

DRAFT/TEMPLATE RULES/GUIDANCE FOR THE EFFECTIVE MANAGEMENT OF RECORDING AT LOCAL COUNCIL AND PARISH MEETINGS

The right to record, film and to broadcast meetings of the council/parish meeting is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

..... [Council/Parish Meeting] is committed to being open and transparent in the way it conducts its decision making. For the purpose of this policy the term “record” means any form of audio, visual or electronic recording. Such recording is permitted under the lawful direction of the [council/parish meeting].

The [council/parish meeting] understands that some members of the public attending its meetings may not wish to be recorded and the Chairman of the meeting will facilitate this by ensuring that any such request will be respected by those making a recording. Any member of the public who does not wish to be recorded should make this known to the Clerk or the Chairman prior to the commencement of the meeting.

The rules that the [council/parish meeting] will apply are:

1. The [council/parish meeting] will display requirements as to filming, recording and broadcasting at its meeting venues and on its website (if it has one) or on notice boards in the parish and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
2. A copy of these rules/guidance will be provided to members of the public in attendance at a meeting of the [council/parish meeting]. **The Chairman may also verbally remind the meeting and all present of the freedom to record but that these rules/guidance are in place to enable any type of recording to take place with minimal disruption to the council meeting.**
3. Any person wishing to record a meeting in any format whatsoever is encouraged (but not compelled), to contact the Clerk prior to the start of the meeting. The Clerk’s details are set out in the public notice and/or agenda of the meeting; (or in his/her absence, the contact will be the Chairman of the [council/parish meeting]). Discussing requirements with the clerk beforehand will help to ensure that the council provides reasonable facilities to meet the needs of the person that is recording.
4. The [council/parish meeting] may need to define an area from which recording may be carried out and will make reasonable facilities available to any person wishing to record, eg provision of a table. However the [council/parish meeting] should point out that the physical layout of a room may be restrictive in this regard.
5. The [council/parish meeting] prefers that all visual recording will be undertaken from a static point to avoid disruption at the meeting, although non static recording is acceptable where this does not disrupt the proceedings.
6. A person or persons recording the [council/parish) meeting are reminded that the “Public Participation” period may not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make any recording during that period.
7. Where the press and public are excluded from a meeting or part of a meeting owing to the confidential nature of the business to be transacted, recording of that meeting or that part of the meeting will not be permitted.
8. **Any children or young people under the age of 18 who are present at the meeting are not to be filmed unless their parents/guardians have given their written consent. This provision also applies to vulnerable adults, whereby the consent of a responsible adult is required for recording, ie a medical professional, carer or legal guardian.**

9. All those recording a meeting are requested to focus only on recording councillors, officers, and those members of the public who have not requested anonymity or have not been identified as under the age of 18 or a vulnerable adult.
10. The [council/parish meeting] may, at its own discretion, require members of the public who do not consent to being recorded to sit separately from those who are content to be recorded.
11. The council requests that all recording is overt (ie clearly visible to anyone at the meeting), but cannot compel those who are recording to do so.
12. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are allowed as long as this type of recording is carried out in a non-disruptive way and only to the extent that it does not interfere with the ability of any person present to follow the debate.
13. A person or persons making a recording has no right to interrupt a [council/parish meeting] by asking questions or making comments for the purpose of the recording. The person recording has no right to ask councillors, officers or any members of the public who have been given permission to contribute orally to the meeting to repeat a statement for the purposes of the recording.
14. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules/guidance.
15. **Persons who are recording must strive not to leave equipment unattended and are responsible for their equipment at all times.**
16. The recording and reporting on meetings of the [council/parish meeting], is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation. The council expects that the recording will not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the [council's/parish meeting's] values or in a way that ridicules or shows a lack of respect for those in the recording. The [council or parish meeting] would expect any recording in breach of these rules to be removed from public view. The [council/ parish meeting] will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.
17. For the benefit for those who wish to record - where the recording device being used involves equipment which is larger than a smart phone, tablet or compact camera or if the person recording has other special requirements he/she is requested to please contact the clerk prior to the meeting so that reasonable arrangements can be made. The use of lighting for filming/flash photography will usually be allowed provided that it does not adversely impact on the ability of others present to view the meeting, or for reasons of health, whereby the council may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting should not cause any other form of disruption.
18. The [council/parish meeting] may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies. Where a council proposes to record all of its own meetings it will be bound by this policy.
19. Where a [council/parish meeting] proposes to record all of its own meetings, it will resolve how long such recordings will be kept and how members of the public may obtain copies. The [council/parish meeting] will include the availability of such recordings within its Publication Scheme.
20. The [council/parish meeting] is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.
21. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

Date of policy adoption

Date of policy review