

PE1731/O

Orkney Islands Council submission of 28 October 2019

Calling on the Scottish Parliament to urge the Scottish Government to amend the Local Government (Scotland) Act 1973 to permit audio recording of all public council meetings by members of the public.

1. Council's policy on audio recording of public council meetings.

In Orkney we broadcast the audio of the following public meetings live over the internet and then place them on our website as part of a 'listen again' service.

- General Meetings of the Council.
- Policy and Resources Committee.
- Development and Infrastructure Committee.
- Education, Leisure and Housing Committee.
- Orkney Health and Care Committee.
- Monitoring and Audit Committee.
- Orkney's Integration Joint Board, together with its Audit Committee

The Council recently resolved to extend this to:

- Planning Committee.
- Local Review Body.

Orkney Islands Council does not broadcast the following meetings of the Council although these are public meetings.

- Community Development Fund Sub-committee
- Licensing Committee
- Asset Management Sub-committee
- Human Resources Sub-committee
- Investments Sub-committee
- College Management Council
- Police and Fire Sub-committee
- St Magnus Cathedral Sub-committee
- Pension Fund Sub-committee
- Harbour Authority Sub-committee

2. If your council does not permit audio recordings of public meetings, what is the rationale for this?

Orkney Islands Council's Standing Orders for the Regulation of Proceedings and Business of the Council states at Standing Order 148 that no form of photography, filming, recording or broadcasting of meetings (other than audio casting for the Council's purposes) shall take place unless express permission is given in advance by the chair at his /her discretion.

3. What are considered to be the concerns of allowing members of the public to audio record public council meetings?

Although the Council is fully supportive to holding as much business as possible in public to ensure transparency, there can be some items within a meeting which are Not for Publication by virtue of reason which falls under a paragraph within the Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973. In addition, we would be concerned about the sensitive information discussed at some of the public meetings being shared/used inappropriately, especially if it was concerning an individual. Further, there is the potential for members of the public using / editing the recordings inappropriately and publishing them out of context.

4. With regards to the actions being called for in the petition, are there any constraints faced by local authorities on what has been proposed?

The petition seeks to allow members of the public to record meetings, not to require councils to do so. If the change requested by the petition were to be implemented then there would be no cost to councils. The Council may incur costs however in addressing situations where the audio recording made by a member of the public has been used inappropriately.