

MARHAM PARISH COUNCIL
RECORDING AT MEETINGS POLICY
Adopted 20th November 2019

Reviewed

Policy Statement

The right to record, film and to broadcast meetings of the Parish Council meeting 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.

Marham 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.

Filming, recording and broadcasting by the press and members of the public

1. The Parish Council will display requirements as to filming, recording and broadcasting on the agenda, at its meetings and on the website and those undertaking these activities will be deemed to have read and accepted them.
2. A copy of these rules will be provided to the press and members of the public in attendance at a meeting of the Parish Council. 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 advise the Clerk prior to the start of the meeting although is not obligatory.
4. The person making the recording must ensure that there is minimal or no disruption to the proceedings of the meeting.
5. A person recording the meeting is reminded that the 'Public Participation' period does not form 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. The Council requests that all recording is overt and clearly visible to anyone at the meeting.
7. Persons who are recording are requested not to leave their equipment unattended where possible, and are responsible for their equipment at all times.
8. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.

Equipment and live media/blogging

9. For the benefit of those who wish to record - where the recording device being used involves equipment which is larger than a smart phone, tablet or compact camera or if the person recording has other special requirements, he/she is requested to contact the Clerk prior to the meeting so that reasonable arrangements can be made. The use of lighting for filming/flash photography will usually be allowed provided that it does not adversely impact on the ability of others present to view the meeting, or for reasons of health, whereby the Council may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting should not cause any other form of disruption.

10. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are permitted, provided this is carried out in a non-disruptive way and only to the extent that it does not interfere with the ability of any person present to follow the debate.
11. A person making a recording has no right to interrupt a 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.

Filming of young/vulnerable persons

12. The specific filming of children, young people under the age of 18 who are present, cannot take place unless their parents/guardians have given their 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 persons can take place.

Human Rights Act, the Data Protection Act and the laws of libel and defamation

13. The recording and reporting on meetings of the Parish Council is subject to the law and it is the responsibility of the person(s) carrying out 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 will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

Parish Council statutory obligations

14. Where the Parish Council and/or its Members record meetings, they will be bound by this policy.
15. The Parish Council may photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with retention and disposal policies.
16. Where the Parish Council records its own meetings, such recordings will be held by the Clerk and be available for public inspection (excluding any recorded confidential business) until the next meeting of the Council when the written minutes are formally approved, after which time the file will be permanently deleted.
17. The minutes of a Council meeting remain the statutory and legally binding formal record of Council decisions.
18. 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.

Confidential business

19. 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 that part of the meeting will not be permitted by any person present, excluding the Clerk.
20. For the purposes of the written minutes, only the Clerk will be permitted to record the confidential business of the meeting, providing this is recorded in a separate data file from the main ordinary meeting. Confidential files will not be available for public inspection and will be deleted by the Clerk once the written minutes have been formally approved by the Council.

Monitoring and review of this policy

21. The Clerk shall be responsible for reviewing this policy annually to ensure that it meets legal requirements and reflects best practice.