

# CONSTITUTION - PART 5 - CODES AND PROTOCOLS

(Last revised July 2019)

## Protocol on Filming, Recording and Photographing at Council Meetings which are open to the public

Harrogate Borough Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking websites to communicate with people about what is happening at a meeting.

### 1.0 General Guidance

- 1.1 Members of the public or press are entitled to record at any Council meetings that are open to the public, this includes both audio and visual recording and using any internet means of communication such as blogging, tweeting or posting.
- 1.2 Any persons wishing to record a meeting are requested, where possible, to inform Democratic Services prior to the meeting so that reasonable steps to accommodate recording can be made. If this is not possible it is requested that the Chair is informed at the start of any meeting whereby any reasonable adaptations will be made.
- 1.3 Any attempt to record a meeting must be overt and made from a place directed by the Chair. Any individuals intending on visually recording are requested only to focus on recording the Councillors, Officers and those members of the public who are speaking at the meeting.
- 1.4 No recording of under 18s will be permitted without the express permission of their parent or guardian and all care must be taken in consideration of vulnerable people and those who do not wish to be filmed. It is the responsibility of those wishing to record to follow these rules.
- 1.5 Any recordings must not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being photographed/filmed/recorded.

### 2.0 The Chair's Discretion

- 2.1 The Chair of the meeting has the discretion to stop or suspend the meeting under any of the following circumstances:

- a) Recording is causing a disturbance of the meeting i.e. excessive noise in either recording or re-siting equipment, flashing lights or moving around excessively or asking people to repeat themselves for the purposes of recording
- b) There is a public disturbance of the meeting
- c) The Committee has resolved to exclude the public for discussion of any confidential or exempt material as per section 100(A)(4) of the Local Government Act 1972
- d) Any member of the public who is participating in the meeting objects to being recorded, at which time the Chair will direct the individual recording to take into account the wishes of the individual who is objecting

### **3.0 Other Legal Obligations**

- 3.1 Recording of any Council meeting is subject to English 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 Legislation and associated regulations and the law of defamation.
- 3.2 It is an individual's responsibility to comply with Data Protection Legislation if they undertake photography, audio and/or visual recording and intend to publish, post or otherwise share the results of their reporting activities in any medium.