

FILMING, PHOTOGRAPHY AND AUDIO RECORDING AT COUNCIL MEETINGS

- 1.1 This item of business was referred by the Portfolio Holder for Governance to Full Council with a recommendation on the incorporation of a policy in relation to filming, photography and audio recording at Council meetings into the Council's Social Media Policy.
- 1.2 A copy of the Decision setting out the recommendation is appended. It is proposed that Council **RESOLVES** to incorporate the proposals in relation to Filming, photography and audio recording at Council meetings into the Council's wider Social Media Policy.

EXECUTIVE DECISION BY PORTFOLIO HOLDER FOR GOVERNANCE

SUBJECT: FILMING, PHOTOGRAPHY AND AUDIO RECORDING AT COUNCIL MEETINGS

1 DECISION MADE

- 1.1 That it be recommended to Council that the proposed policy in relation to filming, photography and audio recording at Council meetings, as set out under paragraph 3.2 of the officer report below, be incorporated into the Council's Social Media Policy.

2 NAME OF PORTFOLIO HOLDER

- 2.1 Cllr Mrs C E Roe.

3 DECLARATIONS OF INTEREST

- 3.1 None.

The reasons for the decision and alternative options considered are as set out in the Lead Officer's report (see below). The decision does not depart from Council policy and appropriate consideration has been given to any budgetary and legal implications.

Portfolio Holder Signature: Cllr Mrs C E Roe

Date of Decision: 18 August 2014

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REPORT TO PORTFOLIO HOLDER FOR GOVERNANCE

REPORT FROM THE HEAD OF LEGAL, ESTATES & MEMBER SERVICES

SUBJECT: FILMING, PHOTOGRAPHY AND RECORDING AT COUNCIL MEETINGS

1 DECISION BEING RECOMMENDED

- 1.1 That it be recommended to Council that a policy in relation to filming, photography and audio recording at Council meetings, as set out under paragraph 3.2 below, be added to the Council's Social Media Policy.

2 REASON FOR RECOMMENDATION

- 2.1 The Secretary of State of the Department for Communities and Local Government made the Openness of Local Government Bodies Regulations 2014 on 5 August 2014. The Regulations permit any person attending a Local Government meeting to take photographs, film and audio record the proceedings and to report on the meeting. For the District Council the Regulations apply to those parts of Full Council, Committee, Sub-Committee and Executive meetings at which the public are able to attend and they include the press. They do not permit oral commentary to be provided during a meeting as this would be disruptive to good order. Laws in relation to defamation and public order continue to apply.

3 SALIENT INFORMATION

- 3.1 Within the Council's current Social Media Policy on the use of media devices by the public during Council meetings (Section 6) it is provided that:-
- a. Members of the Public should conduct themselves in a way that does not disrupt or distract the course of the meeting.
 - b. Members of the Public are permitted to text, email or use Social Media discreetly during Council meetings provided this does not disturb the meeting. In certain regulatory hearings the use of media devices will be restricted as this could prejudice a fair process.
 - c. Filming and photography is only permissible with the prior consent of the Chairman of a Council meeting and where this can be carried out without disturbing or distracting the course of the meeting.
 - d. If a Member of the Public needs to take or make an urgent phone call during the meeting they should leave the room quietly and return to their seat at an appropriate juncture of the meeting.
 - e. The Chairman of a Council meeting may ask a Member of the Public who disregards Section 6 of this Policy to refrain from using the Media Device and where appropriate to leave the meeting
- 3.2 For the document to assimilate the new Regulations on filming, photography and audio recording it would be appropriate for provision 'c' of Section 6 to be revised and developed to include some specific safeguards and to read as follows:-

- c. Filming, photography and audio recording is only permitted where this can be carried out without disturbing, distracting or disrupting a meeting. The following will apply to persons wishing to film, photograph or audio record at meetings:-
- (i) The showing of appropriate respect for the wishes of members of the public who do not want to be filmed, photographed or audio recorded.
 - (ii) Being ready to leave the meeting with equipment should there be items where the public and press are excluded by virtue of exempt information as defined by the Local Government Act 1972 being likely to be disclosed.
 - (iii) That, without the express consent of their parents/guardians, the filming of any children who might be in attendance is strictly prohibited.
 - (iv) That the use of flash photography or additional lighting will not be allowed unless this is discussed in advance of the meeting with Member Services and agreement reached on how it can be done without proceedings being disrupted.
 - (v) That there should be no oral commentary or excessive noise in the setting up/re-siting of equipment during the meeting.
 - (vi) That there should be no requests for statements to be repeated during the meeting.
 - (vii) Remaining in the area designated for the public.

Note: whilst not a requirement, it would be helpful for anyone intending to film or wishing to discuss any special requirements to contact Member Services in advance of a meeting to seek advice, guidance and help.

4 ALTERNATIVE OPTIONS CONSIDERED

- 4.1 There is a legal requirement to provide for filming, photography and audio recording at Council meetings.

SMT Lead Officer Signature:  _____

Date: 15 August 2014

Background Papers:

None.

For further information please contact:-

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Note: Please ensure that Member Services are provided with the original of the decision on the day it is taken (or by 10 am the following morning at the latest) to enable publication.