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# OWLS Academy Trust

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## Recording Governing Board Meetings Policy

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Version: 1.0

Adopted by The OWLS Academy Trust on	July 5 <sup>th</sup> 2021
Date of Last Review	
Next Review Due	May 18 <sup>th</sup> 2022

### Version Control:

- Minor adjustments should be indicated by changing the number after the full-stop and will not change the adoption date. Such changes will be noted, and approved by Trustees using the Review History
- More significant adjustments should be indicated by changing to the next whole number (i.e. version 1.12 would move to version 2.0 after a significant change) and would then need to be formally adopted.

**Review History**

<b>Date</b>	<b>By</b>	<b>Changes Made</b>	<b>Approved by Trustees</b>



## Statement of intent

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The Trust is committed to being open and transparent in the way it conducts its decision making, including in relation to governing board decisions. With this in mind, governing board meetings may be recorded, using either audio or visual recording devices.

The procedures outlined in this document will be implemented to assist transparency in decision making, contribute towards minute taking and improve accuracy of records.

The provisions outlined in this document will be agreed upon by all members of the governing board prior to implementation of the procedure.



## Legal framework

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1.1. This procedure will be implemented in accordance with the following legislation:

- Data Protection Act 2018
- General Data Protection Regulation
- Freedom of Information Act 2000

1.2. This procedure will be implemented in conjunction with the following school policies, documents and procedures:

- Governing Board Code of Conduct
- Data Protection Policy
- Record Management Policy
- Confidentiality Policy
- E-Security Policy
- Freedom of Information Policy



## Roles and responsibilities

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2.1. The clerk to the governing board is responsible for:

- Ensuring that the protocol for recording governing board meetings is agreed upon by all members of the board prior to a recording being undertaken.
- Recording, within the written minutes of a meeting, that a recording of the meeting has been made.

2.2. The chair of the governing board is responsible for:

- Ensuring that all members of the governing board are aware of the procedures outlined in this document.
- Notifying members in advance of the intention to record a meeting.
- Considering any objections regarding the recording of a meeting.
- Deciding whether a recording is appropriate in light of any objections made.
- Notifying the members present at a meeting that a recording is taking place.
- Ensuring that the recording stops at the formal close of a meeting.
- Ensuring that recordings and relevant files are appropriately disposed of.

2.3. Members of the governing board will:

- Be aware of, and act in accordance with, the procedures outlined in this document.
- Act in accordance with the Governing Board Code of Conduct whilst in board meetings.
- Not take covert recordings of meetings.
- Notify the chair of any objections they may have to a recording being made.
- Be respectful of the rights of individuals who do not wish to be recorded.

2.4. In the absence of either the chair or the clerk, their responsibilities, as outlined in this procedure, will be carried out by a designated member of the governing board.



## **Purpose of recording**

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3.1. Visual and audio recordings of meetings will not replace the requirement for written records.

3.2. The intended use of a recording will be made clear to all members prior to the recording being made.

3.3. Recordings will assist with the accuracy of written records of a meeting.

3.4. Visual or audio recordings will be used for lengthy meetings in order to ensure the accuracy of the meeting's minutes.

3.5. Recordings will be used for evidential purposes where appropriate, such as during an appeal hearing.

3.6. Recordings will be made with the purpose of ensuring transparency within the school's governance arrangements.



## **Permission to record**

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4.1. This procedure, and any future amendments to the procedure, will be agreed upon by all members of the governing board.

4.2. Prior to a meeting, the attending members will be notified of the intention to record the meeting, providing members with the opportunity to express any objections.

4.3. At the meeting, before recording is commenced, the chair will notify all present members that recording will take place.

4.4. Attendees who are not present at the start of a meeting will be notified upon their arrival if a recording is being made.

4.5. Within the minutes of a meeting, details of the following will be recorded:

- Any objections made regarding the meeting being recorded
- The chair's consideration and final decision regarding the commencement of recording

4.6. If a member of the governing board requests to make their own recording of proceedings, the chair will decide whether this is appropriate, taking the member's intentions and any other members' objections into account.

4.7. Whether members of the board other than the clerk are permitted to make recordings is at the discretion of the board. When this decision is being made, the purpose of the recording will be taken into account.



## Creating a recording

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- 5.1. Actions taken to make a recording will not be disruptive or distracting to the conduct of the meeting.
- 5.2. Recording devices will be set to 'silent' mode.
- 5.3. The use of flash and additional lighting is not permitted.
- 5.4. Recording equipment will not obstruct others from observing proceedings.
- 5.5. An oral commentary of the meeting will not be permitted.
- 5.6. Where the protocols outlined in this procedure are not followed, the individual creating the recording will be asked to stop and the recording will not continue.
- 5.7. The chair will instruct recording to cease where:
  - The business being discussed is of a confidential or exempt nature.
  - There is an adjournment of the meeting.
  - Recording the meeting has become disruptive or distracting to members.
  - Informed consent has not been obtained from a person with known learning disabilities or mental health issues.
  - Parental consent has not been obtained for a young person speaking.



