Audio-Visual Recording of Council Meetings Policy 2017

**Document Control**

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OBJECTIVE OF POLICY

The purpose of this policy is to articulate Council’s position in relation to the audio-visual recording of public Council meetings, including all associated procedures pertaining to the creation, storage and usage of recordings in accordance with legislative and policy requirements.

POLICY STATEMENT

It is the position of Wyndham City that all Ordinary Council and Special Council Meetings will be recorded to provide greater access for those residents who are not able to attend meetings in person.

Meetings will be live-streamed via the Wyndham City website and a copy of the recording will remain available for download on the Wyndham City website for a period of no less than 12 months.

POLICY CONTEXT

As per Clause 10(1) of Wyndham City’s *Governance Local Law 2013*, Council already audio records all Ordinary Council and Special Council meetings “for the purposes of producing accurate minutes”.

Wyndham City is, however, is committed to achieving a high level of engagement across the community. Specifically, Council is committed to working with communities and individuals to increase participation by empowering them to make meaningful and constructive contributions to Council decision-making. To this end, it is anticipated that the audio-visual recording of meetings will help to facilitate community involvement in Council meetings and enable greater public awareness of the decision-making process.

Moreover, as per the Wyndham City Plan 2013-17, Council is committed to undertaking actions that will provide for greater transparency and accountability in its decision-making processes.

At the Ordinary Council Meeting on 12 December 2016, Council resolved to introduce the live-streaming and audio-visual recording of all Ordinary and Special Council Meetings as soon as practicable in 2017. In addition, Council also resolved to authorise staff to develop and implement all internal policies and procedures to facilitate the introduction of this initiative as required.

SCOPE

This policy only applies to Ordinary Council and Special Council Meetings of Wyndham City. It applies to Councillors and Council officers, as well as members of the public, both as visitors in the public gallery and as contributors to the public meeting.

As per Section 89(2) of the *Local Government Act 1989*, it does not include meetings or those parts of meetings that are closed to the public.

This policy does not apply to the audio and/or video recording of Ordinary Council and Special Council Meetings by the media or any other person, which is addressed within Sections 10 and 11 of Wyndham’s *Governance Local Law 2013*.

As per Wyndham’s *Governance Local Law 2013*, it is an offence for a representative of the media or any other person to record via audio, visual or photographic means any part of a Council Meeting without obtaining the prior written consent of the CEO. According to this policy, the consent of the CEO must not be unreasonably withheld.

PROCEDURES

***Councillors and officers***

Following Council’s resolution to implement the recording and live-streaming of Ordinary Council and Special Council Meetings, all Councillors and officers will be recorded when in attendance at these meetings.

***Public notification***

Whilst the default camera position has not been designed to capture the public gallery, the following signage will be visibly displayed at the entrance to the Council Chamber:

“This meeting is being recorded and live streamed on the internet. The recording will be archived and made available on Council’s website. Whilst all care has been taken to ensure that your privacy is maintained, please be aware that your presence may be recorded”.

This statement will also be read out by the Mayor at the commencement of each meeting.

***Meetings closed to the public***

If Council resolves to close the meeting (whole or in part) to the public in accordance with Section 89(2) of the *Local Government Act 1989*, all recording devices will be switched off to protect the confidential status of the matters being debated and resolved by Council.

Recording and live streaming will not resume until it is resolved by Council that the meeting be reopened to the public.

***Public Question Time***

As per the *Wyndham Meeting Procedure Protocol 2013*, members of the public are able to submit written questions to Council for response at an Ordinary Council Meeting. However, in order to have their question addressed as part of the meeting, the person submitting a question must be present in the gallery during Public Question Time.

Whilst these individuals will not be recorded under the terms of this policy, their full name will be read out by the Chief Executive Officer and recorded.

In the event that an individual does not wish for their full their full-name to be read out as part of the public meeting, they must indicate this in the space provided on the submission form. In such instances, only the first name of the visitor will be read out and recorded.

***Public participation in Council Meetings***

In the event that an individual or group is asked to address Council as part of an Ordinary Council or Special Council Meeting, their participation is contingent on them agreeing to be recorded. This includes individuals or groups who are invited to an Ordinary Council or Special Council Meeting to receive an award.

In the case of exceptional circumstances that render an individual unable to be recorded, it is at the Mayor’s absolute discretion to call for a motion to close the meeting to the public, provided that the request complies with the grounds stipulated within section 89(2) of the *Local Government Act 1989*.

***Access to recordings***

All Ordinary Council and Special Council meetings that are live-streamed will be archived within 24 hours on the Wyndham City website. These files will be able to be accessed free of charge by members of the public.

Due to the instantaneous nature of live-streaming, there will be no editing of the contents of the recorded public meeting. Bookmarks will, however, be added to the archived version to provide ease of navigation for viewers.

***Retention of Recordings***

Audio-visual recordings of all Ordinary Council and Special Council Meetings will remain publicly available on the Wyndham City website for a period of no less than 12 months. After this time, they will be retained/destroyed as per Wyndham’s *Corporate Recording of Council Meetings Policy 2014* (refer Section 4.5.2).

COMMUNITY/CITY PLAN REFERENCES

This policy supports the following themes/strategies within the Wyndham City Plan 2013-2017:

* 5.1.1 Strengthen Council’s governance procedures and practices to ensure

consistency, unbiased decisions and transparency;

* 5.1.2 Ensure appropriate Council decision-making processes reflect

contemporary good governance practices; and

* 5.1.3 Promote community understanding of Council’s governance.

REFERENCE DOCUMENTS

This policy relates to a number of Council documents and/or policies, as well as other associated Federal/State legislation, including:

* Wyndham 2040 Vision
* Wyndham City Plan 2013-2017
* Community Engagement Framework and Model 2013-17
* Governance Local Law 2013
* Corporate Recording of Council Meetings Policy 2014
* Public Records Act 1973
* Freedom of Information Act 1982
* *Local Government Act 1989* (Vic)
* Privacy and Data Protection Act 2014