

Non-Executive Report of the:  <b>General Purposes Committee</b>  Tuesday, 6 October 2020	 <b>TOWER HAMLETS</b>
<b>Report of:</b> Corporate Director, Governance and Monitoring Officer	<b>Classification:</b> Open (Unrestricted)
<b>Council and Committee Meeting Filming Protocol</b>	

<b>Originating Officer(s)</b>	Matthew Mannion, Head of Democratic Services
<b>Wards affected</b>	(All Wards);

### Executive Summary

The opening up of Council and Committee meetings to filming and recording by the press and public has been a welcome development to aid transparency in local authority decision making. The Council's Constitution and meeting agendas are all clear that the press and public are welcome to film and otherwise record meetings of the Council.

It is, though, equally important to ensure that meetings can operate without undue disturbance. A short guidance note has therefore been prepared for use of the Chairs of Council, Cabinet and Committees setting out the parameters under which filming should take place. This enables the Chairs of meetings to have confidence in their actions should issues arise.

This is a follow-up report to that presented to General Purposes Committee on 10 December 2019. A number of refinements have been made to the initial draft protocol, including to allow for the increase in virtual meetings and webcasting of meetings. This redrafted protocol sets out expected behaviours and procedures to cover requests to film Council meetings.

The report follows initial discussion at the Committee meeting held on 10 December 2019 which requested a follow-up report be presented for final consideration.

### Recommendations:

The General Purposes Committee is recommended to:

1. Review, comment on and agree the proposed Council Meeting Filming Protocol for inclusion in Part D of the Council's Constitution.
2. Agree that the Monitoring Officer be given delegated authority to amend the Filming Protocol as required and for updated versions to be published in the Constitution.

## **1. REASONS FOR THE DECISIONS**

- 1.1 A filming protocol is proposed to provide the Chairs' of Committees with a tool to help them effectively manage their meetings and to minimise any disturbance caused by filming or otherwise recording their meetings whilst still ensuring that the transparency of the meeting is maintained.

## **2. ALTERNATIVE OPTIONS**

- 2.1 The Committee may wish to propose amendments to the Filming Protocol or determine not to have a protocol.

## **3. DETAILS OF THE REPORT**

- 3.1 The opening up of Council and Committee meetings to filming and recording by the press and public has been a welcome development to aid transparency in local authority decision making.
- 3.2 During the current pandemic, all meetings have been held virtually. However, once the pandemic has concluded it would be expected that many, if not all, meetings would return to operating physically from the town hall.
- 3.3 Prior to the pandemic, members of the public would often attend meetings of Council, Cabinet or one of the Committees to film or otherwise report on proceedings. This is welcomed by the Council as an aid to transparency.
- 3.4 It is, though, equally important to ensure that meetings can operate without undue disturbance and there have been a few occasions where issues have arisen, usually due to a misunderstanding of appropriate behaviour. These issues may be sorted out in advance by officers or may on occasion be handled by the Chair if they arise during the progress of the meeting.
- 3.5 This short protocol has therefore been prepared for use of the Chairs of Council, Cabinet and Committee meetings setting out the parameters under which filming should take place. This enables the Chairs of meetings to have confidence in their actions should issues arise.
- 3.6 Given that many meetings are also webcast by the Council the protocol also covers some issues that must be considered by users of all recordings including those made from webcasts.
- 3.7 When the General Purposes Committee considered the initial draft Protocol at its December 2019 meeting, the content was generally welcomed but it was requested that information be provided on Protocols from elsewhere. Appendix 1 therefore attaches a number of example Protocols from other London Boroughs and elsewhere for information.

- 3.8 The proposed Tower Hamlets Filming Protocol is attached at Appendix 2.
- 3.9 It is proposed that the agreed protocol should be attached to Part D of the Council's Constitution.
- 3.10 Should the protocol be agreed the Committee are asked to consider the most appropriate holder of delegated authority to update the protocol as required. The report proposes this to be the Monitoring Officer but it could be the Committee itself if that was considered more appropriate. The Committee could also determine that the matter should be determined by Council.

#### **4. EQUALITIES IMPLICATIONS**

- 4.1 Filming or recording Council meetings is an important part of ensuring the transparency of the Council's decision-making processes, for example by helping those who are not able to attend the meeting follow the Council's decisions and actions.
- 4.2 However, it is equally important for those who are in attendance at the meeting that disruption is minimised.

