



# Recording and Live-Streaming of Council Meetings

## Council Policy

### Responsible Directorate: Governance and Strategy

**Objective:** To enhance Council's commitment to transparency and accountability through the recording and live-streaming of its meetings; and to ensure a true and accurate record of debate, discussions, questions and answers are made available.

#### 1. Application:

This policy applies to all ordinary and special meetings of Council, Briefing Sessions and meetings of electors held in the Council Chamber. This policy does not apply to any part of the meeting which is closed under section 5.23 of the *Local Government Act 1995*.

#### 2. Statement:

This policy has been prepared to provide the requirements for the audio and video recording and live-streaming of Council meetings, Briefing Sessions and meetings of electors and to improve accessibility and transparency of meetings of Council.

#### 3. Details:

##### 3.1. Meetings to be recorded and streamed live:

Council commits to recording, live-streaming and publishing of all Council meetings, Briefing Sessions and meetings of electors where it is practically possible to do so.

The live-stream will commence at the time the meeting is due to commence and finish when the Presiding Member closes or adjourns the meeting.

Meetings closed for consideration of matters under section 5.23 of the *Local Government Act 1995* will not be recorded or live-streamed.

All recordings will be published to the City's website at the same time as the meeting minutes, or earlier if available.

### **3.2 Recordkeeping:**

The official record of the meeting will be the adopted minutes of the meeting kept in accordance with the *Local Government Act 1995* and any relevant regulations.

All recordings will be retained in accordance with the *State Records Act 2000* and the City's Recordkeeping Plan.

### **3.3 Privacy and Public Notice:**

A public notice will be displayed in the public gallery area to notify visitors of recording and live-streaming of meetings. The Presiding Member will also be provided with a script to alert members of the gallery of the recording and live-streaming of the meeting at the commencement of the meeting.

The following notices will be given to ensure that the public, Council members and staff are aware when a Council meeting is being recorded and/or live-streamed:

- i. Prominent signage must be displayed in the Council Chamber informing all attendees that the meeting will be recorded and live-streamed.
- ii. At the commencement of each Council meeting to be recorded and/or live-streamed, the Presiding Member shall provide a statement to notify the attendees of the Council meeting that the meeting is being recorded and/or live-streamed.
- iii. Notice will also be given in the Council meeting agenda.

### **3.4 Camera Positioning:**

#### **Councillors and staff**

Cameras will be positioned so that images of Council members and relevant officers of the City will appear on the live-stream and video recording of relevant meetings.

#### **Members of the Public**

Cameras will be positioned so that images and audio of members of the public who address a Council meeting, Briefing Session or meeting of electors through public question and statement time or a deputation, will be live-streamed and recorded. By participating in a public Council meeting, Briefing Session or meeting of electors those members of the public agree to being recorded.

As far as practically possible, cameras will be positioned so that images of the public gallery (those people not addressing the Council, Briefing Session or meeting of electors) will not be captured. However, the City recognises that there may, in some circumstances, be incidental capture.

#### **OR**

Cameras will be positioned in a way which aims to avoid members of the public, whether they are addressing a Council meeting, Briefing Session or meeting of electors, or not. However, the audio broadcasting and recording of comments made by the public will be captured.

### **3.5 Technical Disclaimer:**

There may be situations where, due to technical difficulties, a live-stream of the Council meeting, Briefing Session or meeting of electors may not be available. Whilst all reasonable efforts will be made to ensure that live-streaming and the City's website are functioning, the City takes no responsibility for and cannot be held liable for the live-streaming or the City's website being temporarily unavailable due to technical issues.

### **3.6 Termination of live-streaming:**

The Presiding Member and/or CEO may, at any time, direct the termination or interruption of live streaming of a Council meeting, Briefing Session or meeting of electors if they believe it is advisable to do so. Such direction will only be given in exceptional circumstances, where the content of debate is considered misleading, defamatory, or potentially inappropriate to be published. The live streaming and recording will be stopped following such a ruling unless Council resolves to disagree with the ruling of the Presiding Member.

Following any meeting, the Chief Executive Officer has discretion to direct the exclusion of all or part of any meeting recording considered inappropriate to be published. Material considered to be inappropriate may include, but is not limited to, material that may:

- be defamatory;
- infringe copyright;
- breach the privacy of an individual;
- be offensive, abusive or discriminatory;
- constitute hatred or vilification of another person; or
- disclose confidential or privileged information.

### **3.7 Copyright:**

Access to recordings and live-streams of Council meetings, Briefing Sessions or meetings of electors is provided on the City's website for personal and non-commercial use.

Copying or distribution of any part of the recording or live-stream is not permitted. The City reserves all rights in relation to its copyright.

### **3.8 Risk Assessment:**

In accordance with section 9.57A of the *Local Government Act 1995*, the City is not liable for an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording or video recording of Council proceedings.

Opinions expressed or statements made by persons during the course of a meeting, and contained within a video and/or audio recording, are the opinions or statements of those individual persons and not necessarily the opinions or statements of the City.

Council officers and Elected Members are not liable in defamation for any statements made in good faith. Council officers, Elected Members and members of the public are not liable in defamation for any statement to which a defence is available under the *Defamation Act 2005*.

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**Amendments:**

**Related documentation:**

- *Local Government Act 1995*
- *City of Joondalup Meeting Procedures Local Law 2013*
- *Code of Conduct for Employees*
- *Code of Conduct for Council Members, Committee Members and Candidates*