

# Filming and Recording of Meetings Policy

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## Document History

Adopted by South Petherwin Parish Council – 14<sup>th</sup> June 2023

## Openness of Local Government Bodies Regulations 2014

- 1.1 The right to record, film and to broadcast meetings of South Petherwin Parish Council 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.
- 1.2 South Petherwin 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. Such recording is permitted under the lawful direction of the Council.
- 1.3 The 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 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 Chairman prior to the commencement of the meeting.

## Rules of Procedure

2.1 The rules that the Parish Council will apply are:

- a) The Council will display requirements as to filming, recording and broadcasting on its website and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
- b) Any person wishing to film or record a meeting should make this known to the Clerk or Chairman of the meeting prior to its commencement.
- c) The Chairman may also verbally remind the meeting and all present of the freedom to record.
- d) A person or persons recording the Council meeting are reminded that “Public Participation” period is not 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.
- e) **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.**
- f) Any children or young people under the age of 18 who are present at the meeting are not to be filmed or recorded 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.
- g) All those recording a meeting are required to focus only on recording Councillors, Officers and those members of the public who have not requested anonymity or have been identified as under the age of 18 or a vulnerable adult.
- h) 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.
- i) All film recording must be overt (i.e. clearly visible to anyone at the meeting).

- j) 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.
- k) Flash photography is deemed disruptive; therefore, the use of flash photography is not permitted during Parish Council meetings.
- l) A person or persons making a recording has no right to interrupt the Council 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 recording.
- m) 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.
- n) The recording and reporting of 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 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.
- o) 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. Where a Parish Council proposes to record all of its own meetings it will be bound by this policy.
- p) Where the Parish Council 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 will then include such recordings within its Publication Scheme.
- q) The Parish Council is not liable for the actions of a person making a recording at a Council meeting which identifies a member of the public, or for any publication of that recording.
- r) **The Minutes of a Parish Council meeting remain the statutory and legally binding formal record of Council decisions.**