#### **5. OTHER STATUTORY IMPLICATIONS**

- 5.1 This section of the report is used to highlight further specific statutory implications that are either not covered in the main body of the report or are required to be highlighted to ensure decision makers give them proper consideration. Examples of other implications may be:
- Best Value Implications,
  - Consultations,
  - Environmental (including air quality),
  - Risk Management,
  - Crime Reduction,
  - Safeguarding.
  - Data Protection / Privacy Impact Assessment.

- 5.2 None identified.

#### **6. COMMENTS OF THE CHIEF FINANCE OFFICER**

- 6.1 This report recommends that the General Purposes Committee to review the draft filming protocol and agree that the final version is attached to part D of the Council's Constitution. There are no direct financial implications arising from this report.

## **7. COMMENTS OF LEGAL SERVICES**

- 7.1 The *Local Government Act 1972 (LGA)* allows members of the public and press to report at both council meetings (s.100J LGA 1972) and committee meetings (s.100K LGA 1972) of principal councils. The *Openness of Local Government Bodies Regulations 2014 (OLGBR)* has also provided greater rights for the public to report at local authority meetings. Where a local authority meeting is open to the public, any person attending is permitted to report on proceedings under s.100A(7A) LGA 1972 and Reg.4(5B) *Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 (LAR)*. Any communicative method can be used to report on the proceedings, including the internet and social media as introduced by OLGBR. For this reason, a Filming Protocol is important to ensure that both participants of each meeting and members of the public are informed of their obligations from the outset.
- 7.2 As well as the legislative requirements for filming local authority meetings, data protection must also be considered. The image of a member of the public caught on camera is considered personal information and is therefore subject to GDPR and the Data Protection Act 2018. LBTH must comply with all data protection requirements when filming, which involves ensuring members of the public attending a meeting have freely given consent for their image to be broadcast. Before each council or committee meeting, members of the public should therefore be made aware that the meeting is being recorded. This could be achieved by putting notices on the order of business, displaying notices inside and outside the meeting room indicating that the meeting is being recorded, or the chair of each meeting making a formal announcement at the start of a meeting. The annexed Filming Protocol draft includes that the Speaker/Chair of the meeting will in all cases make the final decision on all matters of dispute regarding the filming of meetings. However, for data protection purposes, the Protocol should also include the obligation of the Chair/Speaker to notify members of the public that a meeting is being recorded.
- 7.3 The filming or recording of a council or committee meeting could impact on a member of the public's Article 8 Rights of Privacy under the European Convention on Human Rights. Provided LBTH take the necessary steps to make members of the public aware that a meeting is to be filmed or recorded, any interference with Article 8 rights could be justified as a lawful interference under Art 8(2).
- 7.4 Statements made by Members at a local authority meeting are subject to the law of defamation. A defamatory statement could therefore be brought into the public domain if a meeting is filmed or recorded. If the defamatory statement is made during the broadcasting of a local authority meeting, it would be appropriate for the chair to request for filming or recording to be stopped. Such circumstances should therefore be detailed in this Protocol.

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## **Linked Reports, Appendices and Background Documents**

### **Linked Report**

- GP Committee report – 10 December 2019

### **Appendices**

- Appendix 1 – Example filming protocols from other authorities
- Appendix 2 – Draft Council Filming Protocol

### **Local Government Act, 1972 Section 100D (As amended)**

#### **List of “Background Papers” used in the preparation of this report**

List any background documents not already in the public domain including officer contact information.

- None.

#### **Officer contact details for documents:**

N/A

## Appendix 1 - Example Protocols

### London Borough of Southwark

#### Protocol for Reporting and Filming at meetings of the Council

##### Introduction

1. The council allows and welcomes reporting of the proceedings of a council meeting and use of social media by any member of the public, media or councillor.

2. Reporting in this context means:

- ☑ Filming, photographing or making an audio recording of the proceedings of the meeting
- ☑ Using any other means for enabling those who are not present to see or hear the proceedings at a meeting as it takes place or later

It should be noted that the council does not allow oral reporting/commentary on a meeting as it takes place by someone present at the meeting.

##### Practical arrangements

3. If you are attending and want to record or film a council meeting, you are asked to let council officers know in advance and inform us how you want to report on the proceedings and the agenda item or representation you wish to record. Council officers will then be able to consider how to provide reasonable provision to enable you to report effectively.

