



EAST COWES TOWN COUNCIL

**RECORDING, PHOTOGRAPHY AND USE OF
SOCIAL MEDIA POLICY
2019**

1 Introduction

This guidance applies to any council or committee meetings that are open to the public. The Council allows any member of the public or press to report on all public meetings subject to limited exceptions outlined below. The term reporting includes the taking of photographs, filming, audio-recording, tweeting, blogging or generally reporting on proceedings.

Those wishing to undertake any reporting of meetings are asked to advise the Clerk in advance of the meeting of their intention to do so, as explained below, in order to allow necessary arrangements to be made if required.

The Mayor/Chair of the meeting shall advise members of the public and members that the meeting may be recorded if notice has been received that reporting is happening. The purpose of this protocol is to provide guidance, particularly, for members of the press or public on reporting of any Town Council meeting which is held in public.

Although there is a legal right to allow reporting of Council meetings the proceedings of that meeting must not be disrupted using any equipment or in the manner in which the reporting is undertaken. It is also important that reporting does not inhibit community involvement in the proceedings.

2 Guidelines for reporting

Any member of the public or of the media wishing to report a public meeting should ensure that:

- a) Any photography or audio/visual recording must take place from an approved fixed position in the meeting room to minimise disruption to the proceedings;
- b) The use of flash photography, additional lighting, sound booms or other equipment that may, in the Mayor/Chair's opinion, be likely to be intrusive or in any way interfere with proceedings will only be allowed if agreed in advance with the Town Clerk/Mayor.
- c) If the Mayor/Chair feels that any photography, audio or visual recording is disrupting the meeting in any way then the operator of the equipment will be required to stop reporting;
- 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 report the meeting cease and the operator of the equipment will be required to stop reporting and leave the meetings, taking all reporting equipment with them;
- f) They comply with any request made by the Mayor/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 not seated in a "public seating area";**
- h) 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.

Notices advising the public that the public meeting may be reported on will be displayed in or directly outside the relevant meeting room and this will be noted on the agenda. The Mayor/Chair will also make an announcement that the meeting may be photographed, recorded or filmed.

3 What if I don't want to be recorded?

If as a member of the public you do not wish to be photographed, filmed or recorded please inform the Town Clerk in advance of the meeting. If you are concerned for your personal safety, it may be possible to make alternative seating arrangements.

4 What is the procedure prior to the Meeting for those wishing to film a meeting?

Members of the public wishing to film a public meeting should wherever possible contact the Town Clerk for the meeting concerned (Contact details are available on the Agenda for the meeting and on the Town Council's Website or by emailing clerk@eastcowestowncouncil.co.uk) at least two working days before the meeting to enable appropriate preparations to be made. 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, tripod etc.);
- d) what the photographs, or audio / visual recording will be used for and / or where the information is to be published.

5 What is the procedure for reporting during the meeting?

All reporting equipment must be set up **before the meeting starts** to avoid disrupting the meeting.

If the Mayor/Chair feels the photography/audio visual recording is disrupting the proceedings the operator of the equipment will be required to stop reporting.

If the person continues reporting after having been requested to desist then the Mayor/Chair will ask the person to leave the meeting. If the person refuses to leave, then the Mayor/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/Chair's requests may be refused permission to report at future 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. All equipment shall be removed from the meeting room when members of the public and press are excluded.

If a meeting for which agreement is given to report, is adjourned by the Mayor/Chair, then any reporting should stop at the point at which the meeting is adjourned.

6 Social Media

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

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

7 What is disruptive behaviour?

Essentially, this could be any action or activity which disrupts the proper conduct of meetings. Examples could include:

- moving to areas outside the areas designated for the public or press without the consent of the Mayor/Chair,
- excessive noise in recording or setting up or re-siting equipment during the debate/discussion,
- intrusive lighting and use of flash photography; and
- asking for people to repeat statements for the purposes of recording.

8 Can I leave recording equipment in a public meeting room and record without being present?

There is no legal prohibition, however, under this guidance and council standing orders the committee may require any such recording to stop if at any stage the meeting became a private meeting and so someone is required to be present to stop the equipment. In addition, the Council will not be responsible for the security or safety of any equipment left unattended.

9 Are there any limits to what I can say in a tweet or video or report I publish?

The law of the land applies, including the law of defamation and the law on public order offences. Freedom of speech, within the law, should be exercised with personal and social responsibility, showing respect and tolerance towards the views of others.

Any person can provide **written commentary during a meeting**, as well as oral commentary **outside or after the meeting**. The new rules **do not permit oral commentary¹ during a meeting** as this would be disruptive to the good order of the meeting.

Oral Commentary¹ is someone commentating on a meeting while it's going on, such as a reporter making a live broadcast with commentary giving their own perspective on it.