Poughill Parish Council Policy on Audio/Visual Recording and Photography at Council Meetings

This document was adopted by the Council at its meeting on the 21st November 2019.

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.

This document sets out the protocol for the filming or recording of the meetings of Poughill Parish Council.

1. The right of the council to exclude the press and public from parts of Council meetings for contractual and staff confidentially reasons remain unaffected.
2. The Regulations do not require Parish Councils to allow filming, audio-recording, photographing or reporting of any part of a meeting where the public are excluded by reason of the confidential nature of the business or where publicity would be prejudicial to the public interest. Exclusion of the public must be authorised by a resolution of the meeting and the reason for exclusion must be stated.
3. 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.
4. The Parish Council has no objection to quiet and inconspicuous filming, photography, tweeting and blogging using a hand-held device such as a mobile phone or tablet. Oral commentary in the meeting room during a meeting is not permitted by the Regulations and may be disruptive.
5. The Parish Council asks anyone proposing to use a device larger than a mobile phone or tablet to notify the Clerk prior to the start of the meeting so that proper facilities can, if possible, be provided.
6. 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.
7. Members of the public who attend a meeting merely to observe it are not taking part in the proceedings and the Parish Council asks others not to film or photograph them without their consent. Children or vulnerable adults attending a meeting should not be filmed or photographed.
8. Anyone acting in a disruptive manner may be asked to leave by the Chairman to stop doing so and if they continue, they may be asked to leave the meeting. Disruptive activity includes: Moving to areas outside the areas designated for the public without the consent of the Chairman; 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 purposes of recording.
9. 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 the meeting where the public are excluded and an officer of the Council may stop the recording or switch off the equipment if this happens.

10. Those filming, audio-recording, photographing or reporting meetings are reminded that requirements of general law apply to their activities, for example: The requirements of the Data Protection Act 1998 may apply to personal information about living individuals including visual images; there may be legal liability for defamatory or offensive statements, including statements made by people being filmed that are 'published' by the person filming.
11. The Parish Council cannot advise on general law and accepts no liability for any material created by those filming, audio-recording, photographing or reporting a meeting.
12. The council asks those recording proceedings do not to edit the film 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 or recorded.
13. The Council may itself photograph, film, record or broadcasting at its meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies.