

Title of Report:	Audio Recording of Council and Committee Meetings
Committee Report Submitted To:	Corporate Policy and Resources Committee
Date of Meeting:	25th May 2021
For Decision or For Information	For Decision

Linkage to Council Strategy (2021-25)	
Strategic Theme	All themes
Outcome	All outcomes
Lead Officer	Director of Corporate Services

Budgetary Considerations	
Cost of Proposal	
Included in Current Year Estimates	
Capital/Revenue	
Code	
Staffing Costs	

Screening Requirements	Required for new or revised Policies, Plans, Strategies or Service Delivery Proposals.		
Section 75 Screening	Screening Completed:	No	Date: To be completed
	EQIA Required and Completed:	No	Date:
Rural Needs Assessment (RNA)	Screening Completed	No	Date:
	RNA Required and Completed:	No	Date:
Data Protection Impact Assessment (DPIA)	Screening Completed:	No	Date: To be completed
	DPIA Required and Completed:	No	Date: To be completed

1.0 Purpose of report

- 1.1 The purpose of this report is to provide Members with draft Guidance for the management of audio recordings, including 'in committee' sessions, of Council and Standing Committees, excluding the Planning Committee.

2.0 Background

In accordance with the resolution of Council, guidance has been drafted which applies to all full Council and Standing Committee meetings (including special meetings and excluding the Planning Committee) held in the Council Chamber or remotely. A copy of the draft Guidance is attached at Appendix 1.

- 2.1 As noted in the draft Guidance at 4.2, in February 2021 Council resolved to *'continue to record proceedings of the Council when Council goes into committee. These recordings should not be publicly available but held by Council for future reference. Many times we have required clarification from a meeting which had gone into committee and not had the information available and many times we have seen call-ins come back to say that the audio was not available and so limited consideration could be given or information on a member's or officer's contributions cannot be sought as the audio recording has stopped. In order to ensure good governance and ease of reference the audio recording should continue, in a manner most suitable, to be held privately by the Council as a record of the meeting.'*
- The motion was amended to include *'the audio recording including in committee sessions of all committee meetings with the exception of the Planning Committee.'*

3.0 Legal Considerations

- 3.1 The legislative basis is provided for in the NI Local Government Act 2014 Part 8 and which is laid out in the draft Guidance at 5. Members are asked to pay particular attention to the categories of exempt information which are normally debated in committee and which Council has resolved to audio record.
- 3.2 Those attending meetings of Council and Committee to address Council in public or in committee session will be advised of Council's policy in relation to audio recording and asked to give consent to being recorded.

- 3.3 Council resolved to exclude the Planning Committee from its decision to audio record meetings of Council and Committee. Members are invited to consider the rationale for this exclusion in terms of legal, equality and consistency considerations.

4.0 Financial Considerations

- 4.1 Depending on the method of recording (i.e either in the Chamber or by remote means) there will be additional costs associated with the system used. For example, in the use of digital storage devices and in staff time.

5.0 Governance arrangements and procedure

- 5.1 The procedures for the management of the audio recordings and associated secure storage and access particularly in relation to confidential recordings are laid out in the draft Guidance at 6. Members are asked to consider the procedures and arrangements detailed in the document.

6.0 Recommendation

- 6.1 It is recommended that Council approves the draft Guidance for the management of audio recordings, including 'in committee' sessions, of Council and Standing Committees, excluding the Planning Committee.

1. Statement

- 1.1 These guidelines provide for the transparent management of the audio recordings, including 'in committee' sessions of Council and Standing Committees, excluding the Planning Committee.

2. Definitions

- 2.1 An 'audio recording' or 'recording' for the purpose of these guidelines refers to a digital audio file.
- 2.2 The 'Council' means Causeway Coast and Glens Borough Council.
- 2.3 'Author' means the author of a report to Council who is currently employed by Council.
- 2.4 'Meetings' means the Council meeting, Standing Committees, excluding Planning Committee meeting and Special Meetings.

3. Objective

- 3.1 The objective of these guidelines is to enable greater transparency, accountability and efficiency in relation to meetings of Council.
- 3.2 Audio recording of meetings is another tool which can facilitate community access and involvement in Council meetings and enable greater public awareness of the decision making processes.
- 3.3 Audio recording of meetings can be used to assist in the preparation of complete and accurate minutes, authorised investigations and decisions called in.

4. Scope

- 4.1 In accordance with the resolution of Council, this policy applies to all full Council and Standing Committee meetings (including special meetings and excluding the Planning Committee) held in the Council Chamber or remotely.

4.2 In February 2021 Council resolved to *'continue to record proceedings of the Council when Council goes into committee. These recordings should not be publicly available but held by Council for future reference. Many times we have required clarification from a meeting which had gone into committee and not had the information available and many times we have seen call-ins come back to say that the audio was not available and so limited consideration could be given or information on a member's or officer's contributions cannot be sought as the audio recording has stopped. In order to ensure good governance and ease of reference the audio recording should continue, in a manner most suitable, to be held privately by the Council as a record of the meeting.'* The motion was amended to include *'the audio recording including in committee sessions of all committee meetings with the exception of the Planning Committee.'*

4.3 This policy does not apply to any other meetings of Council.

5. Legislation

5.1 In accordance with the Local Government Act (Northern Ireland) 2014 Part 8 Section 47 (1) *'so far as is reasonably practicable a Council must make an audio recording of so much of any meeting of the council as is open to the public and the recording must be available to the public at the offices of the council until the expiration of the period of six years from the date of the meeting and published on the council website until the expiration of the period of two years from the date of the meeting.'* Section 47 (2) states *'This section does not apply in relation to meetings of any committees or sub-committees of the Council.'*

Exempt information and power to vary Schedule 6

51.—(1) The descriptions of information which are, for the purposes of this Part, exempt information are those specified in Part 1 of Schedule 6, but subject to any qualifications contained in Part 2 of that Schedule; and Part 3 has effect for the interpretation of Parts 1 to 3 of that Schedule.

