

# Recording of meetings policy

POLICY REVIEW	
Signed	
Minute reference	FUL/168/21/22
Date ratified	7 <sup>th</sup> March 2022
Date of next review	7 <sup>th</sup> March 2023

## 1 Legislation

1.1 The Openness of Local Government Bodies Regulations 2014 (“the 2014 Regulations”), amended s.1 of the 1960 Act with effect from 6th August 2014 (England only). Subject to exceptions explained in points 2 and 3 below or if the meeting has resolved to exclude the public, the 1960 Act permits any person (including the press) who attends a council (or committee) meeting to report on the proceedings of the meeting. The new provisions of the 1960 Act address the existence of different means of reporting which include the use of social media. “Reporting” is defined in s.1(9) of the 1960 Act to include:

- Filming, photographing or making an audio recording of proceedings at a meeting (e.g. using a mobile phone, tablet such as an iPad, filming for a TV broadcast, recording for a radio broadcast);
- Using any other means for enabling people not present at a meeting to see or hear proceedings as they take place or later (e.g. live streaming)
- Written reporting or commentary on the proceedings during or after a meeting or oral reporting or commentary after the meeting. Examples of written reporting or commentary include blogging, posting comments on Facebook or tweeting.

1.2 Section 1 (4A) of the 1960 Act confirms that a person present at the meeting does not have a right to give an oral report or commentary during a meeting as such actions could be disruptive to the meeting. Such oral commentary or reporting can be given after the meeting and the person will need to ensure that his/her oral or written report of a meeting does not give rise to a libel claim.

1.3 The right to ‘report’ on a meeting as defined in s.1(9) of the 1960 Act is limited to reporting on the proceedings of a meeting which includes a reference to people who simply attend the meeting and those who participate in the meeting. There is an expectation that any reporting will focus on the proceedings of a meeting and those who participate in it, rather than those who are simply attending.

### 1.1 *Children and vulnerable adults*

1.1 Filming, recording, photographing or other reporting of children and the vulnerable may only take place with the consent of a responsible adult, which in the case of a vulnerable adult is a medical professional, his/her carer or legal guardian and, in the case of a child, is his/her parent, legal guardian or teacher.

## 2 Purpose

- 2.1 The purpose of this policy is to provide clarity to the members and employees of Theale Parish Council and to members of the public who may be attending parish council meetings.

## 3 Scope

- 3.1 This policy covers the recording of Theale Parish Council meetings. Meetings shall include those of full council and of committees, and recording shall be permitted of only those meetings, in full or in part, that are open to the public.

## 4 Implementation

- 4.1 At the start of a meeting, the chairman shall remind everyone in attendance and who will be participating in the meeting that, subject to points 2 and 3 above, they may be filmed, recorded, photographed or otherwise reported about.
- 4.2 At the start of a meeting the chairman shall ask if anyone present is intending on filming, recording or photographing the meeting.
- 4.3 If someone present is intending on filming, recording or photographing the meeting then the council shall make available a separate area to accommodate (1) members of the public who are present at the meeting and do not wish to participate in the meeting but who object to being filmed, recorded, photographed or otherwise reported about and (11) children and vulnerable adults where the relevant responsible adult has not given consent for them to be filmed, recorded, photographed or otherwise reported about.
- 4.4 The behaviour or activities arising from a person's filming, recording, photographing or other reporting of proceedings must not disrupt the meeting or obstruct the transaction of business. If such behaviour or activities do disrupt a meeting the chairman shall ask for such disruptions to cease. If disruptions continue the chairman shall move a motion requiring anyone disrupting the meeting to leave.
- 4.5 Members and employees of Theale Parish Council should be fully engaged when attending meetings and should therefore refrain from blogging, posting comments or tweeting during meetings.
- 4.6 The person filming, recording, photographing or reporting has a responsibility to ensure that any personal data of individuals is used in accordance with the General Data Protection Regulation.

## 5 Notes

- 5.1 Further guidance to assist the Council in the application of this policy can be found at:
- NALC Legal Topic Note 5/June 2015/Parish and Community Council Meetings
  - Department for Communities and Local Government guide [www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide](http://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide)