

<b>Meeting:</b>	<b>AUDIT AND GOVERNANCE COMMITTEE</b>
<b>Meeting date:</b>	<b>26 NOVEMBER 2014</b>
<b>Title of report:</b>	<b>RECORDING OF MEETINGS</b>
<b>Report by:</b>	<b>GOVERNANCE MANAGER</b>

## **Classification**

Open

## **Key Decision**

This is not an executive decision.

## **Wards Affected**

Countywide

## **Purpose**

To note the technical amendment required to the constitution, and approve a protocol to guide recording of public meetings.

## **Recommendation(s)**

**THAT:**

- (a) the amendment of paragraph 4.1.24.1 of the constitution being undertaken by of the Assistant Director Governance to comply with legislation is noted; and**
- (b) The draft protocol (at appendix 1) for recording of public meetings of the council be approved.**

## **Alternative options**

- 1 There is no alternative to permitting recording as it is a statutory requirement.
- 2 A protocol is not essential; however adoption of a protocol mitigates the risk that those attending meetings are unaware of their rights and responsibilities as regards to the recording of meetings

## **Reasons for recommendations**

- 3 To ensure compliance with legislative requirements.

## **Key considerations**

- 4 In August 2014 the government introduced new regulations which, amongst other things, seek to ensure that members of the public are able to report on public meetings of local government bodies. Reporting may be by filming, photographing, audio recording or any other means.
- 5 The regulations form part of the Local Audit and Accountability Act 2014 which was promoted by the government as the key to helping those using social media channels (e.g. blogs and tweets), as well as journalists, to help demystify local government and make it more transparent for all.
- 6 The regulations allow anyone to attend a public meeting of the council for the purposes of reporting, and allow anyone with the aim of reporting to use any communication method, including the internet, to publish, post or otherwise share the results of their reporting activities, during or after the meeting.
- 7 The changes made by the regulations do not affect the current circumstances in which a private meeting may be held or a person may be excluded (for example where exempt information would be disclosed).
- 8 The council's constitution (at paragraph 4.1.24.1) forbade the filming or recording of any meeting without the prior consent of the meeting chairman. To ensure continued compliance with current legislation it is proposed to amend this paragraph to confirm that recording of public meetings is permitted and indicating that regard should be had to the council's protocol on recording of meetings. The constitution delegates authority to the Assistant Director Governance (as monitoring officer) to make amendments to the constitution which are technical in nature or required by law.
- 9 A protocol has been drafted and is attached at Appendix 1. It is designed to ensure that those undertaking recording are aware that they should do so in a way which is not disruptive to the meeting itself; they should respect the privacy of other members of the public who may be attending the meeting; and that they remain responsible for the use to which they put the material.
- 10 To ensure that everyone attending public meetings is aware that recording may be taking place it is also proposed to display notices to that effect in public meeting rooms and in the agenda pack; the chairman should also make a brief announcement to that effect.

## **Community impact**

- 11 The council has adopted a set of values which underpin its work and which include a commitment to openness and transparency. A protocol to guide those wishing to record public meetings will assist in maintaining this commitment.

## **Equality and human rights**

- 12 The general duty placed on public bodies has three aims, those being to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the act
  - Advance equality of opportunity between people who share a protected characteristic and those who do not
  - Foster good relations between people who share a protected characteristic and those that who do not.
- 13 The public sector equality duty requires the council to consider how it can positively contribute to the advancement of equality and good relations, and demonstrate that it is paying “due regard” in our decision making in the design of policies and in the delivery of services. By ensuring that those wishing to record or report on public meetings of the council have clarity about doing so will assist in ensuring that decision making is as open as possible.

## **Financial implications**

- 14 There are no financial implications arising from the recommendations.

## **Legal implications**

- 15 These are discussed in the body of the report.

## **Risk management**

- 16 Any risk that those attending meetings are not aware of the rights and responsibilities arising from the regulations is mitigated by adoption and implementation of a protocol.

## **Consultees**

- 17 None.

## **Appendices**

Appendix 1 – Draft protocol re recording at public meetings of the council.

## **Background papers**

- None identified.