

Rainton with Newby Parish Council

The right to record, film and to broadcast 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.

Rainton with Newby 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.

Those who attend a public meeting should expect to be filmed. This includes councillors, council officers and members of the public.

The rules that Rainton with Newby Parish Council will apply are:

1. The Council will display requirements as to filming, recording and broadcasting on its website and its notice board 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 provided to members of the public in attendance at a meeting of the Council. The Chairman may also verbally remind the meeting and all present of the freedom to record but that these rules are in place to enable any type of recording to take place with minimal disruption to the council meeting.
3. Anyone wishing to record a meeting in any format whatsoever is encouraged, but not compelled, to contact the Clerk prior to the start of the meeting, or in their absence, the Chairman. Doing this will help to ensure that the council provides reasonable facilities to meet the needs of the person recording.
4. The person making the recording may move around, however in doing so they must ensure that there is minimal or no disruption to the proceedings of the meeting.
5. A person recording the council meeting is reminded that the "Public Participation" period may 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.
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 part of the meeting will not be permitted.
7. The specific filming of children or young people under the age of 18 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, ie a medical professional, carer or legal guardian.
8. The council requests that all recording is overt (ie clearly visible to anyone at the meeting), but cannot compel those who are recording to do so.
9. The use of digital and social media recording tools, for example Twitter, blogging or audio recording is allowed as long as it is carried out in a non-disruptive way and does not interfere with the ability of any person present to follow the debate.
10. A person making a recording has no right to interrupt a council meeting by asking questions or making comments for the purpose of the recording. The person recording has no right to ask councillors, officers or 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.

11. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
12. Persons who are recording are responsible for their equipment at all times.
13. 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 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 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.
14. For the benefit for those who wish to record - where the recording device being used involves equipment which is larger than a smart phone, tablet or compact camera, or if the person recording has other special requirements, they are requested to contact the Clerk prior to the meeting so that reasonable arrangements can be made. The use of lighting for filming/flash photography will usually be allowed provided that it does not affect 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. The lighting should not cause any form of disruption.
15. The Council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies. Where the Council proposes to record its own meeting it will be bound by this policy.
16. Where the Council proposes to record all of its own meetings. The Council will include the availability of such recordings within its Publication Scheme.
17. 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.
18. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

Policy adopted on 8th November 2022