

P-05-903 Filming and Recording of Council Meetings

Y Pwyllgor Deisebau | Hydref 2019
Petitions Committee | October 2019

Reference: PS19/10336

Petition Number: P-05-903

Petition title: Filming and Recording of Council Meetings

Text of petition: We call upon the National Assembly for Wales to urge the Welsh Government to place a statutory requirement on all local authorities in Wales to record, broadcast or livestream all Council meetings which are open to the public, via their existing websites to ensure openness and transparency. This requirement should allow members of the public, as responsible observers, to record or film such meetings without the need for prior permission and to re-use the material freely to provide a direct and wider line of communication to the electorate.

1. Background

There is currently no statutory requirement on local authorities in Wales to broadcast council meetings on their websites. However, a number of authorities in Wales do provide webcasting facilities for most if not all of their council meetings. Welsh Government Ministers have over the years encouraged councils to broadcast some or all of their meetings, to ensure proceedings are accessible to the public. In 2013, the Welsh Government provided some funding for local



authorities to assist with the associated costs for equipment and maintaining the service.

In 2014, the Welsh Local Government Association (WLGA) published [guidance for council members on webcasting](#).

The Welsh Government published a revised [Code of Recommended Practice](#) on Local Authority Publicity in Wales in August 2014. A section on Filming and broadcasting of council meetings notes that ‘society’ expects greater access to the decision-making process of its elected bodies. It continues by noting that:

Local authorities are encouraged to make arrangements for their proceedings to be made more accessible to the public by allowing them to be broadcast. This might be achieved through the authority itself carrying a live stream or recordings on the councils website or through some other internet-based medium.

In 2017, the then Cabinet Secretary for Local Government, Mark Drakeford AM, published a [White Paper – Reforming Local Government: Resilient and Renewed](#). The Cabinet Secretary proposed to make broadcasting of council meetings a ‘statutory requirement’ (Para.5.2.5). However, the proposals within the White Paper did not progress further.

Filming, photographing and audio recording by members of the public

There is currently no statutory obligation on local authorities in Wales to allow members of the public (or media organisations) to film, photograph or take audio recordings in council meetings.

The [Local Audit and Accountability Act 2014](#) makes provision that allows the Secretary of State to make regulations to oblige councils **in England** to allow the filming, photographing or recording by individuals in council meetings. However, Regulations have yet to be passed in England. Allowing filming at council meetings in England by the public is therefore at the discretion of the council itself.

Similarly, there is currently no statutory obligation on local authorities in Scotland or Northern Ireland to allow members of the public to record within council sessions.

Title:

The Welsh Government in its Recommended Code of Practice on Local Authority Publicity for Wales encourages local authorities to permit filming or recording of council meetings by the public. The Recommended Code notes:

- 54. There have been well-publicised cases of members of the public recording and broadcasting the proceedings of council meetings and the Welsh Government would **urge local authorities to look favourably on this**, provided those attending the meeting are aware this is taking place and other members of the public are not distracted or disturbed unduly by the process.
- 55. Clearly, these facilities should not be available at such time as an authority or one of its committees is discussing confidential or exempt business as defined by Schedule 12A to the Local Government Act 1972.

Some authorities in Wales have followed these recommendations, with policies in place regarding members of the public filming at a council meeting. A section of Cardiff Council's constitution for example (Part 5 – Codes and Protocols), sets out the council's policy on filming and webcasting. The policy notes that the information relating to filming of meetings are included in the Agenda Packs for meetings, and if it is being broadcast, will include the following information:

WEBCASTING

This meeting will be filmed for live and/or subsequent broadcast on the Council's website. The whole of the meeting will be filmed, except where there are confidential or exempt items, and the footage will be on the website for 6 months. A copy of it will also be retained in accordance with the Council's data retention policy.

[Members of the public may also film or record this meeting]

If you make a representation to the meeting you will be deemed to have consented to being filmed. By entering the body of the Chamber you are also 22 March 2018 consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If you do not wish to have your image captured you should sit in the public gallery area.

Similarly, Monmouthshire County Council states within its constitution that ‘filming and use of social media is permitted during meetings so long as there is no disturbance to the conduct of the meeting’.

2. Welsh Government action

The First Minister, in his legislative statement in [Plenary on 16 July 2019](#), stated that the Welsh Government will be introducing a Local Government and Elections (Wales) Bill in the Autumn. The legislation, according to the First Minister, will “strengthen local authority democracy, accountability and performance”. It is not yet known what provisions will be included in the Bill. Stakeholders will have the opportunity to participate in the consultation on the Bill after its introduction.

Every effort is made to ensure that the information contained in this briefing is correct at the time of publication. Readers should be aware that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.