



ECCLESFIELD PARISH COUNCIL

Serving your Community Since 1894

Draft Effective Management of Recordings at Council Meetings Policy

The Right to Record

The right to record, film and to broadcast meetings of Ecclesfield Parish Council (the 'Council'), its committees, sub committees and any joint committees 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.

The Council 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.

The Council 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 Ecclesfield Parish Council will apply are:

The Council will display requirements as to filming, recording, and broadcasting at its meeting venues and on its website and on notice boards in the town and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

A copy of these rules will be made available to members of the public in attendance at a meeting of the Council, whether they wish to film or not at the meeting. The Chairman may also verbally remind the meeting and all present of the freedom to record but that these rules must be observed when this is planned or taking place.

Any person wishing to record a meeting in any format whatsoever must contact the Clerk before the time set for the start of the meeting. The Clerk's details are set out in the public notice and agenda of the meeting; in his/her absence, the contact will be the Chairman of that meeting.

The Council will define an area from which recording may be carried out and, if given advance notice, will strive to ensure that reasonable facilities are made available to any person wishing to record, e.g., provision of a table. However, the Council should point out that the physical layout of a room may restrict the Council's ability to make any provision.

The Council prefers that all visual recording be undertaken from a static point to avoid disruption at the meeting.

Anyone recording the Council meeting is 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.

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.

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, i.e., a medical professional, carer or legal guardian.

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.

The Council 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.

All recordings must be overt (i.e., clearly visible to anyone at the meeting).

Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner. 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 any person's ability, even where he or she has a disability, to follow the debate.

Anyone making a recording has no right to interrupt a Council meeting by asking questions or making comments. 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.

The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.

Anyone recording a meeting must not leave equipment unattended.

The recording and reporting on meetings of the Council, its committees and sub-committees 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 recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Council's values or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view. The Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

The Clerk should be contacted in advance of the meeting if 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 e.g. to move around the room to record or film from different angles (note the Council's preference for static recording). The use of lighting for filming/flash photography will usually be allowed if it is arranged via the Clerk prior to the meeting but the Council will have regard to the impact of such lighting on the ability of others present to view the meeting, or for reasons of health, and may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting must not cause any other form of disruption.

The Council may itself photograph, film, record or broadcast meetings and can retain, use, or dispose of such material in accordance with its own policies.

The Council 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.

The minutes of a Council meeting remain the statutory and legally binding formal record of Council decisions.

Approved by Council: XXXX XXXX

Review date: XXXX XXXX