

Meeting of:	Corporate Performance and Resources Scrutiny Committee
Date of Meeting:	Wednesday, 20 November 2024
Relevant Scrutiny Committee:	All Scrutiny Committees
Report Title:	Hybrid Platform Meeting Solution
Purpose of Report:	To provide Committee with an update/ reflections report in respect of the provision of the Council’s Hybrid Platform meeting solution
Report Owner:	V. Davidson, Head of Legal and Democratic Services / Monitoring Officer
Responsible Officer:	K. Bowen, Principal Democratic and Scrutiny Services Officer
Elected Member and Officer Consultation:	This report does not require Ward Member consultation.
Policy Framework:	This is a matter for Executive decision by Cabinet.
<p>Executive Summary:</p> <ul style="list-style-type: none"> • Context: In 2021, the Council implemented a new Hybrid Meetings system to comply with the Local Government and Elections (Wales) Act 2021, contracting Civico for three years from 1st October 2021. • On 17th November 2022, a report to Cabinet highlighted issues with the software and recommended regression testing, which later revealed several significant issues prior to and during testing as reported to Cabinet on 8th June 2023. An accompanying Part II report outlined steps to ensure compliance with statutory requirements for hybrid meetings. • Cabinet referred the report to the Corporate Performance and Resources Scrutiny Committee, who considered a report under Part II of the agenda. • System Development: Civico developed and tested the hybrid meeting system throughout 2022 but faced ongoing technical difficulties. Failures at a Full Council meeting in September 2022 led to further testing through Autumn/Winter 2022, but issues persisted, as later reported to Cabinet in June 2023. • New Provider Sought: Given the Council’s statutory obligations under the 2021 Act, a new provider was subsequently appointed to ensure a compliant hybrid meeting platform. • Contract Resolution: Both parties agreed to end the contract. The matter was finalised in February 2024 by letter. 	

Recommendations

1. That the Committee notes the position as outlined within this report and considers the data provided in Part II report.
2. That the Committee further notes the work undertaken to date in respect of the Council's contract with its current Hybrid meeting platform supplier, VP-AV.

Reason for Recommendations

1. & 2. Having regard to the contents of the report and Scrutiny Committee's previous recommendation that an update/reflections report in respect of the Civico Hybrid meeting platform, be presented to Committee for consideration.

1. Background

- 1.1 In 2021 the Council sought a new system for the provision of Hybrid Meeting control and webcasting services to comply with The Local Government and Elections Wales Act 2021.
- 1.2 A three-year contract with Civico commenced on 1st October, 2021, based on a good working relationship as the contractor demonstrated understanding of the new technology and collaboration with other Councils on similar projects.
- 1.3 A Cabinet report presented on 17th November, 2022 highlighted several key issues with Civico's hybrid meeting platform and outlined plans for regression testing, and proposals to fix the issues, to ensure compliance with the Local Government and Elections (Wales) Act 2021, Welsh Government guidance on multi-location meetings, and the Council's Multi-Location Meetings (MLM) Policy.
- 1.4 On 8th June, 2023, Cabinet reviewed the findings of the regression testing. Significant issues were identified before and during this testing period, and the report detailed attempts to resolve them.
- 1.5 Cabinet also considered a Part II report recommending an approach to secure a stable, fit for purpose, hybrid meeting platform that supports dual language and electronic/recorded voting.
- 1.6 Following this, Cabinet referred the report to the Corporate Performance and Resources Scrutiny Committee. At its meeting on 21st June, 2023, the Committee recommended a further report to Scrutiny detailing the various successes and challenges arising from the Hybrid Meeting Platform Project involving Civico.

