



MALTON TOWN COUNCIL

GUIDANCE FOR THE EFFECTIVE MANAGEMENT OF RECORDING AT LOCAL COUNCIL MEETINGS

The right to record, film and to broadcast meetings of the council/parish meeting is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

Malton Town Council is committed to being open and transparent in the way it conducts its decision making. For the purpose of this policy the term "record" means any form of audio, visual or electronic recording.

Those who attend a public meeting should expect to be filmed. This includes councillors, council officers and members of the public. The rules that the Malton Town Council meeting will apply are:

1. The Malton Town Council will display requirements as to filming, recording and broadcasting, on its website and on the notice board in the parish and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
2. The Chairman may verbally remind the meeting and all present of the freedom to record but that guidance is in place to enable any type of recording to take place with minimal disruption to the council meeting.
3. Any person wishing to record a meeting in any format whatsoever is encouraged (but not compelled), to contact the Clerk prior to the start of the meeting. The Clerk's details are set out in the public notice and agenda of the meeting; (or in their absence, the contact will be the Chairman of the council meeting). Discussing requirements with the clerk beforehand will help to ensure that the council provides reasonable facilities to meet the needs of the individual that is recording.
4. The person making the recording may move around, however in doing so they must ensure that there is minimal or no disruption to the proceedings of the meeting.
5. A person or persons recording such council meetings 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.
6. 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.
7. The specific filming of children or young people under the age of 18 who are present cannot take place 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, i.e. a medical professional, carer or legal guardian. Where such permission is given, filming of these people can take place.
8. The council requests that all recording is overt (i.e. clearly visible to anyone at the meeting), but cannot compel those who are recording to do so.

9. 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 the ability of any person present to follow the debate.
10. Persons making a recording have no right to interrupt a Malton Town Council meeting by asking questions or making comments for the purpose of the recording. 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.
11. The Chairman of the meeting has absolute discretion to stop or suspend recording if, in their reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of this.
12. Persons who are recording are requested not to leave their equipment unattended where possible, and are responsible for their equipment at all times.
13. The recording and reporting of meetings of the Malton Town Council are subject to the law and it is the responsibility of those undertaking 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 council expects that any such recording will not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the Malton Town Council meeting's values or in a way that ridicules or shows a lack of respect for those in the recording. The Malton Town Council meeting would expect any recording in breach of these rules to be removed from public view. The Malton Town Council meeting will have no liability for material published by any other person unless it is itself undertaking the publication through its offices. If a breach of the rules occurs, the Chair retains the right to ban the person from the meeting.
14. For the benefit for those who wish to record – where 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 they are requested to contact the Clerk prior to the meeting so that reasonable arrangements can be made. The use of lighting for filming/flash photography will usually be allowed provided that it does not adversely impact on the ability of others present to view the meeting, or for reasons of health, whereby the council may require that such lighting is not used or is reduced to a level which does not adversely affect other people. Such lighting should not cause any other form of disruption.
15. The Malton Town Council meeting 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. Where a council proposes to record all of its own meetings it will be bound by this policy.
16. Where Malton Town Council proposes to record all of its own meetings, it will resolve how long such recordings will be kept and how members of the public may obtain copies. The Council will include the availability of such recordings within its Publication Scheme.
17. The Malton Town Council meeting 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.
18. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.
19. If appropriate the Chair of the meeting shall carry out such actions as necessary in order that this policy is adhered to in the appropriate way.