4. You will be required to set up any recording equipment that you might have before the start of the meeting; this will also minimise any disruption when the meeting starts. 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 meeting. Requests to use equipment of this nature will be subject to consideration of the constraints of meeting rooms.

5. For reasons of health and safety the council is unable to facilitate the use of electric plug sockets in meetings for your equipment.

##### Filming at the meeting and attendance of the public

6. You should ensure that your recording is of the meeting, not the public seating area, and be considerate towards other people in the room and not film other members of the public who may not wish to be filmed. This means that any filming is directed towards the meeting area. This will be where the decisions take place and the discussion happens.

7. The chair will make an announcement at the beginning of the meeting to make all present aware that the meeting may be filmed or recorded.

8. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting.

Members of the public participating in the meeting (e.g. making deputations, asking questions, presenting petitions) should be aware that they are likely to be filmed, recorded or reported on. If you have any queries on the day, please speak to a council officer.

## **Reasons for terminating or suspending recording and filming**

9. The chair has the discretion to terminate or suspend the recording or photographing or filming if, in the opinion of the chair, its continuation would prejudice the proceedings of the meeting.

10. The circumstances, in which termination or suspension might occur, could include:

- a) Public disturbance or suspension of the meeting (including any oral reporting or oral commentary as the meeting takes place)
- b) Exclusion of public and press being moved and supported
- c) The chair, on advice of the monitoring officer or their representative, considering that continued recording/photography/filming/web casting might infringe the rights of any individual
- d) The chair, on advice of the monitoring officer or their representative, considering that a defamatory statement has been made.

11. Filming and recording is only permitted in the 'open' session of the meeting.

## **Use of recordings**

12. The council would appreciate those filming or recording the proceedings to abide by the following:

- a) Any published filming or audio recording should be accompanied by a statement of when and where the filming and recording was made and the context of the discussion that took place.
- 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.

## **Web casting of meetings**

13. The council web casts some of its meetings. A web cast is a live transmission of audio and video over the internet. The public is able to access previous meetings that have been recorded in this way on the council's web site. If the meeting is being web cast, a notice will be posted onto the main entrance to the meeting room. The chair will make an announcement at the beginning of the meeting if this is taking place. If you do not wish to have your image captured you should sit in the public gallery area away from the camera. Images and sound recordings for web casting may be used for training purposes.

## **Wi-fi access**

15. For meetings taking place at 160 Tooley Street, London SE1 2QH we will be happy to provide the latest Wi-fi password. In terms of meetings outside this venue, you will need to speak directly to the relevant council officer in advance.

## **Queries or request for additional information**

All queries or notice to be provided to the council's communication team:

[press@southwark.gov.uk](mailto:press@southwark.gov.uk), or

the constitutional team to [constitutional.team@southwark.gov.uk](mailto:constitutional.team@southwark.gov.uk), or for scrutiny meetings to [scrutiny.team@southwark.gov.uk](mailto:scrutiny.team@southwark.gov.uk).

## **London Borough of Hounslow**

### **Protocol for members of the public reporting at Council meetings**

The London Borough of Hounslow ('the Council') recognises that in a modern world communication methods such as filming, tweeting and blogging should be embraced to enhance openness and transparency.

This Protocol sets out the way in which the changes to the reporting rules<sup>1</sup> apply to the way in which the Council conducts its business and what you need to do if you want to report on meetings of the Council.

From 6 August 2014, except where the public has been excluded as permitted by law<sup>2</sup>, you are entitled to report on meetings of Council, Cabinet and their committees and subcommittees. The Council will provide reasonable facilities to enable you to do so. Reporting in this context means:

Filming, photographing or making an audio recording of the proceedings of the meeting:

Using any other means for enabling those who are not present to see or hear the proceedings at a meeting as it takes place or later: or

Reporting or providing commentary on proceedings at a meeting, orally or in writing, so that the report or commentary is available as the meeting takes place or later if the person is not present.

The above allows you to provide a written commentary during a meeting as well as oral commentary outside or after the meeting but you are not permitted to carry out an oral commentary during a meeting, as that would be disruptive to the good order of the meeting.

If you are attending a meeting and want to report you should let the Committee Clerk know how you want to report on the proceedings. The Committee Clerk will then be able to consider what facilities may reasonably be required and provide further guidance to you as to where to sit and to enable you to report effectively.