2. Key Issues for Consideration

- 2.1 In 2022, Civico developed and tested the contracted system, but persistent technical issues prevented implementation. A system failure at the Full Council meeting in September 2022 led to additional testing in Autumn/Winter 2022, which ultimately failed to resolve these issues, as reported to Cabinet in June 2023.
- 2.2 Attempts were made by officers to engage Civico discussions in early 2023, with a meeting held in May 2023 during which Civico proposed a new product, as outlined in the report to Cabinet of 8th June. A subsequent meeting was held in June 2023, and late 2023. Following further negotiations both parties agreed to mutually terminate the contract with no additional payments made by the Council beyond Year 1 of the contract. The matter was finalised in February 2024 by letter.
- 2.3 The Council's statutory obligations under the 2021 Act included the legal requirement for a translation system, and the Council sought a new provider to deliver a functional hybrid platform and mitigate further reputational risk.
- 2.4 During an initial 12 month contract term the Council's new provider VP-AV Limited tested the EasyConf system, with progress reports being considered by Democratic Services Committee on 17th November, 2023 and Cabinet respectively on 30th November, 2023.
- 2.5 Regular meeting of the Hybrid Implementation Project Team were held on at least a weekly basis involving colleagues from Democratic Services, ICT, Facilities and OD and Learning, supported by colleagues from the Business Improvement team to progress implementation of the hybrid solution for use at Council meetings.
- 2.6 A report was subsequently considered by the Democratic Services Committee on 16th July, 2024 in respect of the Council's new provider VP-AV Limited which recommended to Cabinet that it continues the contract with VP-AV Limited on a 1 + 1 + 1 year basis in order that future Remote and Hybrid Council meetings can be held on the EasyConf software platform.
- 2.7 The detail concerning the negotiations and considerations following finalisation of the matter are described within the Part II report later on the agenda.

Reflections:

2.8 Project timeline:

- **October 2021:** Contract with Civico commenced, aiming to implement a hybrid meeting platform compliant with the 2021 Act.
- **2022:** System development and testing by Civico carried out but encountered consistent technical issues. A significant system failure during a Full Council meeting in September 2022 highlighted these issues.

- **Autumn/Winter 2022/2023:** Further testing was conducted to address the issues, but problems persisted, as confirmed in a Cabinet report dated 8th June 2023.
- **May - late 2023:** Attempts by officers to engage Civico, discussions held in May and June 2023, and late in 2023, followed by further negotiations and mutual termination of the contract by letter in February 2024.

2.9 Financial and Legal aspects:

- **Year 1 Costs:** Initial equipment and system installations by Civico were completed; however, technical failures which gave rise to negotiations to end the contract not known until September 2022 (end of year 1 and as reported to Cabinet in November 2022).
- **Year 2 Work:** Regression testing was performed, but due to unresolved technical issues alternative Platform identified (on the authority of Cabinet June 2023) no further payments were made.
- **Contract Termination:** Legal advice supported the negotiations with Civico which concluded with a mutual termination of the contract, with both parties bearing their legal costs.
- **Reputational and Legal Risks:** The Council prioritised avoiding prolonged litigation and reputational damage by appointing a new provider to meet statutory obligations.

2.10 Successes:

- **Compliance Efforts:** Despite challenges, the Council demonstrated due diligence in pursuing a compliant hybrid meeting solution.
- **Risk Mitigation:** Early identification of technical failures and the pursuit of a new provider limited further reputational and financial exposure.
- **Contract termination:** Once engaged mutual termination agreed avoiding litigation costs, no further payments made, other than those already made for year 1; legal costs negligible as advice and negotiation provided and facilitated by in-house lawyers.
- **Legal Cost-Benefit Analysis:** costs and benefits of litigation in cases where technology and contract fulfilment are uncertain.

2.11 Challenges:

- **Technical Failures:** Persistent software issues hindered the system's implementation, impacting Council operations and delaying compliance with the 2021 Act.
- **Communication Gaps:** Attempts by officers to engage Civico delayed resolution efforts and increased project complexity.
- **Contractual Limitations:** The evolving nature of the technology posed significant challenges, with Hybrid meeting solution technology/software new to the market.

