

Penkridge Parish Council is committed to being open and transparent in the way it conducts its business. The press and members of the public are therefore welcome to film, photograph or record decision making in action at any meeting that is open to the public.

The Council also welcomes the use of social media, such as bloggers, tweeters and Facebook users.

This Protocol provides practical information to assist anyone considering filming, videoing, photographing or making audio recordings of meetings.

Before the meeting

Anyone intending to film or record a meeting should contact the Parish Administrator and advise of their intentions and ask for advice and guidance. Reasonable advance notice will enable practical arrangements to be made and any special requirements to be discussed.

Flash photography, additional lighting or large equipment will not be permitted, unless agreed in advance and it can be accommodated without causing disruption to the proceedings. Requests to use equipment of this nature will be subject to consideration of the constraints of the meeting rooms.

General

The Chairman of the meeting will be informed of any intention to film and make an announcement to attendees before the start of the meeting informing attendees that the meeting will be filmed/audio recorded.

Notice of the filming/recording/broadcasting of meetings will be displayed in and outside the place of meeting and meeting agendas will include the following: "The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded. Any member of the public who attends a meeting and objects to being filmed should advise the Parish Administrator (in advance) who will instruct that they are not included in the filming."

Members of the public speaking at, or attending, the meeting must not be filmed if they have indicated that they do not wish to be included.

Recording and reporting the Council's meetings 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 GDPR and the laws of libel and defamation.

Any person or organisation choosing to film, record or broadcast any meeting of the Council or its Committees is responsible for any claims or other liability resulting from them so doing and by choosing to film, record or broadcast proceedings they accept that they are required to indemnify the Council, its members and officers in relation to any such claims or liabilities.

The Council will display the requirements as to filming, recording and broadcasting at its meeting venues and those undertaking these activities will be deemed to have accepted them whether they have read them or not.

The Council will publish the guidance on the filming, recording and broadcasting of meetings on its website.

Filming or recording must be non-intrusive and anyone breaching the requirement will be removed from a meeting should that person, having been warned, continue to interrupt proceedings. The Chairman of a meeting may also call any part of the meeting room to be cleared in the event of a general disturbance.

It should be noted that the Chairman of a meeting will have absolute discretion to terminate or suspend any of the above activities if, in his/her opinion, continuing to do so would prejudice the running of the meeting. The circumstances in which termination or suspension might occur could include:

- public disturbance, disruption or suspension of the meeting.
- the meeting agreeing to formally exclude the press and public from the meeting due to the exempt/confidential nature of the business being discussed, in accordance with statutory procedures.
- where it is considered that continued recording/ photography/ filming/ webcasting might infringe the rights or privacy of any individual (including staff members), or intimidate them.
- for any other reason which the Chairman considers reasonable in the circumstances.

During the meeting

Filming or recording of meetings should:

- Not interfere with the effective conduct of the meeting, nor should it be disruptive or distracting. The Chairman has discretion to suspend or stop filming or recording at any time if, and to take appropriate action if anyone is, in their opinion, doing so in a disruptive manner.
- Not seek to 'overview' sensitive information such as close ups of confidential papers or private notes
- Usually take place from a specified location(s) within the room.
- Not obstruct others from observing and participating in the proceedings.
- Cease immediately if and when the meeting agrees to formally exclude the Press and public due to business of an Exempt or Confidential nature (see 'Exempt or confidential business' below).
- Not be edited in a way that could lead to misinterpretation of the proceedings or the comments made, or that ridicules those being filmed.
- When published or broadcast, recordings should be accompanied by information including when and where the recording was made and the context in which the discussion took place.

- Be overt (i.e. clearly visible to anyone at the meeting).
- Cease, unless continued filming has been explicitly agreed in advance with the Parish Administrator, when the meeting is formally concluded.

Exempt or confidential business

All meetings of the Parish Council are open to the public except in limited circumstances where the Council is legally required, or allowed, to close the meeting to the public.

Meetings will be recorded onto the Council's digital media recorder. No copies or transcripts of this recording will be provided.

All recordings of meetings will be deleted after a period of 6 months from the date of the meeting unless the data is subject to one of the disclosure reasons noted below.

Disclosure Reasons

Data may only be disclosed for the purpose of legal proceedings including prospective legal proceedings, for the purpose of obtaining legal advice, by order of the Court, for the detection and prevention of crime or if the disclosure is otherwise necessary for the purposes of establishing, exercising or defending legal rights.

1. The agenda will indicate that the meeting will be recorded.
2. The Chair will include an announcement on the recording of the meeting as part of the opening of the meeting announcements.
3. The Chair has the discretion to request that recording is paused if continuing to record would prejudice the proceedings of the meeting. An example of circumstances when this might be done is public disturbance or any other suspension of the meeting.
4. The Council will not provide transcripts of the recordings or any extracts from them. The written minutes of the meeting are the official record of proceedings.