(2) The Department may by order vary Schedule 6 by adding to it any description or other provision or by deleting from it or varying any description or other provision for the time being specified or contained in it.

(3) The Department may exercise the power conferred by subsection (2) by amending any Part of Schedule 6, with or without amendment of any other Part.

SCHEDULE 6 ACCESS TO INFORMATION: EXEMPT INFORMATION

DRAFT Council and Committee Meetings Audio Recording Guidelines V1.0

Author: Democratic and Central Services Manager

Date: April 2021

PART 1 DESCRIPTIONS OF EXEMPT INFORMATION

- 1. Information relating to any individual.*
- 2. Information which is likely to reveal the identity of an individual.*
- 3. Information relating to the financial or business affairs of any particular person (including the council holding that information).*
- 4. Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the council or a government department and employees of, or office holders under, the council.*
- 5. Information in relation to which a claim to legal professional privilege could be maintained in legal proceedings.*
- 6. Information which reveals that the council proposes—*
 - (a) to give under any statutory provision a notice by virtue of which requirements are imposed on a person; or*
 - (b) to make an order or direction under any statutory provision.*
- 7. Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.*

6. Procedure

- 6.1 To facilitate effective security and management of the audio recordings, the open and 'in committee' sessions of council and committee meetings will be separately recorded.
- 6.2 At the commencement of each open meeting of Council, the Mayor/Chair shall notify those present, including members of the public and press, that an audio recording of the open session of the meeting will be made.
- 6.3 At the commencement of each closed 'in committee' session of each meeting the Mayor/Chair shall notify those present that an audio recording of the closed 'in committee' session of the meeting will be made. Prior notification of the recording will be communicated to any external person(s) attending a closed 'in committee' session, for example, legal advisers.

- 6.4 A Council Officer (delegated by the Director of Corporate Services) will be responsible for the operation of the audio recording equipment including the commencement and termination of the recording or as directed by the Mayor/Chair.
- 6.5 In the event of technical failure the Mayor/Chair shall inform the meeting that an audio recording will not be made of the meeting or part of the meeting.
- 6.6 The audio file of the open session meeting of council and committee meetings will be made available on Council's website within 2 days of the meeting. Elected Members will be advised to access the audio recording of the open session via Council's website.
- 6.7 The audio recording of a meeting may be used by Democratic Services staff in the preparation of minutes.
- 6.8 The audio recording of a meeting does not supersede the written minutes therefore a direct transcript will not be prepared.
- 6.9 Other than for the purpose of preparing minutes any request to access the recording of a closed 'in committee' session of Council must be provided in writing to Committee and Member Services Officers detailing the basis for the request. Requests will be authorised by the Director of Corporate Services or her delegate.
- 6.10 Access to recordings of closed 'in committee' session of meetings may be granted for the following reasons:
- Where an Elected Member wishes to review a recording of a closed session of Council for which they were absent.

Access to a recording under 6.10 is not permitted where the absence from the meeting was due to a declaration of interest at that meeting or where absence due to a declaration of interest would have occurred at that meeting if the Elected Member was not absent for other reasons.
 - Where an Elected Member wishes to review a recording of a closed session of a meeting for which they were present.

- Where Council Officers are requested to provide information in relation to a request from an appropriate authority, for example, investigation of Code of Conduct complaints by the Northern Ireland Public Services Ombudsman or to legal advisers in respect of decisions called in.
 - The Director of Corporate Services may direct Democratic Services staff to access the recordings of closed session for any other purpose deemed necessary in the performance of their duties.
- 6.11 Access to a recording by the Director of Corporate Services or her delegate is not permitted where a recording is about a matter where the Director or her delegate was excluded from a closed session or was absent to a declared interest.
- 6.12 The Director of Corporate Services must ensure that arrangements are in place for Democratic Services Officers to record requests in a register of requests.
- 6.13 The register of requests must contain the following details; Name of the person requesting access to closed session recordings, position, reason for access, the recording/meeting date, item under discussion, name of authorising officer, date recording accessed, officers present when recording reviewed.
- 6.14 The recordings of closed 'in committee' sessions are to remain confidential and not be released to the public unless the Council resolves to do so.
- 6.15 Access to recordings of closed 'in committee' sessions of meetings by authorised persons will be either by appointment at Civic Headquarters or by means of secure electronic access.

7.0 Review

- 7.1 The Guidance will be kept under review by the Corporate Policy and Resources Committee.

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Council and Committee Meetings Audio Recording Guidelines

APPENDIX 1

DRAFT Council and Committee Meetings Audio Recording Guidelines V1.0

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