**POLICY ON FILMING, AUDIO-RECORDING, PHOTOGRAPHING, REPORTING OF COUNCIL AND COMMITTEE MEETINGS and STATEMENTS ISSUED BY NEWBOROUGH AND BOROUGH FEN PARISH COUNCIL**

Adopted by the Council 17/11/20

1. The Openness of Local Government Bodies Regulations 2014 (2014 SI No. 2095), which came into force on 6 August 2014, require parish councils to allow any person to film, audio-record or take photographs of, and to report on, the proceedings of any part of a meeting which the public are entitled to attend by law. (The Regulations also contain provision requiring a written record to be kept of certain decisions made by officers.) The right to record, film and to broadcast meetings of the council is established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the public and press to attend such meetings.

2. The Regulations do not require parish councils to allow filming or recording of any part of a meeting where the public are excluded by reason of the confidential nature of the business or where publicity would be prejudicial to the public interest. Exclusion of the public must be authorised by a resolution of the meeting and the reason for exclusion must be stated.

3. The Regulations apply only to formal, decision-making meetings of the Council, a committee, or a sub-committee and not to informal meetings or meetings of a working party without decision-making powers.

4. The Department for Communities & Local Government have published a guide to the Regulations (available at https://www.gov.uk/government/publications/open-and-accountable-local-government-plain-english-guide). Newborough and Borough Fen Parish Council’s policy is based on this guide.

5. Anyone wishing to record a Newborough and Borough Fen Parish Council meeting by any media method must advise the Clerk before the commencement of the meeting so that all members can be made aware of what is to take place. The Chairman will request of those recording to make it known before commencement of the meeting, including remote meetings.

6. The Parish Council has no objection to quiet and inconspicuous filming, photography, tweeting and blogging using a hand-held device such as a mobile phone or tablet. Oral commentary in the meeting room during a meeting is not permitted by the Regulations and may be disruptive.

7. The Parish Council asks anyone proposing to use a device larger than a mobile phone or tablet to notify the Clerk prior to the start of the meeting so that proper facilities can, if possible be provided.

8. The Regulations apply to councillors as they do to members of the public, but Councillors will wish to ensure that they are not distracted from the business of the meeting.

9. Members of the public who attend a meeting merely to observe it are not taking part in the proceedings, and the Parish Council ask others not to film or photograph them without their consent respecting the rights of those attending under The Data Protection Act, 1998 (as revised). Children or vulnerable adults attending a meeting should not be filmed or photographed or in any way cause anxiety or affect mental wellbeing (Care Act, 2014). Vulnerable persons attending remote meetings may exercise their right to turn the video function off in this case.

10. Anyone acting in a disruptive manner may be asked by the Chair to stop doing so and if they continue, they may be asked to leave the meeting. The DCLG guide gives the following examples of disruptive activity:

* moving to areas outside the areas designated for the public without the consent of the Chairman;
* excessive noise in recording or setting up or re-sitting equipment during the meeting;
* intrusive lighting and use of flash photography;
* asking people to repeat statements for the purposes of recording.

11. Those using social media at meetings are reminded that requirements of general law apply to their activities, for example:

* the requirements of the Data Protection Act, 1998 (as revised) may apply to personal information about living individuals including visual images;
* there may be legal liability for defamatory or offensive statements, including statements made by people being filmed that are ‘published’ by the person filming.

12. The Parish Council cannot advise on general law and accept no liability for any material created by those using social media at meeting. Any person or organisation choosing to film, record or broadcast any meeting of the council is therefore responsible for any claims or other liability arising from them so doing.

13. Newborough and Borough Fen Parish Council Representations to the press on behalf of the Council

a. will be submitted by the Chairman or Vice Chairman, with either agreeing the release with a least one other member and wherever possible it will take the form of a written statement.

b. Other Councillors wishing to submit press releases will do so either via or with prior authorisation from the Chairman or Vice Chairman, and wherever possible it should take the form of a written statement, a copy of which should be sent to the Clerk for recording.

c. If a verbal addition or submission is made by any authorised person this will wherever possible be confirmed in written format.

d. The Council will only comment on matters of fact or matters agreed at Council meetings and representations will be in accordance with the Council’s decision.

No representations will be made in matters which are discussed in closed session i.e. where

press and public have been excluded under the Public Bodies (Admission to Meetings) Act

1960. Furthermore no representations will be made on any item or of a nature that may

reasonably cause the Council to be subject to litigation.

e. The Council will respect the rights of individuals and others and will have particular regard to Data Protection issues when issuing press releases.

f. In the event that Councillors have direct dealings with the press on any matter which may reasonably be construed as being associated with the Parish Council they must make it clear that they are not commenting as a representative of the Council or reflecting its views.

g. The Clerk will issue copies of all Main Council agenda’s free of charge to the local press should they request them.

14. The Council asks those recording proceedings not to edit the film or recording in a way that could lead to misinterpretation of the proceedings or infringe upon the core values of the Council. 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 filmed or recorded. The Local Authorities and Police and crime panels (Coronavirus)(Flexibility of Local Authority and Police and Crime Panel meetings) (England and Wales) Regulations 2020 currently allows for remote Parish Council meetings and is in force until May 2021.

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.

16. This policy document will be displayed at its meeting venues and on the Parish Council website, and therefore requirements as to filming, recording and broadcasting will be deemed to have been accepted as understood and read. If required, further clarification can be sought from the Parish Council Clerk at: -

[clerk@newboroughandboroughfen-pc.gov.uk](mailto:clerk@newboroughandboroughfen-pc.gov.uk)

Tel: 07388 584591

17. The written approved minutes are the legal record of the meeting.

This policy will be next reviewed November 17th 2021.