

Responsible Directorate	Corporate Services
Responsible Business Unit/s	Corporate Information Services
Responsible Officer	Manager Information Communications and Technology
Affected Business Unit/s	All

Objective

This Policy provides guidance in relation to the recording and live streaming of Council meetings of the City of Stirling. Live streaming and recording improves accessibility of Council meetings for a broader audience.

Scope

This Policy outlines guidelines for the live audio and video streaming of Ordinary and Special Council meetings on the City's website, or appropriate social media platform, audio and video recording of those meetings, and publishing the audio and video recordings of those meetings.

The live streaming will commence at the times that the meetings are due to commence and finish when the presiding member closes or adjourns the meeting for any reason. Instances of public participation in meetings will not be included in the live stream or recordings. Meetings shall be live streamed in accordance with this Policy unless a motion to the contrary is passed by simple majority at the beginning or at any other time during the meeting.

The Policy does not extend to those meetings, or parts of meetings, that are closed to the public in accordance with Section 5.23 of the *Local Government Act 1995*.

Policy

Meetings to be recorded and live streamed via the City's Website or appropriate social media platform

All Ordinary and Special Council meetings will be live streamed and be publicly available via the City's website, or appropriate social media platform.

Confidential Council meetings and confidential items of business in a Council meeting will not be streamed live or made available later as a recording.

Video recordings of a meeting will be available for viewing on the City's website or appropriate social media platform approximately two business days after the meeting.

The City will make every reasonable effort to ensure that a live stream and video recording is available. Should technical difficulties arise in relation to live streaming or access to the City's website, or appropriate social media platform, live streaming may be stopped and the availability of recordings may be delayed.

Elected Members

It is intended that the standard camera positions will provide live and recorded vision of the Chambers, and live and recorded audio when Elected Members speak, for the duration of the meeting (other than for confidential items or meetings).

Officers

It is intended that the standard camera positions will provide live and recorded vision of the Chambers, and live and recorded audio when City officers speak, for the duration of the meeting (other than for confidential items or meetings). This Policy recognises that there will be incidental capture of other City officers, due to the seating arrangements in the Council Chamber and their role in participating in or attending meetings.

Public

It is intended that standard camera positions will provide live and recorded vision of all members of the public who address a Council meeting, and live and recorded audio when they speak. By participating in a public Council meeting, those members of the public in attendance agree to being recorded. As far as practically possible, it is not intended that there be either live or recorded video footage or audio of those members of the public who do not address the meeting, however this Policy recognises that there might be incidental capture.

Signage immediately outside the Council Chamber, a statement on the Public Question Time submission form, and a statement made by the presiding member (usually the Mayor) at the commencement of each meeting, will inform the public that audio and video of the meeting will be streamed live on the Internet and that the video recording will be made publicly available on the City's website or appropriate social media platform. Due to this recording, a member of the public will only be required to provide their name and suburb, not their full address, when addressing the meeting, but will still be required to provide contact details (such as a postal or email address) on the Public Question Time submission form in order that responses can be provided to them for any questions taken on notice.

Public Question Time and Deputations

The City of Stirling Meeting Procedures Local Law 2009 provides an opportunity at an Ordinary Meeting of Council for a member of the public to ask up to three questions.

A person proposing a question is asked to identify themselves and their question on a 'public question time submission form' before the meeting commences. A member of the public may identify their address by stating the relevant suburb. At the appropriate point in the meeting the presiding member will call on the person to ask their question, and they will be directed to a specific location within the Council Chamber. Live and recorded vision and audio of all members of the public who address a Council meeting will be captured.

A person proposing a question who has identified themselves and their question on a 'public question time submission form' before the meeting commences may request that their question be read to the meeting by a City Officer. At the appropriate point in the meeting the presiding member will ask whether the questioner is in attendance and ask that their question be read to the meeting by a City Officer.

The City provides the opportunity for public to submit their questions and any deputations on its website.

Meetings or Items of Business Closed to the Public

If Council resolves to close a meeting to the public in accordance with Section 5.23 of the *Local Government Act 1995*, live streaming and recording will cease.

Access to Recordings of Meetings

Council meetings that are streamed live on the Internet will be processed by the City's service provider and made available for viewing on the City's website or appropriate social media platform, approximately two business days after the meeting. The three most recent Council meeting recordings will be accessible on the City's website, or appropriate social media platform, at any point in time. The City will retain recordings of meetings for a period of one year after the minutes have been confirmed. Recordings of meetings will be disposed of in accordance with the *State Records Act 2000*.

Risk

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

The presiding member may rule at any time prior to or during a meeting that the live streaming and recording be stopped. The live streaming and recording will be stopped following such a ruling unless Council resolves to disagree with the ruling of the presiding member. The presiding member may rule to recommence the live streaming and recording. The live streaming and recording will be recommenced following such a ruling unless Council resolves to disagree with the ruling of the presiding member.

Following any meeting, the presiding member or the Chief Executive Officer may exclude 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, or provide unauthorised disclosure of the personal information of an individual;
- Be offensive, abusive or discriminatory;
- Constitute hatred or vilification of another person; and
- Disclose confidential or privileged information.

Disclaimer

Endorsed Council minutes provide the definitive record of Council's resolutions. Opinions and statements made during a Council meeting should not be relied upon.

Licence and Use of Live Streams and Recordings

Access to live streams and recordings of Council meetings is provided on the City's website, or appropriate social media platform, for personal and non-commercial use.

Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of the City. Copyright remains with the City.

Definitions

Recording means any recording made by an electronic device capable of recording sound and/or video images

Confidential/Closed means meetings that are closed to the public in accordance with Section 5.23 of the *Local Government Act 1995*

Live Streaming means to transmit or receive live video and audio coverage of an event over the Internet with the content simultaneously recorded and broadcast in real time to the viewer

Ordinary Council Meeting means a meeting for the purpose of considering and dealing with the ordinary business of the Council

Special Council Meeting means a meeting dealing with Council business that is urgent, complex in nature, for a particular purpose, or confidential

Relevant management practices/documents

City of Stirling Meeting Procedures Local Law 2009
Code of Conduct

Legislation/local law requirements

Local Government Act 1995

State Records Act 2000

Freedom of Information Act 1992

Defamation Act 2005

Office use only

Relevant delegations

Nil.

Initial Council adoption

Date 12 May 2020

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0520/004

Last reviewed

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Resolution #

1020/019

Next review due

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