



The Clerk to Hilton Parish Council
c/o Mrs Clare Orme
110 New Road
Newhall
Swadlincote
Derbyshire
DE11 0TH
Tel/Fax: 01283 730969
Email: clerk@hiltonparishcouncil.org.uk

HILTON PARISH COUNCIL

POLICY ON THE RECORDING AND FILMING OF HILTON PARISH COUNCIL MEETINGS, ITS COMMITTEE MEETINGS AND SUB-COMMITTEE MEETINGS

1. The Openness of Local Government Bodies Regulations 2014

The right to record, film and to broadcast meetings of Hilton Parish Council, its committees and sub committees is established following the Local Government Audit and Accountability Act 2014. This is in addition to the rights of the press and public to attend such meetings.

Hilton Parish Council would ask those persons wishing to film, photograph, or making an audio recording of proceedings to give 24 hours prior notification in writing, email or by telephone to the Clerk of the Parish Council.

The filming, photographing or audio recordings should only be made from the designated public seating area and with the knowledge of the Chairman and Clerk of the meeting. Also:

- a. filming, photography or audio recordings should not be disruptive and distracting to the good conduct of the meeting and recording devices must be set in silent mode
- b. no flash or additional lighting is permitted
- c. filming, photography or audio recordings should normally be taken from one fixed position and must not obstruct others from observing proceedings
- d. attendees will be advised at the start of the meeting that it is being filmed, photographed or audio recorded
- e. a person undertaking the filming or audio recording shall respect any request from members of the Council or members of the public present that do not wish to be filmed
- f. There shall be no oral commentary permitted during the Meeting by the person filming or audio recording the proceedings of the meeting.

2. Access to Information Procedure Rules

Meetings or parts of meetings from which the press and public are excluded for example Exempt Items **MAY NOT** be filmed or recorded by members of the public.

The Chairman of the meeting by a resolution shall instruct that filming, photographing or audio recordings be stopped

where:-

- a. During those parts of the meeting when the press and public have been excluded due to the nature of the business being discussed ie either exempt or confidential matters
- b. There is a public disturbance or suspension/adjournment of the meeting
- c. The recording has become disruptive or distracting to the good order and conduct of the meeting

Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner.

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 only to the extent that it does not interfere with any person's ability, even where he or she has a disability, to follow the debate.

Whilst those attending meetings are deemed to have consented to the filming, recording or broadcasting of meetings, those exercising the rights to film, record and broadcast must respect the rights of other people attending under the Data Protection Act.

The Chairman of the meeting has the authority to stop a meeting and take appropriate action if any person contravenes these principles or is deemed to be recording in a disruptive manner.

3. Use of Recordings by Third Parties

Any person or organisation choosing to film, record or broadcast any meeting of Hilton Parish Council or a committee is responsible for any claims or other liability from them so doing.

Hilton Parish Council asks those recording proceedings not to edit the film or recording in any way that could lead to a misinterpretation of the proceedings, or infringe the core values of Hilton Parish Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show lack of respect towards those being filmed or recorded.

Hilton Parish Council will expect those filming or audio recording the proceedings to abide by (a) and (b) below:-

- a. Any published filming or audio recording should be accompanied by a statement of when and where the filming and audio recording was made, the context of the discussion that took place and a clear identification of the main speakers and their role or title.
- b. Those undertaking the filming or recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees.

Hilton Parish Council will display 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.

Hilton Parish 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.



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PROTOCOL ON THE RECORDING AND FILMING OF HILTON PARISH COUNCIL MEETINGS, ITS COMMITTEE MEETINGS AND SUB-COMMITTEE MEETINGS

The requirements that Hilton Parish Council will apply to filming, photographing, and recording meetings are as follows:

- a. Hilton Parish Council will display requirements for filming, photographing, recording and broadcasting at its meeting venues and on its website. Those undertaking these activities will be deemed to have accepted the terms and conditions whether they have read them or not.
- b. A copy of these rules will be provided to members of the public in attendance at all meetings of Hilton Parish Council, whether they wish to film or not at the meeting. The Chairman may also verbally remind the meeting and all present of the freedom to record but that these rules must be observed when this is planned or taking place.
- c. Hilton Parish Council would ask, out of courtesy, that any person wishing to record a meeting in any format whatsoever should contact, the Clerk to the Parish Council 24 hours prior to the start of the meeting. The Clerk's contact details are set out in the public notice and agenda of the meeting.
- d. Hilton Parish Council 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 a room may restrict the council's ability to make any provision.
- e. Due to the size of the room, the council may prefer that all visual recording will be undertaken from a static point to avoid disruption at the meeting. A person or persons recording the council meeting are 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.

- f. 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 by members of the Public.
- g. Any children or young people under the age of 18 who are present at the meeting are not to be filmed 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 for recording, i.e. a medical professional, carer or legal guardian.
- h. All those recording a meeting are requested to focus only on recording councillors, officers, and those members of the public who have not requested anonymity or have not been identified as under the age of 18 or a vulnerable adult.
- i. Hilton Parish Council may, at its own discretion, require Councillors, officers or members of the public who do not consent to being recorded to sit separately from those who are content to be recorded.
- j. All recording must be overt i.e. clearly visible to anyone at the meeting. Members of the public are permitted to film or record meetings to which they are permitted access in a non-disruptive manner. 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 non-disruptive way and only to the extent that it does not interfere with any person's ability, even where he or she has a disability, to follow the debate.
- k. A person or persons making a recording has no right to interrupt a Hilton Parish Council meeting by asking questions or making comments. The person 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.
- l. The Chairman of the meeting has discretion to stop or suspend recording if, in his/her opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
- m. Persons who are recording etc. must strive not to leave equipment unattended. Hilton Parish Council will not accept any liability for damaged or stolen equipment.
- n. The recording and reporting on meetings of Hilton Parish Council, its committees and subcommittees 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 recording should not be edited in a way that could lead

to misinterpretation or misrepresentation of the proceedings or infringement of Hilton Parish Council's values or in a way that ridicules or shows a lack of respect for those in the recording. Hilton Parish Council would expect any recording in breach of these rules to be removed from public view. Hilton Parish Council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.

- o. Hilton Parish Council would ask that the Clerk of the Parish Council should be contacted 24 hours in advance of the meeting if 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 e.g. to move around the room to record or film from different angles (note Hilton Parish Council's preference for static recording). The use of lighting for filming/flash photography will not be allowed.
- p. Hilton Parish 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.
- q. Where Hilton Parish Council proposes to record all of its own meetings it will be bound by this policy.
- r. Hilton 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.
- s. The minutes of any Hilton Parish Council Meeting remain the statutory and legally binding formal record of the Hilton Parish Council decisions.
- t. All recordings of meetings taken by the Clerk are done on the Clerk's own recording equipment, this is for the purpose of the minutes. They will be loaded onto the Clerks Parish Council computer after the meeting and will be deleted from the Parish Councils computer once the minutes have been approved.

Review Date: May 2019

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