CORPORATE GOVERNANCE COMMITTEE

Report of: Head of Legal and Committee Services

Date: 8 February 2016

NOTICE OF MOTION RELATING TO ARCHIVED WEBCASTS OF MEETINGS

The following Notice of Motion submitted by Councillor Jacob Williams has been referred to Corporate Governance Committee from Council for the reasons outlined in the Report to Council.

That all archived recordings of webcasted meetings are retained and made readily available for online public viewing indefinitely. I.e. the current practice of deleting archived webcasts after a set period is discontinued. In addition, previously deleted webcasts are restored so the public can view them online once again.

The Report considered by Council is attached as an Appendix.

The reasons were that further information be provided on whether there were any legal implications in uploading webcasts onto YouTube, and whether there are any impediments on the contract with the webcast providers to enable uploads.

The terms of the contract with Public-i are such that the recorded material is retained for twelve months.

According to Public-i standard terms and conditions provided the Council pay their fee, all intellectual property rights in the content are assigned to PCC. In addition we are granted a non-exclusive, non-transferable, royalty-free licence to use the web cast data in the normal course of our business. The licence for the webcast data will continue until the agreement is terminated at which point the Council would be unable to continue to use the webcast data. The webcast data is the additional information which is applied over the content such as text information on who is speaking, the layout etc. Therefore if the contract was terminated we could still use the content but not the webcast data.

The Contract also notes that the written consent of the Service Provider is needed prior to copying or reproducing the content or webcast data onto any other server or location, such consent not to be unreasonably withheld. As the Council owns the intellectual property rights in the content, such consent should not be needed or certainly should not be withheld. However, if the Council wished to reproduce the content with the webcast data overlaid on it at another web address during the term of the current contract, then prior written consent of Public i-Group Limited would be needed.
Generally, it is recommended that copies of the core content is provided by the service provider to the Council in periodic instalments so that the content can be easily accessed in an organised manner should a decision be taken to reproduce it elsewhere.

Research in relation to You Tube appears to suggest that provided the material does not offend their policy by being offensive etc then it can be uploaded onto You Tube without any restriction or, it seems, any fee. However Members should bear in mind that images of themselves and others who may be filmed are their personal information for Data Protection Act purposes, but once uploaded onto You Tube, Members would have no effective control over the images. Whilst access can be restricted this would not then provide the platform for viewing archived material that is being sought.

If Members were minded to retain material for longer than the 12 month period this would equate to an additional spend on the contract, which should be balanced against the public interest in providing this service.

- To increase the archive period for 60 hours pa to 24 months would cost an additional £810
- To increase the archive period for 60 hours pa to 36 months would cost an additional £945
- To increase the archive period for 60 hours pa to 48 months would cost an additional £1,015
- To increase the archive period for 60 hours pa to 60 months would cost an additional £1,050
- To increase the archive period for 60 hours pa indefinitely would cost an additional £1,500

It should also be taken into consideration that with Cabinet being webcast and the periodic webcasting of the Police & Crime Commissioner panel that the archive period for 60 hours pa could well be exceeded before the year end. To increase the archive period for 90 hours pa in 12 months would cost an additional £810.

- To increase the archive period for 90 hours pa to 24 months would cost an additional £1,215
- To increase the archive period for 90 hours pa to 36 months would cost an additional £1,420
- To increase the archive period for 90 hours pa to 48 months would cost an additional £1,520
- To increase the archive period for 90 hours pa to 60 months would cost an additional £1,570
- To increase the archive period for 90 hours pa indefinitely would cost an additional £2,240
RECOMMENDATION:

That the Notice of Motion be not adopted.

Background Documents:

None