

MARWOOD PARISH COUNCIL

Media Policy and procedure

2015 - 2016

1. Scope

Marwood Parish Council's relationship with its community is vital to its work and to the decisions it takes. Encouraging dialogue is an important requirement for influencing and developing services, identifying needs and measuring satisfaction. Disseminating effective information, through news and media relations is an essential part of that dialogue.

This policy does not set out to be comprehensive, but is to guide Parish Council Members, employees and contractors in their relations with the news media.

The term 'media' encompasses many different means of communicating information to a wide audience and, whilst not exhaustive, includes the following: newspapers, radio, internet, television, magazines, leaflets, posters and promotional material.

2. Policy

The Parish Council is a 'body corporate'. The 'view' of the Parish Council can only be expressed with specific reference to a prior resolution of the Parish Council.

Members and officers of the Parish Council may comment to the press and other media based on the resolved view of the Parish Council and on the operation of established (and agreed) procedure.

Individual members may act independently and hold personal views; it is legitimate for these to be independently expressed. There should always be a distinction drawn between the views of the individual and the views of the organisation.

Members have an obligation to respect Council policy once made; while it may be valid for a Councillor to make clear that he or she disagreed with a policy and voted against it (if this took place in an open session), he or she should not seek to undermine that decision through the news media.

3. Procedure

Media enquiries will be coordinated through the office. If a Councillor receives an approach or enquiry from the media about any matter relating to the Parish Council this must be referred as speedily as practicable to the Clerk, who will keep a record of this. It is entirely appropriate for all Councillors to reiterate the Parish Council's established position in response to any such enquiry. Where this is a matter where no Council Policy has yet been made the matter should be considered by the full Council at the next scheduled meeting or, if of sufficient importance, at an extraordinary meeting; **before** a formal reply is given.

The Council will make every effort to respond promptly to requests for information. However, enquiries or requests for statements of opinion or

policy, which go beyond factual and procedural matters, will only be responded to by the Clerk after consultation with the Chairman if an appropriate Council Policy exists, or after discussion with the full Council, if a Policy or position needs to be agreed.

No information of a confidential nature will be disclosed.

No matter relating to the conduct or capability of a Councillor at a Meeting will be disclosed, unless mandated by the full Council.

Nothing is contained in these guidelines that seeks to prevent any individual from expressing a personal opinion, for example by writing to a newspaper or posting an item on the internet.

Where personal views expressed differ from Council policy this must be made clear. Care must be taken not to misrepresent or bring the Parish Council into disrepute or undermine any decision made and must take account of the role and responsibilities under the Local Government Code of Conduct.

When in attendance at any public meeting as a representative of the Parish Council an individual is required to act with integrity at all times and ensure that any comments made are entirely accurate and reflect the views of the Parish Council as a whole or, if not, that this is made known.

4. Recording of Meetings

Members of the public and press are able to film, tweet and blog meetings. Recording¹ the proceedings of the Parish Council and its committees is allowed subject only to:

- Compliance with the requirements of *Public Bodies (Admission to Meetings) Act 1960(2)*, as amended by *The Openness of Local Government Bodies Regulations 2014*;
- Deference to the Chair of the meeting regarding procedure and conduct at the meeting.

Whilst a person cannot provide a verbal running commentary at the meeting he or she can provide a commentary after the meeting but will need to be mindful about this not giving rise to a libel claim.

Whilst the regulations allow filming, there is an expectation that any reporting will focus on the proceedings of the meeting and those who participate in it (probably councillors, members of the public who are permitted to speak during the meeting, the clerk and those invited by councillors to speak at a meeting and officers) rather than those simply attending.

¹ Including, but not limited to, photography, filming, videoing and audio recording. Nothing herein should be read to preclude written or typed notes.

Those recording the meeting must respect the rights of others observing the meeting and, in particular, should avoid filming, photographing or recording:

- anyone (other than a Member or Officer) who objects to the same;
- children and vulnerable adults.

Whilst those who attend public meetings should acknowledge they are in a public place subject to these provisions, filming, recording, photographing or other reporting of children and the vulnerable should only take place with the consent of a responsible adult, which in the case of a vulnerable adult is a medical professional, their carer or legal guardian, and in the case of a child, their parent, legal guardian or teacher.

A notice will be displayed prominently whenever the Parish Council or one of its committees meets referring to the right to record the proceedings and the right for those not participating to not be recorded.

The following paragraph is added to all agendas to reinforce these points:

Under the Openness of Local Government Bodies Regulations 2014, recording of the meeting by any person is permitted. Those filming or otherwise recording the meeting should respect the rights of other members of the public attending and should not disrupt the meeting.

At the start of each meeting the Chair will remind those wishing to film, record, photograph or otherwise report on the proceedings of a meeting about the restrictions which apply in respect of a vulnerable adult or child.

The Chair will also remind everyone in attendance and who will be participating that subject to the fact that a verbal commentary cannot be made at the meeting and that subject to the above regarding vulnerable adults and children, they may be filmed recorded photographed or otherwise reported about.

Where possible, the council will designate a separate area in the meeting venue to accommodate members of the public who are present at the meeting and do not wish to participate in the meeting but who object to being filmed etc. and children and vulnerable adults where the relevant responsible adult has not given consent for them to be filmed, recorded, photographed or otherwise reported about. The Chair will remind those who wish to film to avoid those who are sitting in this area. Even where individuals are sitting in these areas, they should be reminded that those recording meetings may wish to record the entirety of the meeting through panning or panoramic shots which could inevitably include members of the public sitting in the designated area.

Where a meeting includes a public participation section, either the public question time or through the discretionary opportunity to participate at the Chair's discretion, then subject to the fact that a verbal commentary cannot be made at the meeting and subject to the above regarding vulnerable adults and children, a person is free to film, record, photograph or otherwise report about individuals participating in such a session whether they are sitting in a designated area or not. Therefore if someone sitting in the designated area identified as not to be recorded starts to participate in the meeting they can be recorded.

Standing Orders enable Chairs to control behaviour or activities arising from a person's recording of the meeting if this disrupts the meeting or obstructs the transaction of the business.

Persons filming meetings etc. are likely to record personal data of individuals. These persons must take care to ensure that personal data is used in accordance with the Data Protection Act 1998.

Following the passing of an exclusion resolution under the provisions of the *Public Bodies (Admission to Meetings) Act 1960(2)* all those who are not Members or Officers of the council, or otherwise co-opted to membership must leave the meeting and all recording by the press and public must cease. Recording equipment belonging to the press and public may not be left to run unattended during any part of the meeting from which they are excluded.

Standing Orders may not otherwise undermine or restrict a person's statutory rights to film, record, photograph or otherwise report on the proceedings of a meeting.