



## GUIDANCE ON RECORDING IN PUBLIC MEETINGS

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## INTRODUCTION

1.1 Biddulph Town Council is committed to being open and transparent in the way it conducts its decision making. The Openness of Local Bodies Regulations 2014 allows any person attending a public local government meeting to report proceedings by:

- Taking photographs
- Filming
- Audio-recording
- Using social media such as blogging, tweeting, etc

The aim of this guidance is to help any members of the press and public who wish to film, audio-record, take photographs, and use social media such as tweeting and blogging, to report the proceedings of all Council meetings that are open to the public.

1.2 If there are further questions on the issue of filming/recording of meetings please contact Biddulph Town Council at [office@biddulph-tc.gov.uk](mailto:office@biddulph-tc.gov.uk) or 01782 498480.

## PROVISIONS

### **2.1 Do people need to ask permission to record Council meetings?**

There is no requirement to ask permission to record a Council meeting. However, the Council advises any person wishing to carry out this activity to let staff know in advance so that all necessary arrangements can be made for the public meeting. It may be that appropriate seating can be provided, for example, which will improve the recording sound or quality.

### **2.2 Can people tweet or blog a Council meeting?**

Yes, people may report meetings via social media of any kind. Therefore, bloggers, tweeters, Facebook and YouTube users, and individuals with their own website, are able to report meetings.

### **2.3 Can councillors use social media during meetings?**

The national rules do not prevent councillors from using social media at meetings, so they should be able to do so, provided it is not disruptive and does not detract from the proper conduct of the meeting. Whilst councillors are expected to comply with their body's code of conduct, this should not prevent councillors from tweeting or blogging when appropriate.

### **2.4 Commentary during the meeting**

Any person can provide written commentary during a meeting, as well as oral commentary outside or after the meeting. It is not permitted for oral commentary to be provided during a meeting as this would be disruptive to the good order of the meeting.

### **2.5 Can people be asked to leave a meeting and stop recording?**

The majority of the Council's meetings are open to members of the public. However, meetings cannot be recorded when it is agreed to formally exclude the press and public from the meeting due to the confidential nature of the business to be discussed.

People will also be asked to leave a meeting if they act in a disruptive manner.

Examples can include:

- Moving to areas outside the areas designated for the public without the consent of the 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.

## **2.6 Are there any restrictions to recording a council meeting?**

The Council requests that the public area is not filmed and that people respect the wishes of members of the public who have come to speak at a meeting but do not wish to be filmed.

Freedom of speech within the law should also be exercised with personal and social responsibility – showing respect and tolerance towards the views of others.

The Council asks those recording proceedings not to edit the recording in a way that could lead to misinterpretation of the proceedings, or infringe the core values of the Council. This includes refraining from editing an image or views expressed in a way that may ridicule, or show a lack of respect towards those being filmed/ recorded.

## **2.7 Can people leave recording equipment in a public meeting room and record without being present?**

This can take place, however, the Council will require any such recording to stop and the equipment to be removed if at any stage the meeting became a private meeting. The Council, therefore, suggests that people remain in the meeting. The authority takes no responsibility for any unsupervised equipment.

## **2.8 Recording of meetings by the Council**

The Chair of the meeting has the discretion to request the termination or suspension of recording if in the opinion of the Chair continuing to record would prejudice the proceedings of the meeting.

This may include:

- a) public disturbance or other suspension of the meeting;
- b) where it is considered that continued filming, photography, recording or reporting might infringe the rights of any individual
- c) when the Chair considers that a defamatory statement has been made
- d) any other reason moved and seconded and supported by the Council.

At the start of each meeting to be recorded, an announcement will be made to the effect that the meeting is being or may be recorded.

When meetings are private (not open to the public) or when confidential or exempt items of business are transacted (when the process and public are

excluded), access to replay/obtain copies will be restricted in accordance with the Access to Information rules.

The footage will be available for public viewing via the Council's You Tube account.

Members of the public who have requested to speak at the meeting should be aware that they could be considered to be part of the public meeting and therefore may be filmed, photographed or recorded. If a member of the public who wishes to speak at a meeting does not want to be filmed/photographed/recorded they should say so when they register their interest to speak and the Council will try to facilitate their request.

3.1 The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.

## RELEVANT LEGISLATION

The Openness of Local Government Bodies Regulations 2014, an amendment to the Public Bodies (Admissions to Meetings) Act 1960, have made it easier for members of the public to record meetings. The Ministry of Housing Communities and Local Government 'Open and accountable local government' also provides further information.

The recording and reporting on meetings of Biddulph Town Council is subject to the law and it is the responsibility of those doing 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.