



LISS PARISH COUNCIL POLICY ON FILMING, AUDIO-RECORDING, PHOTOGRAPHING AND REPORTING OF COUNCIL MEETINGS

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.

1. PURPOSE AND SCOPE

The purpose of this Policy is to ensure that Liss Parish Council (“LPC”) fulfils its obligations under The Openness of Local Government Bodies Regulations 2014 whilst ensuring that meetings are not unduly disrupted or any of the other applicable LPC policies are breached.

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.

2. KEY PRINCIPLES

That any person can 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, provided it complies with the provisions of this policy.

3. GENERAL

The Regulations do not require parish councils to allow filming and 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 authorized by a resolution of the meeting and the reason for exclusion must be stated.

The Department for Communities and Local Government has published a 'plain English' guide to the Regulations which is available on their website at:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/343182/140812_Openness_Guide.pdf

LPC’s policy is based on this guide.

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

LPC requests that anyone proposing to film, photograph or audio-record any part of a meeting which the public are entitled to attend by law to notify the Chairman of the meeting of their intention to film photograph or audio-record the meeting prior to the start of the meeting.

LPC 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.

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 & that their activity does not distract other Councillors.

Members of the public who attend a meeting merely to observe it are not taking part in the proceedings and such persons must not be filmed or photographed without their consent. Children or vulnerable adults attending a meeting should not be filmed or photographed.

Anyone acting in a disruptive manner or not in accordance with this policy 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 Chair;
- excessive noise in recording or setting up or re-siting equipment during the meeting;
- intrusive lighting and use of flash photography;
- asking people to repeat statements for the purposes of recording.

Recording equipment may be left running in the meeting room even if the person using it leaves the room. However it may not be left running for a part of a meeting where the public are excluded and an officer of LPC may stop the recording or switch off the equipment if this happens.

Those filming and recording, meetings are reminded that requirements of general law apply to their activities, for example:

- the requirements of data protection legislation 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.

The Parish Council cannot advise on general law and accepts no liability for any material created by those filming, recording or photographing a meeting.

4 REVIEW

This policy will be reviewed three years from the date of adoption by LPC.

Adopted by LPC on 15 December 2018.

To be reviewed in 2021.