

## **Recording At Meetings Policy - Mistley Parish Council**

*Mistley Parish Council will record all meetings of its full Parish Council and Committees. This recording is for the purpose of the Clerk and the subsequent Minutes. Once the draft Minutes have been circulated to Councillors, the recording will be completely deleted within 2 weeks of any said meeting.*

4.1 The recording and reporting on meetings of the Parish 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 UK GDPR, the Data Protection Act 2018 and the laws of libel and defamation.

4.2 The Council expects that the recording will not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Parish Council's values or in a way that ridicules or shows a lack of respect for those in the recording.

4.3 The Parish Council would expect any recording in breach of these rules to be removed from public view.

4.4 The Parish Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

4.5 The following rules apply to any member of the public, or press, who wish to record or report on a council meeting:

1. Any person wishing to record a meeting in any format whatsoever is asked to contact the Clerk at least a few days prior to the meeting with the following information:
  1. Which meeting the request refers to
  2. The name, organisation (if applicable) and contact details of the person making the request
  3. What equipment it is intended to be used (to determine what facilities might be required)
  4. What the photographs/recording will be used for and/or where the information is to be published.
2. Discussing requirements with the clerk beforehand will help to ensure that the council provides reasonable facilities to meet the needs of the person that is recording.
3. The council will display a statement at each of its meetings, or the Chair will read it aloud, which says: "This council supports the rights of anyone to record this meeting but advises that anyone so recording cannot disrupt the meeting, by means of the recording, and expresses the hope that the person (or persons) carrying out the recording have obtained the necessary legal advice, for themselves, to ensure they understand the rights of any members of the public who may be present who do not wish to be filmed or recorded".
4. The Clerk 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, e.g. provision of a table. However, the council should point out that the physical layout of any room may restrict the council's ability to make any provision.
5. All recording will be undertaken from a static point.
6. All recording shall be overt, i.e. clearly visible to anyone at the meeting.
7. Any equipment required for recording purposes should be set up before the meeting starts to avoid disturbance.
8. Persons who are recording are requested not to leave their equipment unattended and are responsible for their equipment at all times.
9. The use of lighting for filming/flash photography will usually be allowed provided that it does not adversely impact on the ability of others present to view the meeting, or for reasons of health, whereby the council may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting should not cause any other form of disruption.
10. Filming elsewhere in the building outside of the meeting room is not permitted without permission.
11. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are allowed as long as this type of recording is carried out in a nondisruptive way and

only to the extent that it does not interfere with the ability of any person present to follow the debate.

12. A person or persons recording the meeting are reminded that the "Public Participation" period is not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make any recording during that period.
13. 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.
14. The specific filming of children or young people under the age of 13 who are present cannot take place 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, i.e. a medical professional, carer or legal guardian. Where the permission is given, filming of these people can take place.
15. People seated in the public seating area should not be photographed, filmed or recorded without the consent of the individuals concerned.
16. Use must not be made of an image or recording if consent is refused by a member of the public featured in that recording or image.
17. All those filming a meeting must only focus on recording councillors, the officer/officer/s and the public who are directly involved in the conduct of the meeting and who have given written explicit consent in advance.
18. For organisations that are recording a meeting, members of the public should be provided with that organisations privacy policy. You should ensure that the public is informed that their image will be taken and the context in which their image will subsequently be used.
19. The Parish 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.
20. A person or persons making a recording has no right to interrupt a Council/Committee meeting by asking questions or making comments for the purpose of the recording.
21. A person or persons 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.
22. The Chair of the meeting has absolute discretion to stop or suspend recording if, in his/her reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
23. If the Clerk of the meeting feels that any photography, audio or visual recording is disrupting the meeting in any way, or any pre-meeting agreement has been breached, then the operator of the equipment will stop.
24. If use continues the Chair or Clerk will ask the person to leave the meeting. If the person refuses to leave then the Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.
25. If a meeting is adjourned by the Chair then the operator of the equipment should stop any recording or photography at the point at which the meeting is adjourned.
26. If during the meeting, a motion is passed to exclude the press and public, on the grounds that publicity would be prejudicial to the general interest by reason of the confidential nature of the business to be transacted, then all rights to record the meeting are removed and the operator of the equipment will be required to stop recording and /or photography.
27. Regarding filming and recoding of Officer/s of the Council and of Members/Councillors, the Council is obliged to comply with the Health and Safety Regulations to provide a safe workplace. If the Council received a complaint from its employee that the recordings were being used to harass or threaten staff (or Members) then the Council may take action by warning those recording, not allow recording and potentially involve the Police.
28. The Chairman of the Council will read out the following statement at Council Meetings - *'This Council supports the rights of anyone to record this meeting but advises that anyone so recording cannot disrupt the meeting, by means of the recording, and expresses the hope that the person (or persons) carrying out the recording have obtained the necessary legal advice, for themselves, to ensure they understand the rights of any members of the public who may be present who do not wish to be filmed or recorded. A person or persons recording this meeting are reminded that the Public Participation period is not be part of the formal meeting and that they should take legal advice for themselves as to their rights to make any recording during that period. All recording shall be clearly visible to anyone at the meeting and be undertaken from a static point previously agreed by the Clerk beforehand'*.

***Review Body – Parish Council. Review Period – Annually – each May. Adopted 18/05/2021.***  
***Last Reviewed 22.05.23. Next Review Date 20.05.24.***