



Livestreaming, Virtual Meetings, Recording and Publishing of Council and Committee meetings Policy

Policy Owner	Governance and Corporate Accountability Governance and Corporate Performance
Creation Date	July 2020
Revision Date	May 2024

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Purpose

The purpose of this policy is to establish protocols for virtual meetings, live streaming and subsequent uploading online of Council and Committee meetings.

Scope

This policy applies to all Council and Committee meetings of the Mitchell Shire Council. It applies to all people in attendance at these meetings.

Policy

Public Council and Committee meetings will be live streamed, recorded, and subsequently available on council's website. Closed council meetings will not be live streamed or recorded. For the period 1 May 2020 to 1 November 2020 Council and Committee meetings can be held virtually in accordance with s394 of the *Local Government Act 2020*.

Signage and notice to the public

The Chief Executive Officer (CEO) will ensure appropriate signage is placed at the entrance to the meeting location notifying all attendees that the public council meeting will be live streamed, digitally recorded and published to the internet. Notice will also be given on the council's website and in the published agenda as follows:

By attending this meeting, you agree to be filmed. An audio and digital recording is made of all public Council and Committee Meetings, streamed live and published on Council's website. By participating in proceedings including during question time or in making a submission regarding an item before Council you agree to this publication. You should be aware that any private information volunteered by you during your participation in a meeting is subject to recording and publication. Meeting recordings can be located at www.mitchellshire.vic.gov.au.

Immediately prior to the commencement of each public Council and Committee meeting, the Chair, will state that the meeting will be live streamed, and digitally recorded, and that the recording of the meeting will be uploaded online. Persons in attendance at a public meeting will be advised that incidental capture of an image or sound of persons in the public gallery may occur. By remaining at the meeting those persons give their consent to being filmed and the possible use of images and sound recordings in a live streaming or published video of the meeting.

Equipment

The live streaming will be configured to provide vision of the Councillors and executive present at the meeting. There will be no panning or zooming. In so far as it is practicable images of the public gallery will be limited. However, under certain

circumstances the livestreaming may capture an image or sound from a person attending the meeting in the public gallery. There will be no editing of the live streaming.

The live streaming will cease when:

- the Chairperson declares the public meeting closed
- the meeting is adjourned
- at any other time if the council or the Chairperson revokes the permission to live stream or video record the meeting.

Publishing

The recording will be uploaded online as soon as practical after the conclusion of the meeting and will remain on the website for the four-year term of the council, in line with the publication of council minutes. Following any public Council meeting, the CEO has the authority to direct the removal of all or part of any recording that is considered inappropriate to be published. Inappropriate material would be material that, in the opinion of the CEO, having regard to legislation is any of the following:

- defamatory in nature
- an infringement of copyright
- a breach of privacy or discloses personal information
- offensive, abusive or discriminatory in nature
- incites hatred or vilifies another person
- confidential or privileged council information.

Virtual meetings

Council and Committee meetings may for the period 1 May to 1 November 2020 be held by electronic means of communication in accordance with s394 of the *Local Government Act 2020*.

It is a requirement that a Councillor be present at, or attend, Council or Committee meetings. To do so they must meet all three of the following:

- they can hear the proceedings
- they can see other members on attendance and can be seen by other members
- they can be heard (to speak).

Should a Councillor only be able to join the meeting via audio link, they can listen in, but have no status to participate in the debate or otherwise take part in the council proceedings.

Should a Councillor who is present at the meeting be disconnected, the meeting can wait until the Councillor returns or determine that the minutes reflect that the Councillor is absent from that part of the meeting.

Voting at virtual meetings is by show of hands, with the chair advising the manner on which each Councillor has voted.

Should a Councillor have a conflict of interest to declare in a matter they should do so at the beginning of the meeting in accordance with the requirements of the current Meeting Procedure Local Law 2014.

Members of the public will be invited to participate in the meetings virtually, including the provision for written statements to be read out at the meeting.

Governance and Corporate Accountability will invite Councillors, Officers and members of the public to the virtual meetings.

