Shotton Parish Council

Public Filming, Recording or Otherwise Reporting- Council/Committee meetings

1. INTRODUCTION

The Openness of Local Government Bodies Regulations 2014 issued under s43(2) of the Local Audit and Accountability Act 2014 came into force on the 6th August 2014.

This amended the requirements of the Public Bodies (Admission to meetings) Act 1960. The 1960 Act provided that members of the public had no statutory right to film, take photographs or record full Council or Committee meetings (those meetings that are open to the public).

The amended 1960 Act provides that a person **may not orally** report or comment about a meeting as it takes place if he is present at the meeting of a Parish Council or its Committees but otherwise may:

(a) Film, photograph or make an audio recording of a meeting.

(b) Use any other means for enabling persons not present to see or hear proceedings at a meeting as it takes place or later;

(c) Report or comment on the proceedings in writing during or after a meeting or **orally report or comment after the meeting.**

2. GUIDELINES AND PRINCIPLES - BACKGROUND

These have been, produced by the Department for Communities and Local Government (DCLG).
Open and Accountable Local Government

A guide for the press and public on attending and reporting meetings of Local Government

The plain English Guide gives practical information about what the new rules mean for members of the public attending meetings of local government bodies; this includes Parish and Town Councils.

Part 1 *is the relevant section and focuses on the use of various communication tools for reporting the proceedings of any meeting of a local government body which is open to the public.*

DCLG guidance suggests that Councils may wish to have a policy in place in respect of the filming, recording, photographing or other reporting of (i) persons who object to the same and (ii) children and vulnerable adults.

3. COUNCIL POLICY STATEMENT

a) The Council acknowledges that it is required by legislation to allow any member of the public to take photographs; film and audio record the proceedings and report on all public meetings.
b) The Council acknowledges that no prior permission is required but asks that any person wishing to film or audio record a public meeting let Council staff know in order that all necessary arrangements can be made for the public meeting.
c) The Council will provide "reasonable facilities" to facilitate reporting.
d) The Council will provide a space to view and hear the meetings, seats and a table. This will not be part of the seating arrangements for the Council itself or an area required by Council staff or invited guests.
e) It is not permitted to provide a running verbal commentary.
f) Those undertaking reporting must not act in a disruptive manner. This could be any action or activity which disrupts the conduct of meetings or impedes other members of the public being able to see, hear or film etc. the proceedings.

g) *Examples are listed but are not inclusive:*
   (i) Moving to areas outside the areas designated for the public without the consent of the Chairman,
   (ii) Excessive noise in recording or setting up or re-siting equipment during the debate / discussion.
   (iii) Intrusive lighting and use of flash photography; and
   (iv) Asking for people to repeat statements for the purpose of recording.

h) Public will be excluded from a meeting, under the Council's Standing Orders, if acting in a disruptive manner.

i) Recording equipment must be removed from the meeting room if at any stage the meeting becomes a private meeting.

j) No trailing cables or plugging in to sockets of electrical equipment will be permitted.

k) Children and vulnerable adults are not to be filmed, recorded or photographed or otherwise reported about where the relevant responsible adult has not given consent. (Which in the case of a vulnerable adult is a medical professional, their carer or legal guardian, and in the case of a child, their parent, legal guardian or teacher).

l) Part of the public area will be used, if required, for children and vulnerable adults or those public attending who do not wish to be filmed, however, this is within the limitation of the Council Chamber and its layout.

m) Persons taking part in the public participation section, excluding children and vulnerable adults as indicated above, may be filmed, recorded or photographed or otherwise reported whether they are in a designated area or not.

n) Persons filming meetings etc. are likely to record personal data of individuals. These persons must take care to ensure that personal data is used in accordance with the Data Protection Act 1998.

4. RESPONSIBILITIES

The policy is intended to clarify the requirements of the Openness of Local Government Bodies Regulations 2014 for the benefit of employees, Councillors, members of the public and members of the press.

The Chairman of the Council or Committee meetings will be responsible for its implementation and deal with any disruption associated which disrupts the conduct of meetings or impedes other members of the public being able to see, hear or film, audit record, take photographs and use social media such as tweeting and blogging.

The Chairman of the Council or Committee will remind those present at the meeting of this Policy. In particular reminding individuals who wish to film to avoid those who have expressed a wish not to be filmed or children or vulnerable adults without the express permission of the parent or responsible adult.

5. ENFORCEMENT OF THE POLICY

Enforcement of the policy will be undertaken by the Chairman of the Council or Committee meeting as appropriate.

Behaviour deemed to be disruptive will be dealt with under Council Standing Order No. 2 (Disorderly Conduct at Meetings)

Adopted by Shotton Parish Council at its meeting held on 27 October 2014