You should be mindful of those members of the public who are there to observe rather than being participants in the business being conducted at the meeting and who may not wish to be recorded. You should ensure that your recording is of the meeting rather than the audience.

Members of the public who are present at meetings will need to be aware that reporting is allowed and that this includes filming, photographing and audio recording of the proceedings. The Council will, where it is reasonable and practicable to do so, accommodate the public in different seating areas so that those who wish to record are aware that anyone in a prescribed seating area should not be captured on any film, photograph or audio recording. Generally however anyone attending a public meeting does so in the knowledge that recording may take place as outlined above.

<sup>1</sup> The Openness of Local Government Bodies Regulations 2014

<sup>2</sup> Schedule 12A Local Government Act 1972

Please note that the Council is not able to intervene should any member of the public not wish to be filmed, photographed or audio recorded.



All members of the public attending meetings, including those who wish to report are required to remain seated throughout the meeting as standing up and walking around could distract from the business in hand.

For reasons of health and safety the Council is unable to facilitate your use of electric plug sockets in meetings for your equipment.

For meetings held at the Civic Centre, you are welcome to use the Council's Wi-Fi. To do so you will need to:

Search for Wi-Fi connections on your device

Select LBH-PUBLIC-WEB

Depending on your device you may be asked to enter the PPSK or enter the password.

Please enter **2311882327**

Open your browser and then try to navigate to your home page. You will be directed to our terms and conditions page on our website. If you want to use the guest access you must tick the agree button. If you are accessing from your phone you will need to make sure you press any "done" buttons or tabs that come up on the terms and conditions page.

Occasionally meetings will take place at other venues and in such circumstances you are advised to check with the Democratic Services team whether Wi-Fi is available.

For more information as to attending and reporting on meetings generally please see DCLG Open and accountable local government: A guide for the press and public on attending and reporting meetings of local government<sup>3</sup>.

<sup>3</sup> Draft published June 2014 ([www.gov.uk/dclg](http://www.gov.uk/dclg))

## **London Borough of Barking and Dagenham**

### **Part 5 – Codes and Protocols**

#### **Chapter 6 - Protocol on filming, webcasting, photography and the use of social media at Council meetings**

##### **1. Introduction**

1.1 The Council welcomes the filming, photography and the use of social media at its meetings as a means of reporting on its proceedings because this helps to make the Council more transparent and accountable to the local community.

1.2 The Council has also made provision within several of its meeting rooms at Barking Town Hall for recording/live transmission, commonly known as webcasting, of meetings that are open to the public.

1.3 The overriding objective of this protocol must be the effective running of the meetings and it is important, therefore, that the proceedings of any meetings are not disrupted by filming, photography or the use of media tools by members of the press, the public, Councillors or officers. This is not a legal issue – just a question of judgment about what is and is not appropriate.

1.4 Under the Council's Constitution, the Chair of a meeting has authority to deal with issues relating to the conduct of those in attendance to ensure the orderly conduct of the meeting and the efficient despatch of business.

1.5 The overriding provision within this Chapter is that filming, photography and the use of social media is subject to the restrictions that apply to any item of Council business which considers confidential or exempt information, as defined by Section 100A of the Local Government Act 1972. In such circumstances, no filming, recording, transmitting or photography will be permitted while the confidential or exempt information is being considered.

##### **2. Use of mobile phones at meetings**

2.1 Mobile phones may be used to film or take photographs at meetings. Anyone seeking to use a mobile phone in such a manner should refer to sections 5, 6 and 7 of this protocol.

2.2 Mobile phones may be used to access and use social media applications in line with sections 3 and 4 of this protocol.

2.3 Mobile phones must be switched to a "silent" mode during a meeting to avoid any disruption being caused to proceedings. The use of a mobile phone to either make or receive calls must be undertaken outside the room in which a meeting is taking place.

##### **3. Use of Social Media by the public and press at meetings**

3.1 There will be no restrictions placed on members of the press or public using Twitter, blogs or Facebook when attending meetings, provided that their actions do not affect the conduct of the meeting and/or interfere with the audio system.

#### **4. Use of Social Media by Councillors when at meetings**

4.1 Councillors are in a different position to members of the public and their actions affect the reputation of the Council. Councillors who are members of a committee have an obligation to pay close attention to the proceedings and demonstrate that they are playing an active part. This is in addition to the general point of showing respect and courtesy to other participants.

