



Penrith Town Council

Unit 1, Church House, 19-24 Friargate, Penrith, Cumbria, CA11 7XR
Tel: 01768 899 773 Email: office@penrithtowncouncil.co.uk

PROTOCOL ON THE FILMING, RECORDING AND BROADCASTING OF MEETINGS

Openness of Local Government Regulations 2014 and Part 1 of the Openness Guide requires that meetings may be recorded and broadcast and assists any members of the press and public who want to know about, view or report the work of local government bodies.

The “press” is defined in the widest terms – including traditional print media, filming crews, hyper-local journalists and bloggers.

Penrith Town Council encourages maximum openness and transparency as the Council is expected to be open and transparent in their decision-making.

Penrith Town Council’s Standing Orders make the following provision:

“Section 3:

l. Subject to standing order 3(m), a person who attends a meeting is permitted to report on the meeting whilst the meeting is open to the public. To “report” means to film, photograph, make an audio recording of meeting proceedings, use any other means for enabling persons not present to see or hear the meeting as it takes place or later or to report or to provide oral or written commentary about the meeting so that the report or commentary is available as the meeting takes place or later to persons not present.

m. A person present at a meeting may not provide an oral report or oral commentary about a meeting as it takes place without permission.”

The public may record, film, and broadcast publicly accessible meetings of Penrith Parish Council and its committees, and may use digital and social media recording tools (for example: Twitter, blogging); but the following conditions apply:

The Council expects those recording:

- Not to edit the film, recording or photographs in a way that could lead to misinterpretation or misrepresentation of the proceedings. 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 photographed, recorded or filmed.
- To gain the explicit written consent of the public, prior to recording, to comply with the GDPR 2018.
- To comply with any request of a member of the public not to be filmed, recorded or photographed
- Not to provide an oral commentary during the meeting as this could be disruptive
- Not to use flash photography
- To contact Council Officers in advance of the meeting to allow, where possible, for any necessary arrangements or adjustments to be made if you are intending to bring large equipment or wishing to discuss any special requirements.

Guidance

1. The filming, videoing, photographing or recording of Council meetings or other meetings which are open to the public is allowed, providing it does not disturb the conduct of the meeting.
2. Whilst no prior permission is required, as a courtesy, anyone filming, recording or taking photographs during a meeting is requested to tell the officers before the start of the meeting and to provide their name and contact details.
3. If you are intending to bring large equipment or wishing to discuss any special requirements, please contact Council Officers in advance of the meeting to allow, where possible, for any necessary arrangements or adjustments to be made.
4. The Chair may direct that audio and visual recording or photography must only take place from a specific location in the meeting room, which would normally be from the public seating area.
5. It is important that Councillors who are members of the meeting concentrate fully on proceedings and they must not be distracted by any filming and recording.
6. The Chair will, at the beginning of the meeting, make an announcement that the meeting will be filmed and will ask if anyone objects to this.
7. The Chair's decision on whether or not the meeting is being disrupted or disturbed is final. The Chair has the authority to require the use of social media or filming to be stopped and has the power to rescind permission if it is disruptive or distracting to the good order and conduct of the meeting, for example through flash photography, noise or intrusive camera equipment.
8. All those filming a meeting are requested to only focus on recording councillors, officers and the public who are directly involved in the conduct of the meeting and who have given written explicit consent.

9. A member of the public can record a meeting of the Council and be exempt from the GDPR 2018.
10. The GDPR 2018 applies to "personal data", which effectively means any information that can be used, directly or indirectly, to identify a living individual - "any information" which can be used to identify somebody including video footage containing imagery of clearly identifiable individuals. For example, in the case of members of the public speaking at Planning Committee, it would be straightforward from the published agenda to identify an individual and their address.
11. For organisations that are recording a meeting, members of the public should be provided with your organisations privacy policy. You should ensure that the public is informed that their image will be taken and the context in which their image will subsequently be used.
12. You must be prepared to receive objections from the individual to the use of their personal data.
13. For a video recording, please use your organisations consent form where individuals agree that you can use their personal data in social media and on your website. However, please be advised that an individual can withdraw their consent, even if they originally gave it. In the case of members of the public speaking at meetings the Chair will ask each individual to provide oral confirmation of their express permission that they have signed your organisation's consent form prior to being filmed.
14. Members of the public will not be filmed if they actively object.
15. If a meeting passes a motion to exclude the press and public then, in conjunction with this, all rights to film, video photograph or record the meeting are removed.
16. Regarding filming Officers of the Council, the Council is obliged to comply with the Health and Safety Regulations to provide a safe workplace. If the Council received a complaint from their employees that the recordings were being used to harass or threaten staff (or Members) then the Chair may take action by warning those recording, not allow recording and potentially involve the Police.
17. Recording and reporting Council 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 compliance with the Members Code of Conduct, Human Rights Act, the General Data Protection Regulations 2018 and the laws of libel and defamation.

Approved: May 2015
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