

BRANDSBY-CUM-STEARSBY PARISH COUNCIL POLICY RE THE RECORDING OF PARISH COUNCIL MEETINGS

The right to record meetings of the Council 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.

Brandsby-cum-Stearsby 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. Such recording is permitted under the lawful direction of the Council.

The Council understands that some members of the public attending its meetings may not wish to be recorded and the Chairman of the meeting will facilitate this by ensuring that any such request will be respected by those making a recording. Any member of the public who does not wish to be recorded should make this known to the Clerk or the Chairman prior to the commencement of the meeting.

The rules that the Council will apply are:

1. The Council will display this policy on its website and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
2. A copy of these rules will be available for members of the public in attendance at a meeting of the Council whether they wish to film or not at the meeting. The Chairman may also verbally remind the meeting and all present of the freedom to record but that these rules **must** be observed when this is planned or taking place.
3. Any person wishing to record a meeting in any format whatsoever must contact the Clerk prior to the start of the meeting. The Clerk's details are set out in the public notice and agenda of the meeting.
4. The Council will define an area from which recording may be carried out and, if given advance notice, will strive to ensure that reasonable facilities are made available to any person wishing to record, eg provision of a table. However, the Council should point out that the physical layout of a room may restrict the Council's ability to make any provision.
5. The Council prefers that all visual recording will be undertaken from a static point to avoid disruption at the meeting.
6. 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.
7. Any children or young people under the age of 18 who are present at the meeting are not to be filmed unless their parents/guardians have given their written consent. This provision also applies to vulnerable adults, whereby the consent of a responsible adult is required for recording, i.e a medical professional, carer or legal guardian.
8. All those recording a meeting are requested to focus only on recording councillors, officers, and those members of the public who have not requested anonymity or have not been identified as under the age of 18 or a vulnerable adult.

9. The Council may, at its own discretion require members of the public who do not consent to being recorded to sit separately from those who are content to be recorded.
10. All recording must be overt (i.e. clearly visible to anyone at the meeting).
11. Members of the public must go about recording, filming or use of social media, in a way which does not cause disruption to the meeting.
Disruption classes as:
 - Any action or activity which disrupts or distracts from the conduct of meetings.
 - Moving to areas outside the areas designated for the public without the consent of the Chair of the meeting.
 - Excessive noise in recording or setting up or re-siting equipment during the debate/discussion.
 - Intrusive lighting.
 - Use of any flash photography.
 - Asking for people to repeat statements for the purposes of recording.
 - Excessive moving around in the designated recording area.
 - Intentionally blocking the filming/photography angles of other citizen journalists.
12. A person or persons making a recording has no right to interrupt a Council by asking questions or making comments. 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.
13. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
14. Persons who are recording must strive not to leave equipment unattended.
15. The recording and reporting on meetings of the Council is subject to the law and it is the responsibility of those doing 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 recording should not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Council's values or in a way that ridicules or shows a lack of respect for those in the recording. The Council would expect any recording in breach of these rules to be removed from public view. The Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.
16. The 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.
17. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

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