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SCARBOROUGH BOROUGH COUNCIL

Protocol on Webcasting, Reporting on and Filming Meetings of the Borough Council

January 2020

DOCUMENT CONTROL

Author	Petra Jackson
Owner	Performance and Governance
Protective Marking	NOT PROTECTIVELY MARKED
Cabinet Approval Date	
Council Approval Date	
Policy Date/Period	Ongoing
Policy Review Frequency	Annually

REVIEW HISTORY

		Version	Any Revisions?

REVISION HISTORY (only required where changes made)

Date	Revised By	Version	Description of Revision
January 2020	Petra Jackson	0.1	Creation of Policy

DOCUMENT REVISION APPROVALS

Version	Approval	Date
Protocol on webcasting		May 2014

Scarborough Borough Council

Protocol on Webcasting, Reporting on and Filming Meetings of the Borough Council

- 1 Scarborough Borough Council is committed to open and transparent decision making. In support of this, the Council has agreed that certain meetings should be the subject of live web transmission (“webcasting”). This protocol has been produced to assist the conduct of webcast meetings and to ensure that, in doing so, the Council is compliant with its obligations under the Data Protection Act/GDPR and the Human Rights Act 1998. This protocol also explains the rights of the press and public to report on or record meetings of the council, including through the use of Social Media.
- 2 All formal meetings of the Borough Council, its Cabinet, committees and sub committees are open to the public, except where there are legal requirements preventing them from being so.
- 3 Members of the Press or public are not required to give notice of their intention to attend a meeting that is open to the public. However, in order to make sure appropriate arrangements are in place to facilitate attendance, it is requested that individuals with special access needs or large groups wishing to attend a meeting contact Democratic Services in advance of the meeting on 01723 232323 or by email to democraticservices@scarborough.gov.uk
- 4 **Webcasting**
 - 4.1 Scarborough Borough Council has agreed that certain meetings should be the subject of live web transmission (“webcasting”). Fixed cameras are located within the Council Chamber for this purpose. Meetings are broadcast live over the internet and are also available to view after the meeting. The main purpose of webcasting is to give members of the public the chance to view meetings as they happen without having to attend in person. Webcasting and the retention of film do not replace the formal record of the meeting and the decisions made.
 - 4.2 All formal committee meetings and public Member Briefings held in the Council Chamber are webcast.
 - 4.3 Webcasts are available on the Borough Council website for a period of 12 months from the meeting, after which they are destroyed.
 - 4.4 The following will apply to all meetings to be webcast by the Council.
 - 4.5 Main Provisions
 - 4.6 The Chair of the meeting has the absolute discretion to terminate or suspend the webcast at any time and for any reason which the Chair deems reasonable. Such circumstances where the Chair may deem suspension reasonable may include, but are not limited to:
 - i) public disturbance or other suspension of the meeting;
 - ii) exclusion of public and press being moved and supported;
 - iii) any other reason moved, seconded and supported by the Council/committee.

- 4.7 No exempt or confidential agenda items shall be webcast.
- 4.8 Subject to paragraph 4.9 below, all archived webcasts will be available to view on the Council's website for a period of 12 months.
- 4.9 Archived webcasts or parts of webcasts may be removed from the Council's website if, in the reasonable opinion of the Monitoring Officer, it may prejudice the Council's, or the public's interests. Content may also be removed if the Monitoring Officer considers that it is necessary because all or part of the content of the webcast is, or is likely to be, in breach of any statutory provision or common law doctrine (for example Data Protection/GDPR and Human Rights legislation or provisions relating to confidential or exempt information).
- 4.10 Any councillor who is concerned about any webcast should raise their concerns with the Monitoring Officer
- 4.11 Agenda Front Sheets and Signage at Meetings
- 4.12 On the front of each agenda and on signs to be displayed inside and outside the Council Chamber there will be the following notice:

Webcasting Notice

Please note: this meeting may be filmed for live or subsequent broadcast via the Borough Council's website on the internet – at the start of the meeting the Chairman will confirm if all or part of the meeting is to be filmed. The images and sound recording may be used for training purposes by the Council. Generally the public gallery is not filmed. However, by entering the Council Chamber and using the public seating area you are consenting to be filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Democratic Services.

