

## **PART 5 – CODES AND PROTOCOLS**

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### **PROTOCOL FOR WEBCASTING OF COUNCIL AND OTHER COMMITTEE MEETINGS**

#### **1. Introduction**

1.1 The Council has agreed that all full Council meetings and certain Committee meetings will be transmitted live on the Council's website (webcasting). The Council has fixed cameras located within the Council Chambers at City and County Hall and Committee Room 4 at County Hall for this purpose.

1.2 The main purpose of webcasting is to aid transparency, governance and accountability by giving members of the public, elected Members, officers and other interested parties the opportunity to view meetings without having to attend in person and for the Council to have an official audio and visual record of its decision-making process.

1.3 The Local Government and Elections (Wales) Act 2021, section 46, introduces, with effect from 5<sup>th</sup> May 2022, a statutory requirement for full Council meetings to be live broadcast so that members of the public not in attendance at the meeting can see and hear the proceedings.

1.4 Webcasting does not replace the formal record of the meeting and the decisions taken, which are published on the Council website in the form of minutes and retained in hard copy in accordance with the Council's retention policy.

1.5 This protocol governs the conduct of Council and Committee meetings which are the subject of webcasting and aims to ensure that the Council is compliant with its obligations under the Data Protection Act 2018 and the Human Rights Act 1998.

1.6 Accordingly the following principles will apply to all meetings which are to be webcast by the Council:

#### **2. Notification of Webcasting**

##### **2.1 Agenda Packs**

Included with each Council and Committee agenda notification the following notice will be attached for meetings that are being webcast:

#### **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 press and 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 or meeting room you are also consenting to being filmed and to the possible use of those images and sound recordings for webcasting, public information, press coverage and/or training purposes.**

**If you have any queries or concerns regarding webcasting of meetings, please contact Democratic Services on 02920 872020 or email [Democratic Services](#)**

## **2.2 Public Speakers**

In any correspondence notifying public speakers of the meeting date at which permission to speak has been granted, the following advice will be included if the particular meeting is to be webcast:

Please note that this meeting will be filmed for live and/or subsequent broadcast on the Council's website. If you do not wish your public question/statement and subsequent discussion to be filmed/recorded, please contact the Committee Services Team to discuss your concerns.

To comply with the Data Protection Act 2018, we require the consent of parents or guardians before filming children or young people.

## **2.3 Signage at meetings**

The following signage will be displayed inside and outside of the meeting room:

### **WEBCASTING**

**PLEASE NOTE THAT CARDIFF COUNCIL WILL BROADCAST THIS MEETING LIVE ON ITS WEBSITE AND THE RECORD WILL BE ARCHIVED FOR FUTURE VIEWING**

**[MEMBERS OF THE PRESS AND PUBLIC MAY ALSO FILM OR RECORD THIS MEETING]**

**AS YOUR IMAGE MAY BE INCLUDED IN THE BROADCAST, BY ENTERING THE MEETING ROOM YOU ARE CONSENTING TO BE FILMED AND TO THE POSSIBLE USE OF THOSE IMAGES AND ANY SOUND RECORDINGS**

## **2.4 Concerns about being filmed**

During webcast meetings, in-person attendees may inadvertently have their image captured on the webcast. Any person who does not wish to be filmed/recorded should contact Democratic Services at least 24 hours in advance of the meeting to discuss alternative arrangements to view the meeting, for example, from the public

gallery in City Hall or viewing a live feed or webcast of the meeting from another location outside of the meeting room.

### **3. Conduct of Meetings**

3.1 At the start of each meeting to be filmed, an announcement will be made to the effect that the meeting is being webcast.

3.2 The Chairperson of the meeting shall have the discretion to terminate or suspend the webcast if:

- (i) The meeting is suspended;
- (ii) A resolution is lawfully passed to exclude the press and public from the meeting;
- (iii) There is a public disturbance;
- (iv) Webcasting may lead to a potential infringement of the rights of any person or other breach of law, subject to legal advice; or
- (v) The Chair considers that continuing to webcast would prejudice the proceedings of the meeting, subject to agreement by the majority of Members attending the meeting.

3.3 No exempt or confidential agenda items shall be webcast. The Democratic Services Officer for the meeting will ensure that webcasting of the meeting has ceased and will confirm this to the Chairperson of the meeting before any discussion of exempt or confidential matters is commenced.

3.4 All archived webcasts will be available to view on the Council's website for a period of twelve months and thereafter will be stored in accordance with the Council's records management procedures.

3.5 Archived webcasts or parts of webcasts shall only be removed from the Council's website if the Monitoring Officer considers that it is necessary because all or part of the content of the webcast 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 Monitoring Officer has decided to take such action she must notify all Elected Members in writing as soon as possible of the decision and the reasons for such a decision. It is anticipated, however, that meetings will be conducted lawfully and that the need to exercise this power will occur only on an exceptional basis.

3.6 The actual webcasts and archived material, and copyright therein, remain the property of the Council, and the right to copy, issue, rent, perform, communicate or adapt any of the webcast or archived material is restricted as follows:

- (i) Subject to (ii) and (iii) below, any person may copy and use webcast material or part thereof provided that the facility is not used in a way that otherwise breaks the law and that the whole agenda item is displayed.

- (ii) The use of any webcast involving the alteration or editing of the material which results in changing the message or context is not permitted without the prior written approval of the Monitoring Officer.
- (iii) The use of webcast for commercial purposes involving re-use of the material is not permitted, unless the prior written approval of the Monitoring Officer is obtained.

3.7 Any Elected Member who is concerned about any webcast should raise their concerns with the Monitoring Officer.

3.8 If a technical fault develops, the Chair may agree a short adjournment to see if the problem can be resolved. If after adjourning the problem still persists, the meeting should continue irrespective of it not being transmitted live.

#### **4. Prohibition on Political Publicity**

Please note that the Council is prohibited from producing political publicity. This is defined as any material which in whole or in part, appears to be designed to affect political support for a political party. This duty is more acute during pre-election periods, which run from publication of the notice of election to the election. While politics can be a normal part of Council meetings, proceedings which are inherently political may have to be removed from any broadcast to avoid breaching the rules on political publicity. During pre-election periods there may be a short delay in broadcasting to ensure that any political publicity is not inadvertently published.

#### **5. Other Filming and Recording of meetings**

5.1 This protocol does not affect existing provisions in the Council's Constitution regarding the recording of meetings.

5.2 Members of the press and public are permitted to film or record Councillors and officers at any Council meetings that are open to the public and press, subject to compliance with the Council's Access to Information Procedure Rules, Rule 4A..

5.3 The Council also permits photography and social media reporting of all its public meetings.

#### **6. Amendment of this Protocol**

The Director of Governance and Legal Services shall be authorised to make any minor amendments to this Protocol to ensure it is kept up to date and fit for purpose.