



POLICY ON FILMING, AUDIO RECORDING, PHOTOGRAPHING AND REPORTING OF COUNCIL AND COMMITTEE MEETINGS

The right to record, film and to broadcast meetings of the Parish Council is established under the Openness of Local Government Regulations 2014 (2014 SI No.2095). This is in addition to the rights of the press and public to attend such meetings.

Botus Fleming 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 Botus Fleming 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. 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. 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 along with the meeting Agenda. 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 person making the recording may move around, however, in doing so he/she must ensure that there is minimal or no disruption to the proceedings of the meeting.
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. Regulations do not require Parish Councils to allow filming of any part of a meeting where the public are excluded by reason of the confidential nature of the business, where publicity would be prejudicial to the public interest. Exclusion of the public must be authorised by a resolution of the meeting and the reasons for exclusion must be stated.

7. 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. 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.
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). The Parish Council has no objection to quiet and inconspicuous filming, photography and tweeting/blogging using a hand-held device such as a mobile phone or tablet. Oral commentary in the meeting room is not permitted by the Regulations as they may be disruptive or interfere with the ability of any person present to follow the debate.
10. 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 purposes of the recording.
11. 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 acting in a disruptive manner may be asked by the Chair to stop doing so and if they continue to do so they may be asked to leave the meeting.

Disruptive activity includes-

- Moving to areas outside designated for the public without consent of the Chair;
 - Excessive noise in recording or setting up or re-siting equipment during the meeting;
 - Intrusive lighting and use of flash photography;
 - Asking people to repeat statements for the purpose of recording.
12. Persons who are recording are requested not to leave their equipment unattended where possible, and are responsible for their own equipment at all times. Recording equipment may be left running in the meeting room even if the person using it leaves the room. However, it may not be left running for a part of a meeting where the public are excluded and an officer of the Council may stop the recording or switch off the equipment if this happens.
 13. The Parish Council cannot advise on general law and accepts no liability for any material created by those filming a meeting.

14. 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.
15. The recording and reporting on meetings of the Parish Council, is subject to the general 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 a 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 accepts no liability for material published by any other person unless it is itself undertaking the publication through its offices.
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 retention and disposal Policies. Where a Council proposes to record all its own meetings it will be bound by this Policy. The Parish Clerk may digitally record meetings as an aid to completing minutes and ensuring that resolutions and decisions are recorded accurately. Content will be uploaded to the Parish Council website in the interests of transparency.
17. 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 will include the availability of such recordings within its Publication Scheme.
18. The Minutes of a Parish Council meeting remain the statutory and legally binding formal record of council decisions.
19. Members of the Parish Council recording meetings are reminded of their obligations under the Council's Code of Conduct in respect of confidential matters.

The Parish Council will review this policy every twelve months, usually at the Annual Meeting.

This policy was adopted by resolution of the Council 23rd June 2021
Policy review 25th May 2022

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