

EARNLEY PARISH COUNCIL
PUBLIC FILMING, VIDEOING, PHOTOGRAPHY, AUDIO RECORDING AND
BROADCASTING AT COUNCIL OR COMMITTEE MEETINGS

INTRODUCTION

The right to record, film and to broadcast meetings of the Council, committees and sub-committees is established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the press and the public to attend such meetings.

The Regulations apply only to formal, decision-making meetings of the Council, a committee or a sub-committee and not to informal meetings or meetings of a working party without decision-making powers.

Meetings or parts of meeting from which the press and public are excluded may not be filmed or recorded.

STATEMENT OF POLICY

Recording and reporting of the Council's meeting is subject to the law and it is the responsibility of those doing the recording and report to ensure compliance. This will include the Human Rights Act, the Data Protection Act and laws of libel and defamation.

Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner and only from the public areas.

Whilst no prior permission is required to carry out these activities as a courtesy to the public, it would be helpful if the Council is given reasonable notice, in advance of the meeting, if filming or photography is to take place. The Clerk should be made aware of any intention to record, film or photograph a meeting, before the meeting commences. The Clerk will then be able to inform the Chairman of what is to take place.

Where the Council has been notified, the Chairman will, at the beginning of the meeting, make an announcement that the meeting will be filmed, recorded or photographed and will ask if anyone objects to this.

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

While those attending the meeting are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act 1998.

Any member of the public who attends a meeting and objects to being filmed should advise the Clerk in advance who will instruct that they are not to be included in the filming.

Members of the public speaking at, or attending, the meeting (including asking questions or giving presentations) must not be filmed if they have indicated that they do not wish to be included.

The use of digital and social media recording tools, for example Twitter, blogging or audio recording will be allowed as long as it is carried out in a non-disruptive manner.

The Chairman of a meeting will have absolute discretion to terminate or suspend any of the above activities if, in their opinion, continuing to do so would prejudice the running of the meeting.

The circumstances in which termination or suspension might occur could include:

- Public disturbance, disruption or suspension of the meeting
- The meeting agreeing to formally exclude the press and public from the meeting due to the exempt/confidential nature of the business being discussed, in accordance with statutory procedures
- Where it is considered that continued recording/photography/filming/webcasting might infringe the rights or privacy of any individual, or intimidate them
- For any other reason which the Chairman considers reasonable in the circumstances.

Any person or organisation choosing to film, record or broadcast any meeting of the Council is responsible for any claims or other liability resulting from them so doing and choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

The Council asks that those recording proceedings not to edit the film, photographs or recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed, photographed or recorded.

The Regulations apply to Councillors as they do to members of the public but Councillors will wish to ensure that they are not distracted from the business of the meeting.

Councillors who choose to record, film or broadcast meetings including the use of social media are reminded of their responsibilities under the Council's Code of Conduct including the confidentiality requirements.

The Parish Council 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.

If the Parish Council resolves 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 Parish Council will include such recordings within its Publication Scheme.

The Parish 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.

A review of this policy shall be undertaken bi-annually (or appropriate) and necessary amendments will be undertaken by the Clerk and reported to the full council for approval.

The Council will undertake to ensure that its members and employees are trained in the process required by this policy as deemed appropriate.

Adopted on: 28th September 2017 Minute No: 88.17 2(2.3)

Review: September 2019