Liability

Opinions expressed and statements made during a public Council and Committee meeting are those of the individuals making them, and not those of the council. Unless set out in a resolution of the council, the council does not endorse or support the views, opinions, standards, or information that may be expressed by individuals at a public Council and Committee meeting. Council does not accept any responsibility for any verbal comments made during public Council and Committee meetings which may be inaccurate, incorrect or defamatory and does not warrant nor represent that the material or statements made during the meetings are complete, reliable, accurate or free from error. Council does not accept any responsibility or liability for any loss, damage, cost, or expense that might be incurred as a result of the viewing, use or reliance of information or statements provided in a live streaming or video recording of a Council and Committee meeting.

Copyright

The live streaming is protected by copyright and owned by Mitchell Shire Council. It is provided by the council for personal and non-commercial use. Digital, images and audio contained in a live streaming must not be altered, reproduced or republished without the permission of the council. Copyright remains with the council.

Council Minutes

Endorsed Council minutes provide the definitive record of the council's resolutions.

The live streaming is not an official record of the meeting. Only the official minutes may be relied upon as an official record of the meeting.

Audio Recordings

Separate audio recordings may only be used by Council officers to assist with the preparation of the meeting minutes or by Council to clarify a dispute or query relating to the meeting minutes that is raised during a subsequent meeting.

The audio recording does not replace the live streamed recording or written minutes and a transcript of the recording will not be prepared. Once the minutes have been adopted, the audio recording will be deleted, unless determined by the Chief Executive Officer (CEO) under exceptional circumstances.

The audio recording will be stored on Council's network drive in a secured folder accessible by the Governance and Corporate Accountability team. The audio recording will only be made available for use and listening by the Chief Executive Officer, Principal Conduct Officer/s and Council officers involved in the preparation of meeting minutes. No copies of the audio recording will be made.

Audio recordings will not be available or disclosed to any member of the public except as allowed under the *Freedom of Information Act 1982* or any other law.

A Councillor seeking a copy of an audio recording must apply in writing to the (CEO). The written request must specify:

- meeting Date
- type of Meeting
- the agenda item and/or section of interest
- reason for the request.

If approved by the CEO, a transcript of the requested section/s will be provided to the Councillor. No audio file will be provided.

Process of Recording

At the commencement of each meeting, the *Chair* of the meeting will notify members of the gallery that the meeting is being recorded for the purpose of verifying the meeting minutes.

Members of the gallery and media representatives must receive approval from the meeting *Chair* in accordance with clause the Governance Rules to operate any audio or visual recording equipment at any Council meeting.

Technical difficulties

There may be situations where, due to technical difficulties beyond the council's control, it is not possible to live stream, record or publish the video. If this were to occur the meeting would be adjourned until those issues are resolved.

Definitions

Closed Council meeting: that part of a council meeting that is closed to members of the public in accordance with definition in the *Local Government Act 2020*.

Council and Committee meeting: same meaning as in the *Local Government Act 2020*.

Video recording: the recording of audio and images by an electronic device.

Live streaming: online streaming media simultaneously recorded and broadcast in real time to the viewer.

Responsibilities

Governance and Corporate Accountability will:

- maintain a schedule of Council and Committee meetings and advertise these on Council's website and local newspapers
- send the invitations out to required attendees to all meetings
- make the livestream available on council's website.

Communications, Jobs & Investments will assist as required and provide input into the livestreaming process.

Information and Business Transformation will assist as required to ensure the right technologies are available for council to livestream its Committee and Council meetings.

Related Documents

Council Plan 2017-2021

Councillor Code of Conduct

COVID-19 Omnibus (Emergency Measures) Act 2020 (1 May to 1 November 2020)

Information Privacy Policy

Local Government Act 2020

MAV Guidance Paper: Virtual Council Meetings

Meeting Procedure Local Law 2014 (to be superseded by Governance Rules 1 September 2020)

Minister's Good Practice Guideline MGP-1: Virtual Meetings

Privacy and Data Protection Act 2014

Freedom of Information 1982

Monitoring and Evaluation

Council may review this policy at any time but unless otherwise requested at least every four years from date of adoption. The virtual meeting components of this policy will cease from 2 November 2020. Minor amendments to the policy may be authorised by the CEO at any time where such changes do not alter the substance

of the policy e.g.: typographical errors, a change to the name of a related policy, or a change to the name of legislation.