

Governance Committee

13 May 2019

Part I

Filming of Meetings

Report by Director of Law and Assurance

Summary

The Chairman and Group Leaders have asked for a Filming of Meetings Protocol to be developed in line with best practice from other local authorities that seeks to balance the right of the public to film meetings and the need for transparency and respecting the effective management of meetings and the interests of members in attendance.

Recommendations

- (1) That the draft protocol attached at Appendix 1 be agreed; and
- (2) That the protocol be published on the County Council's website and be posted in each committee room and venues for public meetings.

Proposal

1. Background and Context

- 1.1 The Openness of Local Government Bodies Regulations 2014 extended the rights of members of the public to use filming, audio-recording, blogging and tweeting during meetings to report the proceedings of councils. This affected meetings of the County Council, the Cabinet, County Local Committees, Select Committees, non-Executive Committees and all other formal meetings held in public.
- 1.2 The Council changed its Standing Orders in October 2014, to reflect the fact that members of the press and public have a right to record any public meetings of the County Council. Standing Orders state:
 - 4.03 Subject to the provisions allowing the exclusion of the press and public, the filming or recording of all formal meetings of the County Council held in public is permitted. Any communication method, including the internet, to publish, post or otherwise share the results of the person's reporting activities may be used. Publication and dissemination may take place at the time of the meeting or occur after the meeting. A person attending a meeting for the purpose of reporting on the meeting will, so far as practicable, be afforded reasonable facilities for doing so. To assist with the management of a meeting, anyone wishing to film or record is asked to inform an officer of their intentions before the meeting starts. Oral reporting or oral

commentary on a meeting while it takes place if the person is in the room is not permitted.

4.04 Where the press and public are excluded from any part of a meeting, members of the press and public must remove all recording devices that they have brought into the room.

4.05 Mobile devices must be switched to silent while meetings of the County Council are in progress. In the event that any mobile device interferes with microphones, hearing loops or other audio visual equipment used to assist the running of the meeting, the user must switch it off.'

1.3 The Chairman and Group Leaders recently discussed the recording of meetings and asked that examples of good practice in other local authorities be identified to inform a review of the County Council's arrangements.

2. Proposal

2.1 It is proposed that a short protocol be adopted by the Council to clarify arrangements relating to recording of meetings. The proposed wording, attached at Appendix 1, seeks to balance the right of press and public to record meetings with the need to ensure transparency of such action and to ensure it does not disrupt meetings or otherwise compromise the needs of members attending Council meetings.

3. Resources

3.1 Not applicable.

Factors taken into account

4. Consultation

4.1 The filming protocols and policies of Kent, Surrey and Hampshire County Councils and Arun District Council were reviewed to inform the proposed version in the appendix.

5. Risk Management Implications

5.1 The lack of a protocol at present gives a risk that members, press and public will be unclear about their respective rights and expectations and may mean that some meetings may be disrupted or compromised by the need to clarify arrangements ad hoc.

6. Other Options Considered

6.1 None, save to leave arrangements as they are. This remains an option the Committee may choose. The precise content of the protocol is for members to approve or amend as need be.

7. Equality Duty

7.1 Not applicable

8. Social Value

8.1 Not applicable.

9. Crime and Disorder Act Implications

9.1 None.

10. Human Rights Implications

10.1 The Article 10 right of freedom of expression – the obligation upon public bodies to avoid interfering with any person’s right to receive and impart information and ideas, has been applied in the consideration of the proposed content of the protocol.

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Appendix 1: Draft West Sussex County Council Filming of Meetings Protocol

Background Papers

None