

CONSTITUTION - PART 5 - CODES AND PROTOCOLS

AUDIO AND VISUAL RECORDINGS,
PHOTOGRAPHY AND USE OF SOCIAL
MEDIA AT COUNCIL MEETINGS

AUDIO AND VISUAL RECORDING, PHOTOGRAPHY AND USE OF SOCIAL MEDIA AT COUNCIL MEETINGS

Introduction

The purpose of this protocol is to provide guidance on the conduct within meetings which is acceptable in the context of the use of modern media tools (eg blogging, Twitter, Facebook) and filming, recording and photographing at meetings. This was approved by Council on 7 December 2011.

Audio and visual recording, photography and use of social media may be allowed at meetings of the Council to which the public and press have right of access, subject to the conditions and restrictions detailed in this Protocol and subject also to the prior agreement of the Chair of the meeting.

However, the principle is that the proceedings of the meeting concerned should not be impaired or handicapped by the use of filming, recording or media tools and that it is a matter for the Chair to determine on the day, in the particular circumstances, what he or she regards as not appropriate.

For clarification, the meetings to which the Protocol applies currently are: Council, Cabinet, Planning and District Development Committees, District Development Sub-Committee, General Purposes and Human Resources Committees, Licensing Committee and the Licensing Sub-Committees, Overview and Scrutiny Commission and its three Standing Panels, Standards and Urgency Committees.

1.00 Use of Modern Social Media Tools

1.1 Members of the public and press

No restrictions will be placed on members of the press and public attending meetings in relation to the use of blogs, Twitter, Facebook or similar, provided that their actions do not affect the conduct of the meeting.

1.2 Members of the Council

Members, as participants, are in a different position to members of the public and their actions affect the reputation of the Council. Members have an obligation to pay close attention to the proceedings of meetings they attend and demonstrate that they are playing an active part. This is in addition to the general point of showing respect and courtesy to other participants. Any use of modern media tools by Members in meetings should be considered in this context, particularly in quasi judicial development control or licensing sub-committee meetings.

1.3 Officers

For clarification, the use of media tools by Officers is permitted if it is in the normal course of their work.

- 1.4 The use of social media tools will not be permitted when a meeting is in exempt session.
- 1.5 If, during the proceedings, the Chair considers that the use of any social media tools has become inappropriate then such use must stop. If such use continues then the Chair has the discretion to exercise powers under Standing Order 14 relating to disorderly conduct.

2.00 Audio and Visual Recording and Photography

Before the meeting

- 2.1 Filming, recording and photographing the proceedings of a meeting can only take place with the approval of the Chair.
- 2.2 Requests, whether from the press, a media organisation or member of the public should be made to the Head of Legal and Democratic Services or his/her representative who will then liaise with appropriate Officers and consult the Chair. Applicants must provide their name, who they are representing if appropriate, and contact details.
- 2.3 All applicants must agree to comply with obligations under the Data Protection Act 1998 (see point 3.3 below). They must also agree that audio/visual recordings and photographs will not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being expressed in a way that may ridicule or show a lack of respect towards those being filmed, recorded or photographed.
- 2.4 There is a general presumption that permission will be granted but it is at the discretion of the Chair and in all cases the Chair's decision shall be final ¹.
- 2.5 All requests to film, record or photograph must be made before the meeting starts so that the Chair can make a statement at the beginning of the proceedings informing everyone that it is to take place (see also point 3.3 below relating to the Data Protection Act 1998).

¹ It might not always be suitable for meetings of a quasi judicial nature to be filmed or recorded. In addition public meetings, such as those arranged by the Overview and Scrutiny Commission attract a range of people who may or may not wish to be filmed, recorded or photographed. As these are sessions designed to encourage public involvement, the Chair may wish to prohibit recording if it could be seen to be a barrier to creating the right environment for this to happen.

- 2.6 If sufficient notice is received, the fact that filming, recording or photographing of a meeting is to take place should be noted on the agenda for the meeting and notices shall be displayed outside the meeting room advising visitors of this and their rights under the Data Protection Act.

During the meeting

- 2.7. Any audio/visual recording or photography must take place from positions in the meeting room approved by the Chair. There must be areas of the room where visitors can sit who do not wish to be filmed and anyone filming must respect those wishes (see also point 3.3 below relating to the Data Protection Act)
- 2.8 Photographing proceedings will normally take place for a short time at the beginning of meeting.
- 2.9 If, during the proceedings, the Chair considers that filming or recording has become inappropriate then such use must stop. If such use continues then the Chair has the discretion to exercise powers under Standing Order 14 relating to disorderly conduct.
- 2.10 No filming, recording or photographing will be permitted when a meeting is in exempt session.

3.00 Data Protection Act 1998

- 3.1 As the Council wishes to be transparent in its decision-making, there is a presumption that its own participants in a meeting, being either serving councillors or officers employed by the council, consent to being filmed, recorded or photographed at those meetings where such activities have been permitted by the Chair.
- 3.2 However, the Chair must consider genuine concerns about being filmed, recorded or photographed by either a Member or an officer reporting to the meeting, but the nature of the activity – elected representatives and the Council's officers acting in the public sphere – should weigh heavily against personal objections. The Chair's decision in this matter shall be final.

3.3 As part of the Chair's announcement at the beginning of a meeting where the whole or part of it is to be filmed, recorded or photographed, visitors to the meeting shall be advised of their rights under the provisions of the Data Protection Act and they may elect not to be filmed, recorded or photographed. The persons who may also choose to exercise these rights include:

- Persons entitled to speak at development control or licensing sub-committee meetings, eg applicants, supporters, objectors, other interested parties, parish council representatives and other members of the council not on the decision-making body.
- Representatives and officers of outside agencies who have been specifically invited to address the meeting, eg at an Overview and Scrutiny Commission meeting.

3.4 The operator/s of the filming, recording or photographic equipment must comply with the wishes of the persons detailed in point 3.3 above. Where there is a failure to do so, the Chair may decide to stop the proceedings and seek the removal of such equipment from the meeting room.