

KELBROOK AND SOUGH PARISH COUNCIL

FILMING AT MEETINGS POLICY

Policy Adoption

Adopted by: Kelbrook and Sough Parish Council

Chair: Sharon Ashley

Last Review Date: 12th September 2023

Next Review Date: September 2024

Minute Reference: Item 14

Kelbrook and Sough Parish Council welcomes members of the public and press at all of its meetings.

Members are keen to encourage community involvement in the work of the Parish Council. This policy details the rules for effective management of broadcasting, filming or recording of the meetings held by Kelbrook and Sough Parish Council.

The right to record, film and to broadcast meetings of Local Councils, Committees and Sub Committees was established following the Local Government Audit and Accountability Act 2014. The "Openness of Local Government Bodies Regulations 2014" became active legislation in August 2014. This is in addition to the rights of the press and public to attend such meetings.

Kelbrook and Sough Parish 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. Those who attend a public meeting should expect to be filmed. This includes Councillors, Council Officers and members of the public.

The rules that Kelbrook and Sough Parish Council will apply are:

1. The Parish Council will display requirements as to filming, recording and broadcasting at its meetings and on its website 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 will be provided to members of the public in attendance at a meeting of the Parish Council. The Chairman may also verbally remind the meeting and all present of the freedom to record but that these rules are in place to enable any type of recording to take place with minimal disruption to the Council meeting.
3. Filming should not commence until the chair announces the meeting is open and should cease as soon as the chair closes the meeting.

4. Any person wishing to record a meeting in any format whatsoever is encouraged to contact the Clerk prior to the start of the meeting. The Clerk's details are set out on the website and the agenda of the meeting.

4. Any member of the public or press who wishes to record the meeting should do so from the seating in the public gallery to minimise disruption to the meetings.

5. A person or persons recording the 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.

6. Kelbrook and Sough Parish Council understands that some members of the public attending its meetings may not wish to be recorded and the Chairman of the meeting will attempt to 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 prior to the commencement of the meeting.

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 part of the meeting will not be permitted.

8. The specific filming of children or young people under the age of 18 who are present cannot take place 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, i.e. a medical professional, carer or legal guardian. Where the permission is given, filming of these people can take place.

9. The Council requests that all recording is overt (i.e. clearly visible to anyone at the meeting).

10. 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 persons present to follow the debate.

11. A person or persons making a recording has no right to interrupt a 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 purpose of the recording.

12. 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 any of these rules. Anyone found to be in breach of the rules may be asked to leave the meeting in accordance with the public participation policy.

13. Persons who are recording are requested not to leave their equipment unattended where possible and are responsible for their equipment at all times.

14. The recording and reporting on meetings of the Parish Council, 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 Parish Council's values or in a way that ridicules or shows lack of respect for those in the recording. The Parish Council would expect any recording in breach of these rules to be removed from public view. The Parish Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

15. 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.

16. The Parish Council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its policies. Where a council proposes to record all its own meetings it will be bound by this policy.

17. Filming by the Parish Council will be set up in front of the public gallery in order to not include members of the public in its recording. There is no requirement for a member of the council to remain with the equipment as long as its placement prevents any tampering by other parties and it commences when the chair declares the meeting open and ceases when the chair declares the meeting closed.

18. Where the Parish Council proposes to record all 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 may include the availability of such recordings within its Publication Scheme

18. 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.

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

RETENTION AND DISPOSAL POLICY – The council will live stream the recording of the meeting directly on its facebook page. These recordings will remain available to all residents on said page for up to a year. Any recordings that are audio taped will be cleared once the minutes of those meetings have been approved and signed off.