4.2 Care should be taken in using social media during meetings and the use avoided in particular during quasi-judicial meetings such as the Development Control Board and Licensing and Regulatory Board, as evidence of use of texting or social media by committee members could lead to a risk of complaints and/or appeals.

4.3 As a general rule, Councillors should avoid the following:

- (i) Accessing social media sites through a live feed to make personal comment on other individuals;
- (ii) Taking and sending or posting electronic images of a meeting;
- (iii) Extended and unreasonable periods of use that suggest that insufficient attention is being paid to the meeting.

#### **5. Filming and/or Photography at meetings**

5.1 Members of the press and public wishing to film or photograph the proceedings of a meeting should contact the Council's Communications Team at [press@lbbd.gov.uk](mailto:press@lbbd.gov.uk) at least 24 hours before the meeting. The Chair of the meeting will then be consulted and his/her agreement sought to any request made. If permission to film or take photographs during a meeting is denied the reasons for refusal will be given.

5.2 The Communications Team will advise anyone making a request to film or photograph the proceedings of the following:

- (i) Whether the meeting concerned is subject to the Council's own recording / live transmission, in which case an additional request to film would most likely be refused;
- (ii) Any filming, recording or photography must take place from positions in the Council Chamber or Committee Rooms that have been approved by the Chair of the meeting. This must be agreed before the meeting commences in order to ensure the view of members, officers, public and media representatives is not obstructed;
- (iii) The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

5.3 Members of the press and public must agree to ensure that any film or photographs will not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being expressed in a way that may ridicule or show a lack of respect towards those being filmed or photographed.

5.4 Members of the press and public must agree to share the film or photographs in their original and unedited form with the Council's Communications Team on request.

5.5 To comply with the Data Protection Act 1998, the Council must be satisfied that the consent of parents or guardians has been sought before filming any children or young people who may be in attendance at a meeting.

## **6. Announcement of Filming, and/or Photography at meetings**

6.1 The Chair will announce at the beginning of the meeting if any pre-agreed filming or photography will be undertaken.

6.2 The Chair will ask any members of the public whether or not they agree to be filmed or photographed. This will be done on an 'opt-in' rather than an 'opt-out' basis to ensure individuals do not feel pressurised. Individuals who enter a meeting after the Chair has asked the question of those present will be deemed as having consented to being filmed or photographed unless they indicate otherwise, in which case the Chair shall direct them to the appropriate area.

6.3 The Chair will direct anyone not wishing to be filmed or photographed to seating that shall not be covered by the cameras.

6.4 At all times the wishes of those who choose not to be involved will take precedence [Councillors and officers are excluded from this provision in accordance with the Openness of Local Government Bodies Regulations 2014].

6.5 If the Chair is of the opinion that the filming or photography is disrupting the meeting in any way or any pre-meeting agreement has been breached, the operator of the equipment will be required to stop.

6.6 If the operator of the equipment refuses to stop recording when requested to do so, the Chair will ask the person to leave the meeting. If the person recording refuses to leave then the Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption. These will be in line with disorderly conduct procedures set out in the Constitution.

6.7 Anyone asked to leave a meeting because they have refused to comply with the Chair's requests may be refused permission to film or photograph meetings in the future.

6.8 The Chair has a right to withdraw any consent to film or photograph at any time during the meeting. The Chair also has the discretion to request the termination or suspension of any live transmission if he/she is of the view that continuing would prejudice the proceedings of the meeting. This would include:

- (i) Public disturbance;
- (ii) Exclusion of the public and press.

## **7. Exclusion of the press and public from meetings**

7.1 The press and public may only be excluded from a meeting in respect of business relating to confidential or exempt information if a resolution is passed under Section 100A of the Local Government Act 1972.

7.2 The press and public will be told about the nature of the exclusion relating to the business to be discussed. No filming, recording or photography will be permitted during this exclusion.

7.3 With the exception of Council equipment, all cameras, recording and sound equipment must be removed from the meeting room at any meeting where the press and public have been excluded under Section 100A of the Local Government Act 1972.

## **8. Archiving of Webcasts**

8.1 Subject to 8.2 below, all webcasts will be available to view via the Council's website for a period of 12 months.

8.2 The Monitoring Officer may remove all or part of the content of a webcast from the Council's website if he/she considers that it is, or is likely to be, in breach of any statutory provision or common law doctrine, for example Data Protection and Human Rights legislation, or provision relating to confidential or exempt information.