- 4.13 Conduct of Meetings
- 4.14 At the start of each meeting to be filmed, an announcement will be made to the effect that the meeting is being, or may be, webcast and the Chair will make the following statement:
"May I remind everyone present that this meeting will be broadcast live via the internet and the record archived for future viewing."
- 4.15 Cessation of Webcasting for Private Sessions
- 4.16 No part of any meeting held will be webcast after Members have passed a resolution excluding the public and the press because there is likely to be disclosure of exempt or confidential information. The Democratic Services Officer present will ensure that filming and/or recording of the meeting has ceased and will confirm this to the Chair of the meeting before any discussion of exempt or confidential matters is commenced.
- 4.17 Formal Record
- 4.18 Webcasting and the retention of any filmed material does not replace the formal record of the meeting and the decisions made. The only formal record of any meeting of a local authority is its minutes and agendas. Minutes are required to be maintained in perpetuity and agendas for a six year period.

5 Filming and photography by others

- 5.1 We welcome transparency and openness, and therefore support the concept of others filming public council meetings. We believe that councillors and council officers acting in the public interest should expect to be held to account for their comments and votes in relevant meetings.
- 5.2 Under the Localism Act 2011, councils are required to provide reasonable facilities for any member of the public to report on meetings, and therefore should allow the filming of councillors and officers at meetings that are open to the public. Equally, the GDPR/Data Protection Act does not prohibit filming of public meetings
- 5.3 However, councils may ask for the filming to be undertaken in such a way that it is not disruptive or distracting to the meeting. The Council is also required to protect the privacy rights of any members of the public who attend meetings. We have therefore developed the following guidance in order to achieve this.
- 5.4 All recording must be overt and as a courtesy, members of the public should also be informed at the start of the meeting that it is being filmed, in order that they can request not to be filmed, or choose to leave the meeting.
- 5.5 Anyone intending to film or record a meeting of the Borough Council is therefore requested to notify the Democratic Services Team in advance of the meeting by phone to 01723 232323 or by email to democraticservices@scarborough.gov.uk by 5pm the day before the meeting is scheduled to be held.
- 5.6 This will allow an announcement to be made by the Chair at the start of the meeting that filming will take place. It will then allow any members of the public to indicate if they do not wish to be filmed, or to leave the meeting.
- 5.7 Unless specific permission is given by the Monitoring Officer in advance, filming or photography must be from a fixed spot and should aim to focus on the speaker.
- 5.8 All recording activity must be done in such a way that does not disrupt or interfere with the running of the meeting or with the ability of other observers to view or record the proceedings. For that reason, large or distracting equipment (such as lighting rigs, flash photography, floor standing cameras) would generally not be allowed without the express permission of the Monitoring Officer.
- 5.9 In general all recording devices and equipment should operate quietly and unobtrusively (electronic devices, such as smartphones, should be switched to silent, for example).
- 5.10 If the Chair deems that the filming is either disruptive or distracting, he/she will be entitled to ask for the filming to cease. The Chair's decision will be final.
- 5.11 Anyone recording or attending a meeting is not permitted to provide an oral commentary from within the room.
- 5.12 Councillors who are members of the committee may not request that they are not filmed.

- 5.13 Members of the public attending the meeting/speaking at the meeting have a right not to be filmed and if they indicate they do not wish to be filmed, their wishes should be observed and they should not be filmed. In no circumstances should any children in attendance at a meeting be filmed or photographed.
- 5.14 The Council requests that any video recordings or photographs made during a meeting are not subsequently edited in a way that would misrepresent the views of a speaker or the general proceedings.
- 5.15 The rights set out in this protocol are subject to the Council's existing rules set out in the Constitution on members of the public attendance at meetings. These rules allow for the Chair of a meeting, after giving a warning, to order that a member of the public be removed from the meeting, or that a meeting be adjourned.

6 Social media

- 6.1 Members of the public and the press are welcome to tweet or blog (or use any other form of real time social media) from any meeting of the council that is open to the public.
- 6.2 Oral commentary from within the meeting room is not permitted.
- 6.3 Any use of social media within a meeting room must not disrupt or interfere with the meeting.

7 General

- 7.1 Any queries about this protocol or requests for special permissions requiring the Monitoring Officer's consent, should be directed to Democratic Services on 01723 232323 or by email to democraticservices@scarborough.gov.uk
- 7.2 On all matters connected to this protocol, the decision of the Monitoring Officer (outside of the meeting) or the Chair of the meeting (during the meeting) are final.
- 7.3 To find out about upcoming public meetings visit: www.scarborough.gov.uk
- 7.4 If you have any queries regarding filming of meetings, please contact: democraticservices@scarborough.gov.uk.