2.12 Lessons learned:

- **Rigorous provider Assessment:** Prioritise thorough assessment of technical capabilities and provider reliability when engaging in contracts involving emerging technology.
- **Clear Communication Channels:** Establish responsive communication protocols with providers to promptly address issues and prevent delays throughout the duration of the contract.
- **Contingency Planning:** Develop contingency plans for project delays, including budget and timeline adjustments, particularly when working with unproven technology.

2.13 Civico were initially contracted to provide a hybrid meeting platform, but facing technical difficulties throughout 2022, with a major system failure during a Council meeting in September and despite subsequent tests, issues persisted and Civico's ability to fulfil their obligations under the contract.

2.14 By mid-2023, as reported to Cabinet and Corporate Performance and Resources Scrutiny Committee, alternative options were agreed.

2.15 The Council appointed VP-AV Limited as the new provider of the hybrid meeting solution, Easy-Conf. A contract was finalised with VP-AV, who installed the system in September 2023 after thorough market evaluation.

2.16 The Easy-Conf system was fully tested in multiple scenarios for functionality, including Welsh language translation and electronic voting, which worked effectively. Only minor snagging issues were noted and promptly addressed.

2.17 Member training was provided, with ongoing support for public users and attendees.

2.18 Progress updates were provided to Democratic Services Committee and Cabinet in November 2023.

2.19 In July 2024, the Council agreed to extend the VP-AV contract on a 1 + 1 + 1-year basis. Performance is monitored through regular updates and a tracking system for feedback and improvements.

2.20 Recent updates include TeamViewer integration, mobile app testing, and upcoming fixes for additional features.

2.21 The VP-AV system continues to be refined to meet the Council's operational and compliance needs under the 2021 Act.

2.22 Committee Members are requested to review and note the report.

3. How do proposals evidence the Five Ways of Working and contribute to our Well-being Objectives?

3.1 The Well-being of Future Generations (Wales) Act 2005 mandates that public bodies in Wales must conduct sustainable development. Sustainable

development means the process of improving the economic, social, environmental, and cultural well-being of Wales by acting, in accordance with the sustainable development principle, aimed at achieving the “well-being goals.”

- 3.2** These proposals are consistent with the Council’s current Corporate Plan and in particular the wellbeing objective ‘to work with and for our communities.’ The proposals reflect the Council’s desire to increase public participation in the democratic process, including involvement in meetings and in attracting people to be a part of the Council.

4. Climate Change and Nature Implications

- 4.1** The introduction of hybrid meetings seeks to reduce travel and energy consumption and are consistent with the Council’s Project Zero commitments.

5. Resources and Legal Considerations

Financial

- 5.1** The costs associated with this matter have been met from existing budget provision. Should any further funding of any replacement equipment by the current provider be required in terms of available resources this will be considered having regard to the Council’s financial situation.
- 5.2** Committee is advised that resourcing live streaming via this method has been and continues to be staff resource intensive. Although the Council agreed to live stream its Council meetings from 1st May, 2021 (save for those matters of a confidential nature) there was no legal requirement at that time to do so.
- 5.3** Depending on the option for the Council’s Chamber, budget will be required to fund any further procurement requirements.

Employment

- 5.4** The additional staff resourcing implications associated with facilitating the provision have been significant and have been set out in previous reports.

Legal (Including Equalities)

- 5.5** The Council is subject to the Equality Act (Public Sector Equality Duty and the socio-economic duty), the Well-being of Future Generations (Wales) Act 2015 and the Welsh Language (Wales) Measure and must in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Acts;

- Advance equality of opportunity between people who share a protected characteristic and those who do not;
- Foster good relations between people who share a protected characteristic and those who do not;
- Deliver better outcomes for those people who experience socio-economic disadvantage;
- Consider opportunities for people to use the Welsh language;
- Treat the Welsh language no less favourably than English.

6. Background Papers

Reports to Cabinet to November 2022, June 2023; Corporate Performance and Resources Scrutiny Committee June 2023; Democratic Services Committee – [16th July, 2024](#) and referred to Cabinet for its meeting on [18th July 2024](#).