## Cambridgeshire

### FILMING, VIDEOING, PHOTOGRAPHY AND AUDIO RECORDING AT COUNCIL MEETINGS

The Council supports the principle of transparency and encourages filming, recording and taking photographs at its meetings that are open to the public. It also welcomes the use of social networking websites (such as Twitter and Facebook) and micro-blogging to communicate with people about what is happening, as it happens.

There is no requirement to notify the Council in advance, but it should be noted that the Chairman of the meeting will have absolute discretion to terminate or suspend any of these activities if, in their opinion, continuing to do so would prejudice proceedings at the meeting. The circumstances in which termination or suspension might occur could include:

- public disturbance or suspension of the meeting
- the meeting agreeing to formally exclude the press and public from the meeting due to the confidential nature of the business being discussed
- where it is considered that continued recording/photography/filming/webcasting might infringe the rights of any individual, and
- when the Chairman, considers that a defamatory statement has been made.

In allowing this, the Council asks those recording proceedings not to edit the film/ record/ photographs in a way that could lead to misinterpretation of the proceedings, or infringe 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 photographed/filmed/ recorded.

Those intending to bring large equipment, or wishing to discuss any special requirements are advised to contact the Council's Communications Team in advance of the meeting to seek advice and guidance. The use of flash photography or additional lighting will not be allowed unless this has been discussed in advance of the meeting and agreement reached on how it can be done without disrupting proceedings.

At the beginning of each meeting, the Chairman will make an announcement that the meeting may be filmed, recorded or photographed. Meeting agendas will also carry this message.

## **Cannock Chase PROTOCOL**

The Council welcomes engagement by the public and through the media with the decision-making processes that determine the policies and strategies that shape provision of services in Cannock Chase. Audio and video/visual recording, photography, blogging, tweeting or use of other social media at meetings open to the public (hereafter referred to as 'broadcasting activities') are allowed subject to the following restrictions:

(i) Anyone wanting to undertake broadcasting activities at a meeting shall give written notice to the Managing Director at least 24 hours before the scheduled start of the meeting.

(ii) All broadcasting activities should take place from the public gallery or the designated press seating in the meeting room.

(iii) All broadcasting activities shall be carried out in such a way that no disruption is caused to the meeting and that no obstruction or inconvenience is caused to others wishing to observe the meeting or undertake their own broadcasting activities.

(iv) Anyone undertaking broadcasting activities must comply with any instructions given by the Chairman of the meeting.

(v) The use of flash photography, additional lighting or microphones placed outside the public gallery/press seating area in connection with audio/visual recordings at meetings, will not be permitted without prior permission.

(vi) Democratic Services will ensure signs are displayed at meetings to remind attendees that broadcasting activities may be undertaken and that the Council has no control over where material may appear (for example posted on the internet). Meeting agendas will also carry this message.

(vii) Where the Chairman of a meeting reasonably considers the broadcasting activity is disrupting the meeting, the operator of the equipment will be required to stop.

(viii) Anyone refusing to stop when requested to do so may be requested by the Chairman to leave the meeting. If the person refuses to leave the meeting then the Chairman may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption. These will be in line with the disorderly conduct procedures set out in the Constitution.

(ix) Where members of the public are involved in the meeting (e.g. when making representations to the Planning Control Committee), any member of the public may request that they are not filmed/recorded and the person carrying out the filming/recording must comply with the request and cease broadcasting activities until that person has finished their contribution to the meeting.

(x) Where a recording is made that features a minor (under the age of 18), it is the recorder's responsibility to gain the permission of the appropriate parent/guardian, both for the initial recording and for any subsequent dissemination of it (e.g. on social media), and to ensure compliance with any prevailing legislation in relation to such activity.

(xi) Any decision taken by the Chairman on the interpretation of this Protocol is final.

(xii) The media and public may only be excluded from a meeting in respect of business relating to confidential or exempt information if a resolution is passed under Section 100A of the Local Government Act 1972. The media and public will be told about the nature of the exclusion relating to the business to be discussed. No broadcasting activities will be permitted during this exclusion. All cameras, recording and sound equipment must then be removed from the meeting room for the duration of the confidential or exempt business.

(xiii) Any audio or visual recording made which is broadcast or distributed in any way shall not be edited or otherwise manipulated so as to give a distorted or unrepresentative representation of the meeting or of any part of the meeting.

