) of the committee of their intentions to record prior to the commencement of the meeting.
3. Recordings may only be taken overtly from the area designated for the public and;
  - a. Recording devices must be in silent mode
  - b. No flash or additional lighting is permitted
  - c. Recordings must be taken from one fixed position and must not obstruct others from observing proceedings
4. The chair of a meeting has the authority to instruct that recordings be stopped where<sup>10</sup>:
  - a. The press and public have been excluded from the meeting due to the nature of (exempt or confidential) business being discussed.
  - b. There is public disturbance or a suspension/adjournment of a meeting
  - c. The recording has become disruptive or distracting to the good order and conduct of the meeting.
  - d. Continued recording is against the wishes of an individual<sup>11</sup>

**Use of Recordings by Third Parties– code of practice**

The following code of practice applies to the use of recordings.

- A. Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- B. Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

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<sup>7</sup> This includes both video and audio recording

<sup>8</sup>In accordance with any regulations relating to such matters.

<sup>9</sup> All agendas will indicate that recordings may be made at the meeting by third parties; signage will also be displayed indicating this

<sup>10</sup> In all cases recording equipment must be switched off.

<sup>11</sup> Where members of the public raise an objection to being recorded, then those individuals will not be filmed. However continued audio recording will be permitted where the contributions are material to the resolutions to be made.