

PROTOCOL FOR FILMING, RECORDING AND PHOTOGRAPHING AT CLEVELAND FIRE AUTHORITY MEETINGS

Cleveland Fire Authority (The Authority) is committed to being open and transparent in the way it conducts its decision making.

Filming, recording and photography at Authority meetings will therefore be allowed subject to certain restrictions and conditions.

BACKGROUND

One of the key components of the Local Audit and Accountability Act 2014 is the power of the Secretary of State to enforce compliance with the Code of Recommended Practice on Local Authority Publicity. Further, Section 40 provides the Secretary of State with a power to make regulations that require local government bodies to allow members of the public the right to attend all public meetings and to access the records of any decisions taken. It also enables regulations to be laid that will allow residents to film photograph or audio-record the public meetings of local authorities. Such powers will also allow citizen or professional journalists to provide commentaries on meetings via social media including Twitter and Facebook.

The General Data Protection Regulation and Data Protection Act 2018 does not prohibit the overt filming and recording of Authority meetings, where participants have given their consent to be so filmed or recorded. However, under no circumstances will filming, recording or photographs of children (under 18) or anyone who otherwise lacks capacity, be allowed without the expressed written consent of a parent or guardian.

If an individual films or in any way records or uses personal data from an Authority meeting for a commercial purpose then they should be registered as the Data Controller for that information. It will be the responsibility of the individual concerned to ensure that they are appropriately registered and are fully compliant with applicable laws and procedures.

These 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 or in the case of disorderly conduct). In addition there may be circumstances where the conduct of an individual in filming a meeting causes a disturbance which is not conducive to that meeting and where the Authority's Standing Orders (see further below) would need to be referenced.

PROCEDURE

Prior to a Meeting

If a member of the public or media representative wishes to film, record or photograph proceedings, they should inform a member of the Authority's Democratic Support Team **prior** to the start of the meeting. The Authority ask that:

- ✓ Any audio/visual recording/ photography must take place from a designated position in the meeting room approved by the Chair.
- ✓ No zooming or panning is permitted.
- ✓ Any public attending are not filmed and individual Elected Members should not focused upon.
- ✓ Setting up must be done before the meeting starts to ensure the view of members of the public is not obstructed.
- ✓ Those recording proceedings not to edit the film/record/photographs in a way that could lead to any misinterpretation of Authority proceedings.

Those intending to bring large equipment, or wishing to discuss any special requirements are advised to contact the Authority's Democratic Support Team **in advance** of the meeting.

The use of flash photography or additional lighting will not be allowed unless this has been discussed in advance of the meeting and agreement reached on how it can be done without disrupting the proceedings.

During the Meeting

- ✓ The Chair will announce at the beginning of the meeting the request for the meeting to be recorded.
- ✓ The Chair will ask those members of the public present whether they agree to be filmed/recorded/photographed.
- ✓ If a member of the public is unwilling to be filmed/recorded/photographed then the Chair will comply with this request.
- ✓ Objections can be raised with the Chair at any point in the meeting if this is conducive to the conduct of the meeting, where a member of the public is being filmed/recorded/photographed.

The Chair of the meeting will have absolute discretion to terminate or suspend any filming, recording and photography if any of these activities are, in their opinion, prejudicing or disrupting proceedings in any way.

The circumstances in which termination or suspension would occur could include:

- ✓ Public disturbance or suspension of the meeting. The Authority's Procedure Rules provide that *'if a member of the public interrupts proceedings, the Chair will warn the person concerned. If that person continues to interrupt, the Chair will order his/her removal from the meeting room.'*
- ✓ Information of a confidential nature. Under Schedule 12A of the Local Government Act 1972, (as amended), the Authority has the right to exclude the press and the public in considering items of a confidential nature and may be excluded from items that fall within a category of 'exempt' information, and
- ✓ Where it is considered that continued filming/recording/photography might infringe the rights of an individual

Any decision taken by the Chair on the interpretation of this protocol is final.

After the Meeting

Any member of the public who wishes to make comment on the filming and recording of a Authority meeting should contact the Democratic Support Team on 01429 874008 or e-mail cfa@clevelandfire.gov.uk

For further information/clarification, contact the Democratic Support Team on 01429 874008 or e-mail cfa@clevelandfire.gov.uk