

HYTHE TOWN COUNCIL

PROPOSED REVISION TO STANDING ORDERS AND POLICY ON FILMING, AUDIO-RECORDING, PHOTOGRAPHING AND REPORTING OF COUNCIL AND COMMITTEE MEETINGS

- 1 The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095), which came into force on 6 August 2014, require Local Councils to permit any person to film, audio-record or take photographs of, and to report on, the proceedings of any part of a meeting which the public are entitled to attend by law.
- 2 The Regulations do not require Local Councils to allow filming recording or photographing 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 only apply to formal, decision-making meetings of the Town Council, a committee or a sub-committee and not to informal meetings or meetings of a working group without decision-making powers.
- 4 It is required to advise the Council or Committee via the Town Clerk that recording will take place.
- 5 The Council and its Officers will afford reasonable facilities (but not equipment) for the recording of the meeting. All external equipment which might be plugged into the Council's electricity supply will be required to have a current PAT test.
- 6 No additional lighting or flash photography shall be used, except by prior agreement, as this may affect the health and well-being of persons attending the meeting.
- 7 All recordings and transmissions must be open and transparent – ie visible to anyone in attendance at the meeting.
- 8 Oral commentary in the meeting room during a meeting is not permitted by the Regulations and it may be disruptive. The person/s recording the meeting will be asked to cease recording if :
 - (i) There is excessive noise from the moving or setting up of equipment.
 - (ii) There are interruptions to the orderly conducting of the meeting (eg requests that a person repeats a statement for the purposes of the recording or the distraction of the person/s associated with the recording adding comments during the course of the meeting).
 - (iii) There is movement to areas outside the areas designated for the public without the consent of the Chairman.

Standing Orders No 5 a xx and 10 d refer.

9 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.

10 Members of the public who attend a meeting merely to observe it are not taking part in the proceedings and the Town Council requests that these persons are not filmed or photographed without their consent. Children or vulnerable adults attending a meeting should not be filmed or photographed. In the case of children, prior consent must be obtained from the parent or guardian.

11 Recording equipment may be left running in the meeting room even if the person using it leaves the room. It shall not, however, be left running for a part of a meeting where the public are excluded and an officer of the Council shall stop the recording or switch off the equipment in these circumstances.

12 The Town Council is not liable for any actions of the person/s recording which publicly identifies any member of the public or for any publication of the recording. Any persons recording the meeting are advised to obtain permission from members of the public present before publicising material which identifies members of the public. Those engaged in the recording of meetings are reminded that the requirements of general law apply to their activities, for example:

- (i) The requirements of the Data Protection Act 1998 may apply to personal information about living individuals including visual images.
- (ii) There may be legal liability for defamatory or offensive statements, including statements made by people being filmed that are 'published' by the person filming.

13 Only the official signed minutes of the Town Council and its Committees shall be recognised as the formal statutory and legally binding record of the meeting.

14 The Town Council will display the above protocols as to filming, recording and broadcasting at its meeting venues and on its website. Those persons undertaking the above activities will be deemed to have accepted these requirements, whether they have read them or not.