



## **RECORDING OF CHILDREN'S SERVICES MEETINGS**

### **Guidance for parents and carers regarding seeking permission to record Children's Services meetings (audio, photography or video recordings)**

September 2023

#### **1.0 Introduction**

- 1.1 Advances in technology make the recording of meetings and other conversations e.g., via smart phones much more easily available to individual service-users. This may be simply because they wish to have a verbatim record of the conversation to refer back to, or because they have difficulties in following or recalling conversations. They may, however, seek to use the recording for other purposes such as admission into evidence in family court proceedings, or even for wider broadcast. (London Child Protection Procedures 2015)

This guidance seeks to provide a clear process for dealing with requests to record meetings/conversations or for situations where it seems likely that covert recording is taking place or is likely to take place.

It is not illegal to record meetings; however, consideration must be made as to whether recording sensitive information would be suitable, thus parents/carers and professionals should work together to ensure rights to privacy are respected.

- 1.2 *Circumstances Under Which a Request To Record May be Made*

- a) Where a Parent/child/young person has a **learning disability, literacy problem or specific learning difficulty, or some other physical difficulty that affects their ability to write or concentrate (i.e., it might just be that they are forgetful generally or when they are stressed).**
- b) Where the arrangements for minute taking organised by the Chair/relevant professionals are considered by the child's/young person's family as unlikely to be sufficient to meet their needs.

### 1.3 Eligibility to Request to Record a Meeting

A request to record a meeting may be made by the following people.

- The children/young people.
- A parent who has Parental Responsibility for the children/young people.
- When both the above have signed an undertaking that they will not distribute the information publicly, including share on any forum where sensitive information regarding the child/young person may become public, or cause harm to the child/young person or family, or use the information to commit a criminal offence.

### 1.4 *A Request to Record a Meeting May be Refused Where:*

- The parent does not have PR for one or more child/young person subject to the meeting/conference and sensitive information about the child/young person is like to be discussed.
- Where one or more of the other people with PR have objected to the recording of the meeting.
- Where the child or young person objects to having the meeting recorded.
- Where there is a history of the parent/PR holder misusing information by distributing it or using it to harass or commit a criminal act.
- Where there is explicit or implied threat of going public/putting on the internet or by circulating the material in a way designed to cause distress or fear in others, including parents and professionals.
- Where it is considered that alternative arrangements in place are fully able to meet the needs of the parent/carer, or a detailed record can already be provided.

- 1.5 For further information about recording, parents and professionals can review the document entitled 'Parents Recording Social Workers – A Guidance Note for Parents and Professionals' (the Transparency Project) which provides additional information about why parents / carers may wish to record meetings and issues around making recordings

## 2.0 How to Make a Request

- 2.1 Due to the sensitive nature of information shared in conversations and meetings, If a parent or carer wishes to use any recording devices during conversations or meetings, permission must be granted **before** the device may be used.

### 2.2 Request Permission for Use of Recording Devices During Conversations (outside of meetings – face to face or phone conversations)

Before the discussion takes place, the parent or carer must inform the Children's Services professional they are speaking to that they wish to use a recording device and for what purpose.

- 2.3 If the Children's Services professional agrees to the use of the recording device during the conversation, the conversation may continue, and the staff member should keep a record (which may be an audio record as part of the recording) of granting permission to the parent or carer.
- 2.4 If the Children's Services professional disagrees to the use of the recording device during the conversation, (for which there would need to be a very valid reason) the conversation may continue but with the understanding that the recording device will not be used. The staff member should keep a written case note record of denying permission and the reason why.

### 2.5 Request Permission for Use of Recording Devices During Any Meetings

It is preferable for parents and carers to make a request to record a meeting as soon as they know a meeting will take place, or at least 48 hours in advance. This will provide an opportunity for the meeting organiser to inform meeting attendees that a request has been made. The request (including the purpose of the recording) should be sent to the child's/young person's Social Worker or meeting organiser via email or telephone contact. Confirmation should be given to the parent/ carer via email or telephone and decision must be recorded in case note records.

- 2.6 In circumstances where the parent or carer decides to use a recording device on the day of the meeting, the parent or carer **must** seek permission from all attendees in the meeting prior to the beginning of any discussions.
- 2.7 If all attendees agree to the use of a recording device, then the parent or carer may begin recording.

- 2.8 If for any reason, permission from all attendees is not granted, then attendees should inform the parent or carer of the reason recording may not take place and/or inform the parent or carer if further authorisation or information is required before recording may take place (e.g., social worker or chair of meeting needs to seek legal advice).
- 2.9 Meetings will not be cancelled if permission to use a recording device is not granted at the start of the meeting.
- 2.10 Minutes of the meeting should record request and outcome of request.
- 2.11 If for any reason circumstances change during the meeting (e.g., the parent / carer requests permission to use a device after a meeting has commenced, or any new attendees have joined the meeting or any other reason where the use of the recording device must be reviewed) the meeting should be stopped, and permission must be sought to continue.
- 2.12 Recording Child Protection Conferences

The same process as outlined for any meetings above will be used for Child Protection Conferences.

Where there is disagreement between professionals attending the meeting on whether or not child protection meeting should be recorded, the Chair of the meeting will make the overall decision. Such a decision must be recorded in the meeting, and any disagreements noted.

Where permission is denied, other arrangements should be considered to meet the needs of the child/young person/family.

### **3.0 Limitations of Recordings**

- 3.1 There may be more concern about the use of the recording than the recording itself.
- 3.2 Practitioners may consider offering alternative solutions to the parent / carer should permission be declined.

- 3.3 In order to protect the identification of children/young people involved with Hertfordshire Children's Services, If recording does take place the following limitations will apply to the parent or carer:
- a) Recording can only be used in relation to Children's Services Involvement.
  - b) Where a parent has made a recording of a Child Protection meeting / meeting with professional, a copy must be made available to the Chair or the meeting, and the attendees of the meeting on request.
  - c) Recordings must not be shared via social media or any on-line or other public forum.
  - d) If any recorded information is shared publicly and it has been deemed harmful to the child/young person, Children's Services (or the parent /carer) might be able to consider steps to seek an injunction for removal of shared recording.
  - e) In addition, legal advice could be sought in relation to this being a matter for the civil courts or a criminal matter if there is concern about detriment to children, young people, families or professionals.

## Acknowledgements

### 1. The Transparency Project – V2 March 2018

Parents Recording Social Workers – A Guidance Note for Parents and Professionals

[Whymightparentswanttorecordmeetingsv3mar18.pdf \(transparencyproject.org.uk\)](https://www.transparencyproject.org.uk/whymightparentswanttorecordmeetingsv3mar18.pdf)

### 2. The London Child Protection Procedures 7<sup>th</sup> Edition

<http://www.londoncp.co.uk/>

Reference Chapter 4.3 Membership of Child Protection Conferences Including Safety and Electronic Recording

## Request Form

Parent and Carer Notice of Intent to Record Meetings Form is Available. To be provided to parent / carer alongside this guidance.

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<b>Leads</b>	Hertfordshire Safeguarding Children Partnership Practice, Policy and Procedure Group