

## WINCHAM PARISH COUNCIL

### Policy on Filming, Audio-Recording, Photographing and Reporting of Council and Committee Meetings

This policy applies to meetings of this council, its committees and sub-committees. "Recording" encompasses all filming, audio-recording and photographing.

The Openness of Local Government Bodies Regulations 2015 (2014 SI No. 2095) ("the Regulations"), which came into force on 6th August 2014, require Parish Councils to allow 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. (The Regulations also contain provision requiring a written record to be kept of certain decisions made by officers).

Wincham Parish Council supports the principles of openness and transparency and encourages public interest and engagement in decision making therefore embraces the rights extended to members of the public by the Regulations.

1. The Department for Communities & Local Government published a 'plain English' guide to the Regulations (available at <https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide>) ("The DCLG guide"). Wincham Parish Council's policy is based on this guide.
2. The Parish Council has no objection to quiet and inconspicuous filming, photography, tweeting and blogging using a hand-held device such as a mobile phone or tablet. Oral commentary in the meeting room during a meeting is not permitted by the Regulations.
3. The Parish Council will from time to time formally define an area from which recording may be carried out.
4. The Parish Council asks anyone proposing to use a device larger than a mobile phone or tablet to notify the Clerk prior to the start of the meeting so that proper facilities can, if possible, be provided.
5. All recording will be undertaken from a static point.
6. The use of flash photography and additional lighting is not permitted.
7. A person or persons making a recording has no right to interrupt a Council meeting by asking questions or making comments.
8. 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.
9. Members of the public who attend a meeting merely to observe it are not taking part in the proceedings and the Parish Council asks others not to film or photograph them without their consent. Children or vulnerable adults attending a meeting should not be filmed or photographed.
10. Anyone acting in a disruptive manner may be asked to leave by the Chairman to stop doing so and if they continue they may be asked to leave the meeting. The DCLG guide gives the following examples of disruptive activity: Moving to areas outside the areas designated for the public without the consent of the Chairman; Excessive noise in recording or setting up or re-siting equipment during the meeting; Intrusive lighting and use of flash photography; Asking people to repeat statements for the purposes of recording.
11. The Regulations do not require Parish Councils to allow filming, audio-recording, photographing or reporting of 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.

12. The Regulations apply only to formal, decision making meetings of the Council, a committee or a sub-committee and not to informal meetings or meetings of a working party without decision making powers. The "Public Forum" period prior to a Wincham Parish Council meeting is not part of the formal meeting and the Parish Council does not permit filming to take place during the Public Forum.
13. If the Parish Council proposes to record all of its own meetings that will not prevent any other person or persons from also recording.
14. If the Parish Council proposes to record all of its own meetings it will be bound by this policy.
15. If the Parish Council proposes to record all of its own meetings, it will resolve how long such recordings will be kept and how members of the public may obtain copies. The Parish Council will include such recordings within its Scheme of Publication.
16. The Parish Council expresses the hope that where a person or persons makes a recording of a council meeting for the purpose of reproduction elsewhere, that any reproduction of the recordings made without alteration.
17. Those filming, audio-recording, photographing or reporting meetings are reminded that requirements of general law apply to their activities, for example: The requirements of the Data Protection Act 1998 may apply to personal information about living individuals including visual images; there may be legal liability for defamatory or offensive statements, including statements made by people being filmed that are 'published' by the person filming.
18. The Parish Council cannot advise on general law and accepts no liability for any material created by those filming, audio-recording, photographing or reporting a meeting.
19. A copy of this Policy will be available on the Parish Council web site.
20. The minutes of a Parish Council meeting, committee meeting or sub-committee meeting remain the statutory and legally binding formal record of Parish Council decisions.

This policy was adopted by Wincham Parish Council on 20 March 2019

Approved by Council on 20 March 2019 (Item 26(ii) of the Agenda)

**Ian Parr**

Chairman of Wincham Parish Council

**Naomi Morris**

Clerk of Wincham Parish Council

Dated

.....20 March 2019.....