
USE OF MOBILE COMMUNICATIONS DEVICES AT MEETINGS

To: **Council – 6 December 2012**

Main Portfolio Area: **Democratic Services**

By: **Democratic Services and Scrutiny Manager**

Classification: **Unrestricted**

Ward: **N/A**

Summary: To consider the use of mobile communications devices at meetings

For Decision

1.0 Introduction and Background

1.1 Following requests from two Members of Council, the desirability of having a policy for Councillors, officers and members of the public on the use of mobile communications devices at meetings was considered by the Constitutional Review Working Party at its meeting on 25 October 2012 and the Standards Committee on 7 November 2012.

2.0 The Current Situation

2.1 Currently, there is a notice in the public gallery of the council chamber, advising that the unauthorised recording or relaying of proceedings of meetings is strictly prohibited.

2.2 At the beginning of meetings, it is current practice for Chairmen to request everyone present to ensure that their mobile 'phones are turned to silent and that they are not used to make or receive 'phone calls whilst the meeting is in progress.

2.2 In order to determine the policies of neighbouring councils in relation to use of mobile 'phones and laptops at meetings, a telephone survey was carried out. The responses are summarised at Annex 1. It will be noted that in one case, it is currently expected that mobile 'phones are turned off by everyone present for the duration of the meeting; that in one case, recording of meetings is prohibited by members of the public, but not by committee attendees; and that in two of the cases where use of mobile phones is permitted, recording of proceedings is prohibited. It will also be noted that in all four cases there appears to no limitation on the use of laptops at meetings.

2.3 An online internet search was also carried out with a view to establishing what practices and policies apply to a wider range of councils. A sample of results, which is summarised at Annex 2, might help to inform Council. Owing to the nature of the online search, it has not been possible to sub-divide the results in a similar way to Annex 1. It will be noted that with the exception of Brighton & Hove, recording of proceedings is either not permitted or is permitted only with consent being obtained to do so; that Oxford and Salford encourage councillors to switch off their mobile devices during council meetings; and that Wyre, which allows use of social media by the press and public, disallows such use by members of a committee.

3.0 Consideration by Constitutional Review Working Party and Standards Committee

3.1 The Constitutional Review Working Party of the 24 October recommended to the Standards Committee that:

- i). Committee Members and accredited journalists must ensure that their mobile communications devices are set to silent mode during all public meetings:
- ii). recording of meeting proceedings by attendees is prohibited:
- iii). members of the public must switch off their mobile communications devices during all public meetings.

3.2 These recommendations were considered at length at the meeting of the Standards Committee of the 7 November who then agreed to recommend the following to Council:

- i). That Council Members, officers and accredited journalists must ensure that their mobile communications devices are switched off during all public meetings;
- ii). That audio or video recording and the taking of photographs at meetings by attendees is prohibited.
- iii). That members of the public must switch off their mobile communications devices during all public meetings.

3.3 Following consideration of the issue by the Constitutional Review Working Party and Standards Committee, officers are suggesting that Council should consider whether the position of the Council's Communications representative at public meetings should be treated differently from that of other Council officers. That is to say, if Council limits the use of mobile communications devices by officers generally during meetings, whether the Council's Communications representative should be exempt from such limitation.

4.0 Corporate Implications

4.1 Financial and VAT

4.1.1 There are no financial implications.

4.2 Legal

4.2.1 The council's constitution would need to be amended should a new / amended policy be agreed by Council.

4.2.2 The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 does not require "a decision-making body to permit the taking of any photographs of any proceedings or the use of any means to enable persons not present to see or hear any proceedings (whether at the time or later), or the making of any oral report on any proceedings as they take place" Reg 20(4).

4.3 Corporate

4.3.1 The Council strives to maintain openness and transparency in the conduct of public meetings. However, most local authorities set some boundaries on the use of modern mobile communications devices, in order that their use does not impede the effective running of meetings. Such boundaries are, within legal constraints, ultimately for Council to decide.

4.4 Equity and Equalities

4.4.1 None Apparent

5.0 Recommendations from the Standards Committee

- 5.1 That Council Members, officers and accredited journalists must ensure that their mobile communications devices are switched off during all public meetings;
- 5.2 That audio or video recording and the taking of photographs at meetings by attendees is prohibited.
- 5.3 That members of the public must switch off their mobile communications devices during all public meetings.
- 5.4 That the Council's Constitution be amended to reflect any decision taken by Council at this meeting.

6.0 Decision Making Process

- 6.1 This report has been considered by the Constitutional Review Working Party and the Standards Committee. It is for Council to determine the policy.

Contact Officer:	Glenn Back, Democratic Services and Scrutiny Manager
Reporting to:	Harvey Patterson, Corporate & Regulatory Services and Monitoring Officer

Annex List

Annex 1	Responses from other East Kent Councils
Annex 2	Responses from councils outside of East Kent

Background Papers

Title	Details of where to access copy
<i>None</i>	

Corporate Consultation Undertaken

Finance	N/A
Legal	Harvey Patterson, Corporate & Regulatory Services Manager and Monitoring Officer