

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Constitution Review Working Party

24 March 2011

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AMENDMENTS TO STANDING ORDER 21.4: RECORDING OF BUSINESS

Purpose

1. To consider whether or not it is necessary to amend Standing Order 21.4 to allow the public to record meetings.
2. This is not a key decision.

Recommendations

3. That the Constitution Review Working Party not make any recommendations to Council at this time, but that the views of members and relevant officers be sought to inform a Council protocol on recording of meetings, including use of social media by members and officers during meetings, for consideration by Cabinet. If appropriate, this protocol could form part of, or be cross-referenced to, the Council's emerging social media policy.

Reasons for Recommendations

4. Standing Order 21.4 already allows each individual body of the Council to pass a specific resolution at the start of each meeting allowing or prohibiting recording of all or any of its business. This could be made a standing agenda item on all agendas; however, there is a risk that members of the public attending a meeting would not know until the meeting had already begun whether or not they would be permitted to record all or part of it.

Background

5. On 23 February 2011 all Council Leaders and Monitoring Officers received a letter from Bob Neill, Parliamentary Under-Secretary of State, Communities and Local Government, regarding public access to meetings, specifically "giving citizens the opportunity to access and experience their local democracy using modern communication methods" (**Appendix A**). This letter makes recommendations, but not requirements, that Councils allow access to 'Citizen Journalists' and the mainstream media to record meetings, through traditional or digital media, including social media.
6. Currently, Standing Order 21.4, Recording of Business, states: "Unless specifically authorised by resolution, no audio and / or visual or photographic recording in any format is allowed at any meeting of the Council, the Executive, or any committee or sub-committee of the Council or the Executive."

Considerations

7. Cambridge City Council is one authority which has already removed the equivalent standing order prohibiting the recording of business, replacing it with a filming protocol (**Appendices B and C**, showing revisions which were adopted unanimously by the City Council's Civic Affairs Committee on 2 February 2011, subject to an annual review). Also attached at **Appendix D** is a report to the City Council by the Independent Complaints Investigator, raising a number of issues about privacy and the scope of the filming protocol.
8. Other authorities, including Cambridgeshire County Council, have found unauthorised recordings of Council meetings appearing on YouTube and elsewhere, demonstrating that it can be difficult to prevent filming of meetings even when the Council has a prohibition against filming. A filming protocol does not address the wider issues of members of the public, or indeed members and officers of the Council, accessing social media sites to update their followers on the progress of a meeting.
9. A protocol on the recording of meetings, including the use of social media by members and officers, would fall within the responsibilities of the Cabinet rather than the Constitution Review Working Party: "To approve policies, strategies or plans which would not impact upon the Council's finance and policy framework but would nevertheless have implications across portfolios and a substantial impact within an operational service, directly affecting the service received by the public." (SCDC Constitution, Part 3, Table 2B: 20)

Options

10. To amend or remove Standing Order 21.4 to enable unrestricted public access to record business at meetings, without any other protocols in place.

Implications

11. The most significant implication is how to manage the risk that public recordings of Council meetings could be edited out-of-context before being uploaded to the internet. The Council does not have the facility to webcast its meetings, but it does already have a digital camera which can be used to record meetings, the videos of which could be uploaded to the Council's website or YouTube channel to provide an accurate record of the meeting.

12. Financial	None directly relating to amendments of Standing Order 21.4.
Legal	Amendments to or removal of Standing Order 21.4, or suspension of this Standing Order during a meeting, could expose members of the public and officers to being filmed without their consent.
Staffing	None directly relating to amendments of Standing Order 21.4.
Risk Management	As described above.
Equality and Diversity	None directly relating to amendments of Standing Order 21.4.
Equality Impact Assessment completed	No. Amendment or removal of Standing Order 21.4 is an administrative matter. An EQIA would be more appropriate for a filming protocol.

Climate Change	Allowing the recording of meetings creates the opportunity for residents, officers and members to obtain from places outside the Council offices information about the business conducted at the meeting, reducing the need to travel to the meeting.
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Consultations

13. No direct consultation has been undertaken, but the filming protocols of Cambridge and Oxford City Councils have been reviewed, as has Epping Forest District Council's guidance to members of the public attending meetings likely to be filmed.

Effect on Strategic Aims

14. Being a listening council, listening to and engaging with our local community, making South Cambridgeshire more open and accessible: allowing the recording of meetings will improve engagement opportunities and is directly related to openness and accessibility.

Conclusions / Summary

15. The Council can demonstrate its commitment to openness and transparency through allowing public, member and officer access to recording of meetings, including use of social media during meetings; however, amendment or removal of Standing Order 21.4 is not in itself sufficient to address some of the situations which have arisen at other authorities, therefore it is recommended that Standing Order 21.4 not be changed at this time and that the Constitution Review Working Party ask Cabinet to agree a policy on the recording of meetings. In the meantime, all Council bodies are able to pass a specific resolution at the start of their meetings to suspend Standing Order 21.4 to allow the recording of all or any business, and this would be the approach adopted on a meeting-by-meeting basis until such time as a policy can be agreed and implemented.

Background Papers: the following background papers were used in the preparation of this report:

Access to Meetings: letter dated 23 February 2011 to all Council Leaders and Monitoring Officers from Bob Neill, MP, Parliamentary Under Secretary of State, Communities and Local Government
 SCDC Constitution Part 4: Council Standing Orders

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