

# Crawley Borough Council

	Report No: CEX/042	<b>B</b>
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## Report to General Purposes Committee

31 March 2014

### Use of Social Media, Photography, Filming and Recording at Council Meetings

#### 1. Purpose

- 1.1 The purpose of this report is to seek approval of a protocol on the use of social media, photography, filming and recording at Council meetings, to take effect from 1 April 2014 and that the protocol be included in the Council's Constitution.

#### 2. Recommendation

- 2.1 **To recommend to Full Council that the protocol on the use of social media, photography, filming and recording at Council meetings (Appendix A to this report) be adopted in Part 5 (Code and Protocols) of the Council's Constitution to take effect from 1 April 2014.**

#### 3. Reasons for the Recommendation

- 3.1 In June 2013, the Department for Communities and Local Government published a guidance document "Your Council's Cabinet – going to its meetings, seeing how it works." This guide provides the public with practical information on how to film and use social media at Council, Cabinet or Committee meetings to ensure maximum transparency for local government.
- 3.2 The Local Audit and Accountability Bill 2013-14 received Royal Assent on 30 January 2014. The implementation date for the parts of the Act relating to social media, photography, filming and recording at Council meetings is 31 March 2014.

LEE HARRIS  
Chief Executive

## **4. Background**

4.1 The Guidance issued by the Government in June 2013 states the following:

“Council meetings are public meetings. Elected representatives and Council officers acting in the public sphere should expect to be held to account for their comments and votes in such meetings. The rules require Councils to provide reasonable facilities for any member of the public to report on meetings. Councils should thus allow the filming of Councillors and officers at meetings that are open to the public.

The Data Protection Act does not prohibit such overt filming of public meetings. Councils may reasonably ask for the filming to be undertaken in such a way that it is not disruptive or distracting to the good order and conduct of the meeting. As a courtesy, attendees should be informed at the start of the meeting that it is being filmed; we recommend that those wanting to film liaise with Council staff before the start of the meeting.”

4.2 Provision is made in The Local Audit and Accountability Act 2014 to enable regulations to be made to allow persons to film, photograph or audio-record a public meeting of a local government body or to use any other means that will enable a person not present at the meeting to see or hear proceedings at the meeting. With this, people, whether professional or citizen journalists, would be able to use social media to report or give commentary on the proceedings at meetings.

4.3 The Act lists further provisions that the regulations may make. For instance, members of the public may be allowed to use any medium such as the internet to make any reporting activities available to the public. Provision may also be made to ensure that activities such as filming or photographing do not disrupt the good order and conduct of public meetings.

4.4 Anyone wanting to film is asked to liaise with a member of the Communications or Democratic Services teams in advance of the meeting to assist with any setting up of equipment.

4.5 The protocol adheres to the principles of openness and transparency and provides clear guidance to members of the public, press and Councillors on the use of mobile phones, social media, photography, filming and recording at public meetings of Crawley Borough Council (including Council, Cabinet, Committees and Sub Committees) and to ensure that any recording is not disruptive, distracting or inhibiting to the meeting in any way.

## **5. Use of Social Media, Photography and Filming**

5.1 Members of the media, the public, the Council's Communications Team and some Councillors already use social media during Council meetings. This protocol is designed to formalise the use of social media, photography and recording equipment at meetings of Committees, Cabinet and Full Council that are held in public.

5.2 Filming requests come to the Communications Team. However, the team has not received a request to film at Council meetings in the past and it is not anticipated that many will be received in future.

## **6. Background Papers**

- Your Council's Cabinet – going to its meetings, seeing how it works
- The Local Audit and Accountability Act 2014

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**PROTOCOL ON USE OF SOCIAL MEDIA, PHOTOGRAPHY, FILMING AND RECORDING AT MEETINGS**

**1. Introduction**

This protocol provides guidance to members of the public, media and Councillors on the use of social media, photography, filming and recording at public meetings of Crawley Borough Council (including Council, Cabinet, Committees and Sub Committees.

Social media refers to the use of web-based technologies to share information and to interact with online communities, e.g. blogs, Twitter, Facebook, YouTube.

The Council supports the principles of openness and transparency in the way it conducts its meetings. Recording, photography, filming and the use of social media at meetings which are held in public is permitted:

- (a) Subject to the provisions of this protocol.
- (b) Provided that the Chair is satisfied that it will not be disruptive or distracting the good order and conduct of the meeting.

(Meetings which take the form of Hearings, for example Licensing Sub Committees, may not be suitable for recording due to the nature of some of the evidence given at the Hearing. It will be at the discretion of the Chair to determine whether the recording of a particular Hearing will be permitted.)

The Chair's decision on whether or not the meeting is being disrupted or disturbed and consequently to require the cessation of the use of social media, photography, filming or recording is final.

**2. Filming, Photographing and Recording of Meetings**

The filming, videoing, photographing or recording Council meetings is allowed, providing it does not disturb the conduct of the meeting and takes place from positions in the room as agreed by the Chair.

The Council asks that filming and/or photography requests are made in advance of the meeting to assist with any setting up of equipment. Anyone wanting to film should liaise with a member of the Communications or Democratic Services teams.

The Chair of the meeting will inform all attendees that proceedings may be reported via social media, photographed and/or filmed. Notices will also be placed in the meeting room informing attendees of this.

The Chair of the meeting will have the power to withdraw this permission if it is disruptive or distracting to the good order and conduct of the meeting, for example through flash photography or intrusive camera equipment.

All those visually recording a meeting are requested to only focus on recording Councillors, officers and the public who are directly involved in the conduct of the meeting.

If a meeting passes a motion to exclude the media and public then, in conjunction with this, all rights to film, video, photograph or record the meeting are removed.

### **3. Photographing and Filming Members of the Public**

In the case of members of the public speaking at meetings (at Development Control Committee, for example) the Chair will ask each individual to give their express permission to being photographed and/or filmed and they will not be photographed/filmed if they actively object.

Members of the public who are not speaking and do not wish to be photographed and/or filmed will be guided to a seating area away from the area being photographed and/or filmed, where possible.

### **4. Use of Mobile Devices**

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

No Councillor in attendance, whether a decision maker or observer, is permitted to use social media or mobile devices in private (when the press and public are excluded) or to disclose in any way the content of items under discussion.

The Councillors' Code of Conduct and social media guidance will apply when using social media. Inappropriate comments made during a meeting could open Councillors to potential complaints or investigation under the Code of Conduct.