

## PROTOCOL FOR AUDIO, FILM, VIDEO AND/OR WRITTEN RECORDING OF COUNCIL AND OTHER MEETINGS OF COUNCIL

### Introduction

The Minutes of Council and its Committees are the formal record of the acts and decisions of the Council.

Notwithstanding any audio recording made of a meeting, the Minutes will constitute the official record of the meeting once they have been signed by the relevant Chairman as a true record.<sup>1</sup>

The Council will not provide transcripts of the recordings or any extracts from them.

The Council has agreed to permit meetings of the Council and its Committees to be the subject of audio recording. A recording device is located within the Council Chamber for this purpose.

### Film/Video Recordings

The Council welcomes members of the public to film meetings, but politely asks that any member of the public wishing to do so, advise the Council's Proper Officer, in advance, so that any necessary arrangements can be made to avoid disrupting the meeting and/or view of the meeting by other members of the public.

Members of the public are to note they are wholly responsible for their recordings.

### Audio Recordings

This protocol has been produced to assist the conduct of the recording of meetings and to ensure that in doing so the Council is compliant with its obligations under the General Data Protection Regulations and Data Protection Act 2018 and the Human Rights Act 1998. Accordingly the following will apply to all meetings to be recorded by the Council:-

1. The Council is a Data Controller under the General Data Protection Regulations and Data Protection Act 2018. Data collected during this recording will be retained, until the Minutes have been signed.
2. Access to such recordings shall be granted to Members and the public (in accordance with the Freedom of Information Act and subject to any exemptions) at all reasonable times by prior arrangement with the Proper Officer. Members and the public will be permitted to listen to the recordings within the Council Offices, but the digital recordings will not be permitted to be removed from the Council Offices, nor may audio recordings be made.
3. The Proper Officer or his/her assistant will manage the recording of meetings.
4. The Chairman of the meeting has the discretion to request the termination or suspension of recording if in the opinion of the Chairman continuing to record would prejudice the proceedings of the meeting. This would include:
  - (i) Public disturbance or other suspension of the meeting;
  - (ii) Exclusion of public and press being moved and supported;
  - (iii) Any other reason moved and seconded and supported by the Council.

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<sup>1</sup> The Minutes once accepted and signed are the only legally admissible record of the meeting (LGA 1972 Sch12, para41 (3) "Minutes purporting to be properly signed may be received as evidence without further proof".) Referral to a recording after the Minutes have been signed will not be admissible for debate

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5. The proceedings of exempt or confidential agenda items can be recorded and will be retained securely by the Proper Officer, until the signed approval of the Minutes. Access to recordings or parts thereof shall only be restricted if the Proper Officer considers that it is necessary because all or part of the content of the audio recording 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 provisions relating to confidential or exempt information. If the Proper Officer has decided to take such action, she/he must notify all elected Members in writing as soon as possible of her decision and the reasons for it. It is anticipated that the need to exercise the power set out above will occur only on an exceptional basis.
6. Any elected Member who is concerned about any audio recording should raise their concerns with the Council's Proper Officer or in her/his absence the Assistant to the Proper Officer.

### **Agenda Detail and Signage at Meetings**

On the front of each agenda and on signs to be displayed inside and outside the Council Chamber there will be the following notice: -

#### **AUDIO RECORDING NOTICE**

Please note: this meeting may be recorded - at the start of the meeting the Chairman will confirm if all or part of the meeting is being recorded. You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this recording will be retained until the Minutes have been signed by the relevant Chairman as a true record.

### **Conduct of Meetings**

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, and that the Chairman may also terminate or suspend the recording of the meeting, in accordance with this protocol. This will be confirmed by the Chairman making the following statement or one to like effect:- "I would like to remind everyone present that this meeting will be recorded.