

RECORDING, PHOTOGRAPHY AND USE OF SOCIAL MEDIA PROTOCOL AND GUIDANCE

Introduction

Swindon Borough Council is committed to being open and transparent in the way it conducts all its main decision-making meetings which are held in public.

Swindon Borough Council has therefore adopted the following “Standing Order”

12. RECORDING OF PROCEEDINGS BY THE MEDIA AND RESIDENTS OF THE BOROUGH

12.- Audio and visual recordings of a meeting of the Council, the Cabinet, Committees and other Council bodies by a resident of the Borough or recognised media organisation shall normally be permitted following receipt of a request by the Mayor or Chair of the meeting and shall be undertaken in accordance with the Protocol included in Part 5 of the Constitution. The Mayor or Chair of the meeting shall advise members that the meeting is being recorded. A request to record a meeting shall only be refused if the Mayor or Chair of the meeting believes recording would disrupt the meeting and following a motion to refuse a recording request being passed by a two-thirds majority of those members present and voting at the meeting.

This means that, subject to agreement by the Mayor or Chair of the relevant Committee and in accordance with this protocol, the Council will permit the taking of photographs and allow audio / visual recording of any of its meetings which are held in public.

The purpose of this protocol is to provide guidance, particularly, for members of the press or public on the taking of photographs and / or the audio / visual recording of any Council meeting which is held in public.

The protocol also refers to the use of “Social Media” at meetings and makes clear that there are no restrictions placed on anyone at the meeting using Twitter, blogs, Facebook or similar “social media” provided that the Mayor or Chair does not consider their actions are disrupting the proceedings of the meeting.

The Local Audit and Accountability Act 2014 enables the Secretary of State to make Regulations to require Local Authorities to permit the recording of their proceedings by any person attending the meeting. Draft Regulations have been issued but have not yet been made.

Limitations

Although there is a general presumption in favour of allowing photography, audio / visual recording and the use of media tools at Council meetings, the Mayor or Chair of the meeting concerned must be satisfied that the actions of those undertaking such activities are not disrupting the proceedings of a meeting and are not inhibiting community involvement in the proceedings.

Audio and Visual Recording - Your Obligations

Any member of the public or of the media wishing to photograph and / or audio or visually record a meeting must agree to the following:

- a) Any photography or audio / visual recording must take place from a fixed position in the meeting room approved by the Chair so as to minimise disruption to the proceedings;
- b) The use of flash photography or additional lighting will only be permitted for a limited period during the meeting at a point in the proceedings agreed in advance with the Mayor or Chair;
- c) If the Mayor or Chair feels that any photography, audio or visual recording is disrupting the meeting in any way or any pre-meeting agreement has been breached then the operator of the equipment will be required to stop;
- d) If during the meeting a motion is passed to exclude the press and public, because confidential or exempt information is likely to be disclosed, then all rights to record the meeting are removed and the operator of the equipment will be required to stop recording and /or photography;
- e) If a meeting is adjourned by the Mayor or Chair then the operator of the equipment should stop any recording or photography at the point at which the meeting is adjourned;
- f) Comply with any request made by the Mayor or Chair regarding respecting the public's right to privacy;
- g) People seated in the public gallery / seating area should not be photographed, filmed or recorded without the consent of the individuals concerned. This also applies to those individuals who may ask a public question, present a petition or make a representation at a Council meeting open to the public and who are seated in a "public seating area";
- h) Use must not be made of an image or recording if consent is refused by an individual;
- i) Photographs, audio, and visual recordings should not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being recorded in a way that may ridicule or show lack of respect.

It should be noted that failure to comply with this Protocol may lead to the refusal of any future requests to photograph or audio or visually record any future Council meetings.

If a request has been received to take photographs or to audio or visually record a particular meeting, notices to this effect may be displayed in the relevant meeting room.

The Chair will also in accordance with the Council's Standing Order 12 make an announcement that the meeting will be photographed and /or recorded or filmed.

The Council may, on occasion, audio record meetings for minuting purposes only. The relevant Chair will make an announcement to this effect and these recordings will not be made available to anyone outside the Council.

Audio and Visual Recording - Your Rights

If as a member of the public you do not wish to be photographed, filmed or recorded please inform the Committee Officer in attendance at the meeting or the Mayor or Chair of the relevant committee when notice that a request to photograph / record has been received is given.

Procedure Prior to the Meeting for those Wishing to Record or Photograph a Meeting

Requests to take photographs or undertake audio or visually record meetings open to the public, either by members of the public or by the media should wherever possible be made to the Committee Officer for the meeting concerned (Contact details available on the Agenda for the meeting and on the Council's Website or by emailing committee services@swindon.gov.uk.) at least two working days before the meeting.

The request should include the following information:

- a) which meeting this request refers to;
- b) the name, organisation (if applicable) and contact details of the person making the request;
- c) what equipment it is intended will be used (e.g. camera/audio recorder/video camera);
- d) what the photographs, or audio / visual recording will be used for and / or where the information is to be published .

Procedure at the Meeting

Equipment must be set up before the meeting starts. The use of flash photography or additional lighting will only be permitted for a limited period during the meeting at a point in the proceedings agreed in advance with the Mayor or Chair. This will be communicated to all relevant parties.

If the Mayor or Chair feels the photography/audio / visual recording is disrupting the proceedings or any pre-meeting agreement has been breached the operator of the equipment will be required to stop.

If use continues the Mayor or Chair will ask the person to leave the meeting. If the person refuses to leave then the Mayor or Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.

Anyone asked to leave a meeting because they have refused to comply with the Mayor or Chair's requests may be refused permission to photograph, record or film at future Swindon Borough Council meetings that are open to the public.

If during the meeting a motion is passed to exclude the press and public, because confidential or exempt information is likely to be disclosed, then all rights to record the meeting are removed.

If a meeting for which agreement is given to record or photograph is adjourned by the Mayor or Chair then any recording or photography should stop at the point at which the meeting is adjourned.

Social Media

There are no restrictions placed on anyone at the meeting using Twitter, blogs, Facebook or similar "social media" provided that the Mayor or Chair does not consider their actions are disrupting the proceedings of the meeting.

If the Mayor or Chair feels the use of social media is at the time disrupting the proceedings the Councillor, member of the public or media representative may be required to stop.

If use continues the Mayor or Chair will ask the person to leave the meeting. If the person refuses to leave then the Mayor or Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption.

6th June 2014