

POLICY ON RECORDING, FILMING, PHOTOGRAPHING AND BROADCASTING SWANSCOMBE AND GREENHITHE TOWN COUNCIL MEETINGS.

(This Policy was reviewed by the full Council at its AGM held on 17 May 2023, minute 20/23-24)

1. General

Swanscombe and Greenhithe Town Council is committed to good governance and to open and transparent decision making. The Council welcomes the attendance of the press and public at all of its meetings, whilst they are open to the public.

This policy provides guidance to the public and press on the use of mobile phones, social media (use of web-based technologies to share information and to interact with online communities, e.g. blogs, Twitter, Facebook, YouTube and SMS text messaging), filming, photographing, recording and broadcasting of Council, Committee and Sub-committee meetings.

2. Who may attend Council meetings for the purpose of recording, filming, photographing or broadcasting meetings and to which meetings do these rights apply?

The press or public may attend any meeting of the Council, a Committee or Sub-Committee whilst that meeting is in open session. They may record, film, photograph and broadcast the proceedings of any of these meetings.

The “press” is widely defined and includes citizen journalists, bloggers, social commentators and film crews as well as more traditional print media. There is no requirement for accreditation.

3. What facilities are available to the public and press under this policy?

The Council will make “reasonable” facilities available to assist anyone wishing to record, film, photograph or broadcast proceedings of its meetings. This will include providing a table at each meeting for use by the press to assist with taking their reports.

The Council will also designate an area in the Council Chamber, typically the rear or side row, for use by anyone wishing to record, film, photograph or broadcast proceedings.

The Council will not provide any additional kit or equipment to enable the recording, filming, photographing or broadcasting of proceedings. Nor will the Council facilitate additional internet access. If and to the extent that Wi-Fi is available in the meeting room, the Council will not be liable for any disconnection, suspension, interruption or termination to the Wi-Fi service.

4. What can be recorded, filmed, photographed or broadcasted?

Any meeting of the Council, all Committees and Sub-committees and any joint committees with other local authorities may be recorded, filmed, photographed or broadcast, whilst these meetings are in public session only. However any such activity, broadcast, commentary or expression of views is subject to the UK legislation, including the laws of defamation, public order, data protection and human rights.

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5. What may not be recorded, filmed, photographed or broadcast?

(a) Meetings during which the presence of the press and public are excluded.

The public and the press must be excluded, by resolution, from a meeting, where the transaction of business on the agenda is likely to involve the disclosure of confidential information i.e. information provided to the Council by a government department on terms which forbid the disclosure of the information to the public: and information which is prohibited from being disclosed by any enactment or by a court order.

Where the transaction of business on the agenda is likely to involve the disclosure of exempt information, the public and the press may be excluded from a meeting (the Council has a discretion in the matter) by resolution.

Where it is resolved to exclude the press and public then, in conjunction with this, all rights to film, record, photograph or broadcast the meeting are rescinded and recording equipment used for the purpose of reporting the meeting, must be removed from the meeting while the meeting is in closed session.

(b) Members of the public attending the meeting who do not wish to be recorded, filmed, photographed or broadcasted.

Persons who film, photograph, record, or broadcast meetings are requested to only focus on Councillors, Officers and the public who are directly involved in the conduct of the meeting. Where a member of the public is permitted to address a meeting the Chairman will ask each individual to give their express permission to being filmed, recorded, photographed or to appear in a broadcast or in any other means used by the press or public for enabling persons not present to see or hear proceedings at the meeting as it takes place or later. Where permission is refused, the Chairman will instruct that any recording, filming, photographing etc. cease with immediate effect, whilst the person is addressing the meeting. Failure to comply with this instruction will be deemed to constitute disruptive behaviour which may result in expulsion from the meeting, under the Council's Standing Order 34 (f).

(c) Use of Mobile Devices and oral commentary.

To minimise disruption to others attending the meeting, all attendees must ensure that their phone or other mobile devices are set to silent mode during the meeting.

Whilst written report or written commentary is permitted during a meeting, no oral commentary or oral reporting is permitted, as this could be disruptive to the proceedings of the meeting.

6. Exclusion from a meeting on the grounds of disruptive or intrusive behaviour

As far as possible, every effort will be made by the Council to ensure that the public and the press are able to exercise their rights to film etc. However, should this

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activity become overly intrusive or disruptive to the point where it is considered to interfere with the proceedings or the conduct of business, or the decision making process, then the Mayor (in the case of Council meetings) or the Chairman (in the case of Committees and Sub-Committees etc. meetings) will warn the person to desist. If the instruction is not respected, the person will be asked to leave the meeting.

If the activity is disruptive or distracting to the good order and conduct of the meeting, the Mayor or Chairman may rescind permission to record, photograph, film, broadcast or to the use of any other means by the press or public for enabling persons not present, to see or hear proceedings at the meeting as it takes place, or later. The Mayor or Chairman's ruling is final.

Examples of disruptive behaviour include:

- moving to areas outside of the designated area within the Council Chamber for the purpose of recording, filming, photographing or broadcasting the meeting, without the permission of the Mayor or Chairman;
- generating excessive noise in making a recording or during the setting up or re-siting of equipment during the meeting;
- intrusive lighting or use of flash photography;
- attempting to address the meeting without permission or asking for statements to be repeated for the purposes of recording;
- seeking to record, film, photograph or broadcast members of the public against their wishes.

This list is not exhaustive.

7. Is permission required to attend a meeting for the purpose of recording, filming, photographing or broadcasting proceedings?

While no prior permission is required to film, record, photograph or broadcast a meeting in open session, it is advisable that any person wishing to film or audio-record a public meeting, notify the Town Clerk in advance, so that reasonable facilities can be provided for the public meeting.

8. Claims or liabilities

Any person or organisation choosing to film, photograph, record or broadcast any meetings of the Council, Cabinet etc. is responsible for any claims or other liability resulting from their activities and by choosing to film, photograph, record or broadcast proceedings, they accept that they are required to indemnify the Council, its Members and Officers in relation to any such claims or liabilities.

9. Deemed acceptance of this policy's requirements

Any person or organisation choosing to film, photograph, record or broadcast any meetings of the Council, Committees or Sub-Committees is deemed to have accepted the requirements of this policy, whether they have read the policy or not.