

Nash Parish Council (NPC)

Public Participation via Remote Video and Recording at Parish Council Meetings

Public Participation via Remote Video

The right to record, film and to broadcast meetings of the parish meeting is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

From 7 May 2021 local council meetings in England are legally obliged to take place in person rather than via remote video, however Nash Parish Council is committed to being open and transparent in the way it conducts its decision making and welcomes public participation or observation via remote video.

The rules that Nash Parish Council will apply are:

1. Video access to Nash Parish Council meetings will be via a video conferencing platform – the agenda will provide the access details for each meeting.
1. To join a parish council meeting remotely members of the public should follow the link provided on the agenda in advance of the meeting.
2. To participate, members of the public will need audio as a minimum and whilst video is preferred, it is optional.
3. Upon joining, members of the public will join the ‘waiting room’ where they should wait until the host opens the video feed to the public.
4. Members of the public, both those attending remotely and in person, will be invited to participate during the public participation agenda item and will not be able to participate at any other time.
5. When not in the public participation session, members of the public will have their video and microphones switched off by the host. As a result members of the public will be able to see and hear the meeting but not participate.
6. Video Chat will not be acknowledged.
7. Members of the public may leave the remote meeting at any time.
8. Public Participation Session:
 - 9.1 The Chair will introduce public participation, explain the standing orders restrict that session to ten minutes unless the Parish Council decides otherwise and that decisions cannot be made at the meeting on items not on the agenda. The Chair will then invite any members of the public wishing to speak to raise their hands.
 - 9.2 Members of the public attending the meeting in person will be asked first and any items raised will be dealt with.
 - 9.3 Following that, members of the public attending the meeting remotely will be asked.
 - 9.3.1 The Clerk will note down those wishing to speak (using the name/id shown by the person’s screen).
 - 9.3.2 The Clerk will inform the Chair in turn who is next to participate.
 - 9.3.3 Once at the end of the list, the Chair will check if any other members of the public were wishing to speak.
 - 9.3.4 The Chair, or an officer and other councillor if invited to do so, will respond where relevant to the member of public.

Nash Parish Council (NPC)

- 9.3.5 The public statement and any response will be recorded for the minutes in the usual manner.
 - 9.3.6 If a member of public does not have video feed, when the Chair is asking who would like to participate, the member of public should unmute themselves and state their name and that they wish to speak. They will be noted down in the list by the Clerk and they will be invited to participate at the relevant stage by the Chair.
9. If parts of the agenda are confidential and a resolution is expected to be passed to exclude the press and the public, these items will be placed at the end of the agenda. The video conference meeting will be closed before the confidential item begins and a new closed meeting will commence. A separate meeting invitation will be sent only to Councillors and Council staff required to attend, with a different meeting ID and password that is not shared with the public. A note will be included on the agenda to explain this.

Recording at Parish Council Meetings

The right to record, film and to broadcast meetings of the parish meeting is established under the Openness of Local Government Regulations 2014. This is in addition to the rights of the press and public to attend such meetings.

Nash Parish Council is committed to being open and transparent in the way it conducts its decision making. For the purpose of this policy the term “record” means any form of audio, visual or electronic recording. Those who attend a public meeting should expect to be filmed. This includes councillors, and council officers-

The rules that Nash Parish Council will apply are:

1. The parish council will display any requirements as to filming, recording, and broadcasting at its meetings via the agenda and on its website and those undertaking these activities will be deemed to have accepted them whether they have read them or not.
2. A copy of these rules will be provided to members of the public in attendance at a meeting of the parish council. The Chair may also verbally remind the meeting and all present of the freedom to record but that these rules are in place to enable any type of recording to take place with minimal disruption to the council meeting.

Nash Parish Council (NPC)

3. Any person wishing to record a meeting in any format whatsoever is encouraged to contact the Clerk prior to the start of the meeting. The Clerk's details are set out on website and the agenda of the meeting. Discussing requirements with the clerk beforehand will help to ensure that the council provides reasonable facilities to meet the needs of the person that is recording.
4. The person making the recording may move around, however in doing so he/she must ensure that there is minimal or no disruption to the proceedings of the meeting.
5. A person or persons recording the meeting are reminded that the "Public Participation" period may not be part of the formal meeting and therefore the recording and broadcasting of this session is forbidden.
6. Where the press and public are excluded from a meeting or part of a meeting owing to the confidential nature of the business to be transacted, recording of that meeting or that part of the meeting will not be permitted.
7. The specific filming of children or young people under the age of 18 who are present cannot take place unless their parents/guardians have given their written consent. This provision also applies to vulnerable adults whereby the consent of a responsible adult is required, i.e. a medical professional, caregiver, parent, or legal guardian. Where the permission is given, filming may take place.
8. The council requests and requires that all recording is overt (i.e. clearly visible to anyone at the meeting).
9. The council requests and requires that all recordings are made available to the council following the meeting in which recording took place.
10. The use of digital and social media recording tools, for example Twitter, blogging or audio recording are allowed only if this type of recording is carried out in a non-disruptive way and only to the extent that it does not interfere with the ability of any person present to follow the debate.
11. A person or persons making a recording has no right to interrupt a parish meeting by asking questions or making comments for the purpose of the recording. The person recording has no right to ask councillors, officers or any members of the public who have been given permission to contribute orally to the meeting to repeat a statement for the purposes of the recording.
12. The chair of the meeting has absolute discretion to stop or suspend recording if, in her/his reasonable opinion, continuing to do so would prejudice proceedings at the meeting or if the person recording is in breach of these rules.
13. Persons who are recording are requested not to leave their equipment unattended and are responsible for their equipment at all times.

Nash Parish Council (NPC)

14. The recording and reporting on meetings of the parish council, is subject to the law and it is the responsibility of those doing the recording and reporting to ensure compliance. This will include the Human Rights Act, the Data Protection Act and the laws of libel and defamation. The council expects that the recording will not be edited in a way that could lead to misinterpretation or misrepresentation of the proceedings or infringement of the parish council's values or in a way that ridicules or shows a lack of respect for those in the recording. The parish council would expect any recording in breach of these rules to be removed from public view. The parish council will have no liability for material published by any other person unless it is itself undertaking the publication through its offices.
15. For the benefit for those who wish to record - where the recording device being used involves equipment which is larger than a smart phone, tablet, or compact camera or if the person recording has other special requirements he/she is requested to please contact the clerk prior to the meeting so that reasonable arrangements can be made.
16. The use of lighting for filming/flash photography will usually be allowed if it does not adversely impact on the ability of others present to view the meeting, or for reasons of health, whereby the council may require that such lighting is not used or is reduced to a level which does not adversely affect other people. The lighting should not cause any other form of disruption.
17. The parish council may itself photograph, film, record or broadcast meetings and can retain, use or dispose of such material in accordance with its retention and disposal policies. If the council proposes to record its own meetings it will be bound by this policy.
18. Where the parish council proposes to record all its own meetings, it will resolve how long such recordings will be kept and how members of the public may obtain copies. The parish council will include the availability of such recordings.
19. The parish council is not liable for the actions of any person making a recording at a council meeting which identifies a member of the public or for any publication of that recording.
20. The minutes of a council meeting remain the statutory and legally binding formal record of council decisions.