



Recording Trust Board Meetings Procedure

Tees Valley Education Trust

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

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

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

- GDPR Data Protection Policy
- Trustee Handbook
- Online Safety Policy
- Freedom of Information Policy
- NGA Trust Board Code of Conduct

1. Roles and responsibilities

1.1. The clerk to the trust board is responsible for:

- Ensuring that the protocol for recording trust board meetings is agreed upon by all trustees prior to a recording being undertaken.
- Recording, within the written minutes of a meeting, that a recording of the meeting has been made.
- To maintain the log of the recordings and disposal of recordings.

1.2. The chair of the trust board is responsible for:

- Ensuring that all trustees of the board are aware of the procedures outlined in this document.
- Notifying trustees 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 trustees 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.

1.3. Trustees will:

- Be aware of, and act in accordance with, the procedures outlined in this document.
- Act in accordance with the NGA Trust 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.

- Appreciate that due to the nature of video-conferencing, only one participant at a time should speak to avoid complications with the audio recording. To interrupt a speaker, participants should either raise their hand so they can be seen, or using the 'raise hand' function on Teams, and wait to be invited to speak in turn.

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

2. Purpose of recording

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

2.2. The intended use of a recording will be made clear to trustees prior to the recording being made.

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

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

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

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

3. Permission to record

3.1. This procedure, and any future amendments to the procedure, will be agreed upon by Trust Board.

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

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

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

- 3.5. 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
- 3.6. If a trustee requests to make their own recording of proceedings, the chair will decide whether this is appropriate, taking the trustee's intentions and any other trustees' objections into account.
- 3.7. Whether trustees other than the clerk are permitted to make recordings is at the discretion of the trust board. When this decision is being made, the purpose of the recording will be taken into account.

4. Creating a recording

- 4.1. Actions taken to make a recording will not be disruptive or distracting to the conduct of the meeting.
- 4.2. Recording devices will be set to 'silent' mode.
- 4.3. The use of flash and additional lighting is not permitted.
- 4.4. Recording equipment will not obstruct others from observing proceedings.
- 4.5. An oral commentary of the meeting will not be permitted.
- 4.6. 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.
- 4.7. 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 trustees.
 - 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.

5. Confidentiality, data protection and security

- 5.1. All actions taken by the trust 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.

- 5.2. Any device used to record a meeting, whether Trust or personally owned, will be in line with the Trust's Online Safety Policy.
- 5.3. 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.
- 5.4. Strong consideration will be given to the recording of confidential items.
- 5.5. Confidential items will only be included within a recording of a meeting if the purpose and intention of the recording is clear and justifiable.
- 5.6. All recordings will be made in line with the Trust's GDPR Policy.
- 5.7. Where the recording of information raises a data protection concern, this will be recorded using the Data Protection Concerns Log (see Appendix 3).

6. Storage of recordings

- 6.1. All recordings will be stored, maintained and accessed in line with the GDPR Policy.
- 6.2. The Data Protection Officer will undertake a risk analysis to identify which records are vital to effective academy governance and which include personal data; these records will be stored in the most secure manner.
- 6.3. 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.
- 6.4. Memory sticks are not used to hold personal information unless they are password-protected and fully encrypted.
- 6.5. All electronic devices are password-protected to protect the information on the device in case of theft.
- 6.6. Where possible, the academy enables electronic devices to allow the remote blocking or deletion of data in case of theft.

7. Accessing recordings

- 7.1. Only those who were a participant of the recorded meeting will be able to access recordings. Access to a non-participant may be granted by the Chair of the Trust, for purposes deemed necessary by the trust board.
- 7.2. 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.

- 7.3. Recordings will be subject to the provisions of the Freedom of Information Act 2000.
- 7.4. 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.

8. Retention period

- 8.1. Data, including recordings of meetings, will not be kept for longer than is necessary.
- 8.2. Unrequired data will be deleted as soon as is practicable.
- 8.3. Recordings will be retained for a reasonable period of time after a meeting until the recordings have fulfilled their intended purpose.
- 8.4. 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.
- 8.5. 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.

9. Disposal of recordings

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

10. Monitoring and review

- 10.1. The effectiveness of this procedure will be monitored by the chair and clerk of the trust board.
- 10.2. Any amendments made to this procedure will be agreed upon by all trustees, discussing and addressing any objections which may arise.

Appendix 1

Trust board recordings log

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 2

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"/>		

Appendix 3

Data protection concerns log

This log should be completed whenever a data protection concern arises, including those in relation to recordings of trust board meetings.

Date raised:	Person raising concern:	Person(s) notified:	Details of concern:	Child protection concern:	Should the DSL be notified:	Action required:	Responsible person:	Date to complete action by:
				<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>			
				<input type="checkbox"/>	<input type="checkbox"/>			