

## **Part 5 – Codes and Protocols**

### **Chapter 6 - Protocol on filming, webcasting, photography and the use of social media at Council meetings**

#### **1. Introduction**

- 1.1 The Council welcomes the filming, photography and the use of social media at its meetings as a means of reporting on its proceedings because this helps to make the Council more transparent and accountable to the local community.
- 1.2 The Council has also made provision within several of its meeting rooms at Barking Town Hall for recording/live transmission, commonly known as webcasting, of meetings that are open to the public.
- 1.3 The overriding objective of this protocol must be the effective running of the meetings and it is important, therefore, that the proceedings of any meetings are not disrupted by filming, photography or the use of media tools by members of the press, the public, Councillors or officers. This is not a legal issue – just a question of judgment about what is and is not appropriate.
- 1.4 Under the Council's Constitution, the Chair of a meeting has authority to deal with issues relating to the conduct of those in attendance to ensure the orderly conduct of the meeting and the efficient despatch of business.
- 1.5 The overriding provision within this Chapter is that filming, photography and the use of social media is subject to the restrictions that apply to any item of Council business which considers confidential or exempt information, as defined by Section 100A of the Local Government Act 1972. In such circumstances, no filming, recording, transmitting or photography will be permitted while the confidential or exempt information is being considered.

#### **2. Use of mobile phones at meetings**

- 2.1 Mobile phones may be used to film or take photographs at meetings. Anyone seeking to use a mobile phone in such a manner should refer to sections 5, 6 and 7 of this protocol.
- 2.2 Mobile phones may be used to access and use social media applications in line with sections 3 and 4 of this protocol.
- 2.3 Mobile phones must be switched to a "silent" mode during a meeting to avoid any disruption being caused to proceedings. The use of a mobile phone to either make or receive calls must be undertaken outside the room in which a meeting is taking place.

#### **3. Use of Social Media by the public and press at meetings**

- 3.1 There will be no restrictions placed on members of the press or public using Twitter, blogs or Facebook when attending meetings, provided that their actions do not affect the conduct of the meeting and/or interfere with the audio system.

#### **4. Use of Social Media by Councillors when at meetings**

- 4.1 Councillors are in a different position to members of the public and their actions affect the reputation of the Council. Councillors who are members of a committee have an obligation to pay close attention to the proceedings and demonstrate that they are playing an active part. This is in addition to the general point of showing respect and courtesy to other participants.
- 4.2 Care should be taken in using social media during meetings and the use avoided in particular during quasi-judicial meetings such as the Planning Committee and Licensing and Regulatory Committee (and its Sub-Committee), as evidence of use of texting or social media by committee members could lead to a risk of complaints and/or appeals.
- 4.3 As a general rule, Councillors should avoid the following:
- (i) Accessing social media sites through a live feed to make personal comment on other individuals;
  - (ii) Taking and sending or posting electronic images of a meeting;
  - (iii) Extended and unreasonable periods of use that suggest that insufficient attention is being paid to the meeting.

#### **5. Filming and/or Photography at meetings**

- 5.1 Members of the press and public wishing to film or photograph the proceedings of a meeting should contact the Council's Communications Team at [press@lbbd.gov.uk](mailto:press@lbbd.gov.uk) at least 24 hours before the meeting. The Chair of the meeting will then be consulted and his/her agreement sought to any request made. If permission to film or take photographs during a meeting is denied the reasons for refusal will be given.
- 5.2 The Communications Team will advise anyone making a request to film or photograph the proceedings of the following:
- (i) Whether the meeting concerned is subject to the Council's own recording / live transmission, in which case an additional request to film would most likely be refused;
  - (ii) Any filming, recording or photography must take place from positions in the Council Chamber or Committee Rooms that have been approved by the Chair of the meeting. This must be agreed before the meeting commences in order to ensure the view of members, officers, public and media representatives is not obstructed;
  - (iii) The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.
- 5.3 Members of the press and public must agree to ensure that any film or photographs will not be edited in a way that could lead to misinterpretation of the proceedings. This includes refraining from editing the views being expressed in a way that may ridicule or show a lack of respect towards those being filmed or

photographed.

- 5.4 Members of the press and public must agree to share the film or photographs in their original and unedited form with the Council's Communications Team on request.
- 5.5 To comply with the Data Protection Act 1998, the Council must be satisfied that the consent of parents or guardians has been sought before filming any children or young people who may be in attendance at a meeting.

## **6. Announcement of Filming, and/or Photography at meetings**

- 6.1 The Chair will announce at the beginning of the meeting if any pre-agreed filming or photography will be undertaken.
- 6.2 The Chair will ask any members of the public whether or not they agree to be filmed or photographed. This will be done on an 'opt-in' rather than an 'opt-out' basis to ensure individuals do not feel pressurised. Individuals who enter a meeting after the Chair has asked the question of those present will be deemed as having consented to being filmed or photographed unless they indicate otherwise, in which case the Chair shall direct them to the appropriate area.
- 6.3 The Chair will direct anyone not wishing to be filmed or photographed to seating that shall not be covered by the cameras.
- 6.4 At all times the wishes of those who choose not to be involved will take precedence [Councillors and officers are excluded from this provision in accordance with the Openness of Local Government Bodies Regulations 2014].
- 6.5 If the Chair is of the opinion that the filming or photography is disrupting the meeting in any way or any pre-meeting agreement has been breached, the operator of the equipment will be required to stop.
- 6.6 If the operator of the equipment refuses to stop recording when requested to do so, the Chair will ask the person to leave the meeting. If the person recording refuses to leave then the Chair may adjourn the meeting or make other appropriate arrangements for the meeting to continue without disruption. These will be in line with disorderly conduct procedures set out in the Constitution.
- 6.7 Anyone asked to leave a meeting because they have refused to comply with the Chair's requests may be refused permission to film or photograph meetings in the future.
- 6.8 The Chair has a right to withdraw any consent to film or photograph at any time during the meeting. The Chair also has the discretion to request the termination or suspension of any live transmission if he/she is of the view that continuing would prejudice the proceedings of the meeting. This would include:
  - (i) Public disturbance;
  - (ii) Exclusion of the public and press.

## **7. Exclusion of the press and public from meetings**

- 7.1 The press and public may only be excluded from a meeting in respect of business relating to confidential or exempt information if a resolution is passed under Section 100A of the Local Government Act 1972.
- 7.2 The press and public will be told about the nature of the exclusion relating to the business to be discussed. No filming, recording or photography will be permitted during this exclusion.
- 7.3 With the exception of Council equipment, all cameras, recording and sound equipment must be removed from the meeting room at any meeting where the press and public have been excluded under Section 100A of the Local Government Act 1972.

## **8. Archiving of Webcasts**

- 8.1 Subject to 8.2 below, all webcasts will be available to view via the Council's website for a period of 12 months (<https://modgov.lbbd.gov.uk/Internet/ieDocHome.aspx?Categories=-14062>) .
- 8.2 The Monitoring Officer may remove all or part of the content of a webcast from the Council's website if he/she considers that it is, or is likely to be, in breach of any statutory provision or common law doctrine, for example Data Protection and Human Rights legislation, or provision relating to confidential or exempt information.