## Confidentiality, data protection and security

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- 6.1. All actions taken by the governing board, including the creation, storage, retention and disposal of recordings will be in line with the provisions of the Data Protection Act 2018, General Data Protection Regulation and Freedom of Information Act 2000, where relevant.
- 6.2. Any device used to record a meeting, whether school or personally owned, will be in line with the school's E-Security Policy.
- 6.3. Where a confidential item is on the agenda, the board will be informed of this at the beginning of the meeting and prior to the commencement of recording.
- 6.4. Strong consideration will be given to the recording of confidential items.
- 6.5. Confidential items will only be included within a recording of a meeting if the purpose and intention of the recording is clear and justifiable.
- 6.6. All recordings will be made in line with the school's Data Protection Policy and Staff and Volunteer Confidentiality Policy.
- 6.7. Where the recording of information raises a data protection concern, this will be recorded using the [Data Protection Concerns Log](#).



## Storage of recordings

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- 7.1. All recordings will be stored, maintained and accessed in line with the Record Management Policy.
- 7.2. Recordings which are stored digitally, will be stored in line with the procedures outlined in the E-Security Policy.

- 7.3. The clerk will undertake a risk analysis to identify which records are vital to effective school governance and which include personal data; these records will be stored in the most secure manner.
- 7.4. Digital data will be coded, encrypted or password-protected, both on a local hard drive and on a network drive that is regularly backed up off-site.
- 7.5. Where data is saved on removable storage or a portable device, the device is kept in a locked and fireproof filing cabinet, drawer or safe when not in use.
- 7.6. Memory sticks are not used to hold personal information unless they are password-protected and fully encrypted.
- 7.7. All electronic devices are password-protected to protect the information on the device in case of theft.
- 7.8. Where possible, the school enables electronic devices to allow the remote blocking or deletion of data in case of theft.
- 7.9. Prior to recordings being taken off the school premises, the clerk will be notified of the purpose of doing so and approval will be sought from the chair.
- 7.10. Where personal information that could be considered private or confidential is taken off the premises, either in an electronic or paper format, governors will take extra care to follow the same procedures for security, e.g. keeping devices under lock and key.
- 7.11. In the event that recordings are taken off the school premises, the person taking the information from the site accepts full responsibility for the security of the data.



## **Accessing recordings**

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- 8.1. Only those who have a need to access recordings will be able to do so.
- 8.2. Where a confidential matter or personal data is discussed on the recording, the consent of the subject matter will be sought prior to the recording being accessed.
- 8.3. Recordings will be subject to the provisions of the Freedom of Information Act 2000.
- 8.4. Requests for access to recordings, made via a freedom of information request, will be addressed in line with the procedures outlined in the school's Freedom of Information Policy.



## **Retention period**

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- 9.1. Data, including recordings of meetings, will not be kept for longer than is necessary.
- 9.2. Unrequired data will be deleted as soon as is practicable.
- 9.3. Recordings will be retained for a reasonable period of time after a meeting until the recordings have fulfilled their intended purpose.
- 9.4. At a minimum, recordings will be retained until the minutes of a meeting have been approved, in order to provide any further clarity to a matter.
- 9.5. In the event of a recording of an appeal or hearing, the recording may be retained for a set period of time, as agreed within the appeal or hearing. This retention period will be implemented following the outcome of a dispute for legal reasons.



## **Disposal of recordings**

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- 10.1. All recordings will be securely disposed of at the end of the retention period.
- 10.2. Secure disposal includes the shredding or pulping of documents, as well as electronic information being scrubbed cleaned and, where possible, cut.
- 10.3. The chair is responsible for ensuring that recordings and relevant files are appropriately disposed of by members of the governing board.
- 10.4. The clerk will keep a record of all the files and recordings that have been destroyed.



## **Monitoring and review**

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- 11.1. The effectiveness of this procedure will be monitored by the chair and clerk of the governing board.
- 11.2. Any amendments made to this procedure will be agreed upon by all members of the governing board, discussing and addressing any objections which may arise.

 **Appendix A: Governing Board Recordings Log**

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This log should be completed whenever a recording of a meeting, or other similar data, is created.

Date:	Name of person who created the recording:	Subject matter of recording:	Permission sought:	Objections voiced:	Storage location:	Retention period:
			<input type="checkbox"/>			
			<input type="checkbox"/>			
			<input type="checkbox"/>			
			<input type="checkbox"/>			
			<input type="checkbox"/>			
			<input type="checkbox"/>			





## Appendix B: Destroyed Data Log

This log should be completed whenever a recording of a meeting, or other similar data, is destroyed.

Date destroyed:	Name of person who destroyed the data:	Type of data:	Subject matter of data:	Sensitive data:	Disposal method:	Disposal evidenced by:
				<input type="checkbox"/>		
				<input type="checkbox"/>		
				<input type="checkbox"/>		
				<input type="checkbox"/>		
				<input type="checkbox"/>		
				<input type="checkbox"/>		