(xiv) Anyone breaching this Protocol or refusing to comply with the Chairman's requests may be refused permission to engage in broadcasting activities at future meetings.



# Watford Borough Council

## Protocol on filming / photography / audio recording / reporting at council meetings

Watford Borough Council is committed to promoting an active, cohesive and well informed town.

This includes being open and transparent in the way we conduct our decision making. Council meetings are open to the public enabling people to see for themselves how decisions are made. In recent years, the advances in audio / visual technology and the use of social media (such as tweeting / blogging) have meant that there are a range of other means by which people might access, and report on, council meetings.

In recognition of this, Watford Borough Council has developed this protocol to assist those wishing to film / photograph / record and report on meetings.

The protocol recognises the Openness of Local Government Bodies Regulations 2014 and the Department for Communities and Local Government's guidance to local authorities (July 2014- currently in draft) regarding the public and the press attending and reporting on council meetings.

## Watford Borough Council: filming / photographing / recording and reporting council meetings

Any member of the public can photograph, film, audio-record and report on the council's public meetings.

While no prior permission is required, it is advisable that you let us know if you wish to film, photograph or audio-record a public meeting. This is important because the government rules require us to provide reasonable facilities for any member of the public to report on meetings.

### 1. Advising if you wish to film / photograph / record / a council meeting

If you intend to film / photograph / record a meeting it would be helpful if you let our Democratic Services team know on [LegalandDemocratic@watford.gov.uk](mailto:LegalandDemocratic@watford.gov.uk)

It would also be helpful if you include the following information so that we can make arrangements for you:

- Details of the meeting
- Name of person attending the meeting who wishes to film/photograph/record
- Part of the meeting to be recorded i.e. entire meeting, specific item
- Nature of recording being made – i.e. filming / photography / audio recording
- Equipment to be used (including lighting or flash photography)
- Any specific requirements
- Contact details for a response

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Open and accountable local government

A guide for the press and public on attending and reporting meetings of local government:  
<https://www.gov.uk/government/publications/open-and-accountable-local-government>

Democratic Services will inform the Chair of the meeting that a request has been made. This is so that the Chair can inform other members of the public attending the meeting (see 2 below).

## **2. Informing members of the public that the meeting is to be filmed / photographed / recorded**

- i)** Agendas will carry a brief statement saying that a meeting might be filmed / photographed / recorded Any member of the public has the right to request not to be filmed / photographed / recorded and they should be given the opportunity to inform the Chair of this in advance of the meeting. Councillors and officers should expect to be filmed / photographed / recorded.
- ii)** A notice will be displayed at the meeting to confirm that it will be filmed / photographed / recorded and offering people the opportunity to let the Chair know before the start of the meeting if they wish to be excluded.

## **3. Conducting Meetings**

- i)** The Chair will advise if the meeting is to be filmed / photographed / recorded
- ii)** The Chair can stop or suspend the filming / photographing / recording if, in the opinion of the Chair, continuing to do so would be disruptive.

This could include:

- a. Public disturbance or other suspension of the meeting
- b. The filming / photographing / recording of the meeting is, in the opinion of the Chair, distracting from the meeting being conducted effectively (e.g. excessive noise, intrusive lighting, requesting people to repeat comments)
- c. Exclusion of public and press being moved and supported in line with the council's constitution – such as exempt or confidential agenda items
- d. The filming of people at the meeting who, in the opinion of the Chair, have objected to being filmed

## **4. Tweeting and blogging a meeting**

You are free to report meetings via social media of any kind, including through blogs, Twitter, Facebook, YouTube and your own website.

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 Data Protection Act and the laws of libel and defamation.

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## **Agenda Front Sheets and Signage at Meetings**

- 1. The following message appears on each agenda for all council meetings

### **FILMING / PHOTOGRAPHY / RECORDING / REPORTING**

Please note: this meeting might be filmed / photographed / recorded / reported by a party other than Watford Borough Council for subsequent broadcast or publication.

If you do not wish to have your image / voice captured you should let the Chair or Democratic Services Officer know before the start of the meeting.

- 2. The following signs will be displayed inside and outside the meeting room.

### **Disclaimer**

In allowing filming / photographing / recording being carried out the council accepts no liability for the content, distribution or adaptation of the material obtained by third parties.