

Video and Audio Streaming of Meetings Policy

PURPOSE

Pursuant to regulation 33 of the *Local Government (Meeting Procedures) Regulations 2015*, Council may determine to make an audio recording of a meeting.

Pursuant to regulation 37 of *Local Government (Meeting Procedures) Regulations 2015*, Council may determine any other procedures relating to meetings it considers appropriate.

This policy provides for the audio and video recording of Council Meetings, Annual General Meetings and Public Meetings, and for the live streaming of Council Meetings and Annual General Meetings, pursuant to regulations 33 and 37 respectively.

SCOPE

In respect to audio and video recordings of meetings, this policy applies to the open sessions of ordinary and special Council meetings, Annual General Meetings of the City of Launceston, and public meetings convened under sections 59 or 60F of the *Local Government Act 1993 (Tas)* (the Act). It does not apply to special committees or Council committees.

In respect of live streaming of meetings, this policy applies to the open sessions of ordinary and special Council meetings, Annual General Meetings of the City of Launceston, and public meetings convened under sections 59 or 60F of the Act when these meetings are held in the Council Chambers.

POLICY

Recording and streaming of meetings

Audio and video of the following meetings is recorded -

- open sessions of ordinary Council meetings
- open sessions of special Council meetings
- the Annual General Meeting of the City of Launceston
- public meetings convened under sections 59 or 60F of the Act

Any part of a meeting held in closed session is not recorded. Transcripts of audio recordings are not routinely prepared.

People may listen to, and view recordings stored on the Council's meeting stream channel on YouTube, accessed via www.launceston.tas.gov.au. Council can provide a copy of recordings on receipt of a request in writing and payment of a fee.

Audio Recordings are retained for a minimum of six (6) months, as required by section 33(2)(a) of the Act.

Live streaming of meetings

The video and audio of open sessions of ordinary Council meetings and special Council meetings that are held in the Council Chambers at Town Hall, will be streamed live via the Council's meeting stream channel on YouTube.

A decision around the live streaming of meetings not held in the Council Chambers will be made by the Chief Executive Officer (CEO) on a case-by-case basis.

Technical Difficulties

There may be situations where, due to technical difficulties a live stream may not be available. Whilst every effort will be made to ensure the live streaming and website are up and running smoothly, Council takes no responsibility for and cannot be held liable for, the live streaming or Council website being temporarily unavailable due to technical issues beyond its control. Technical issues may include, but are not limited to, the availability of the internet connection, device failure or malfunction, unavailability of social media platforms or power outages.

Production

Images of attendees, including any minors, may be captured incidentally in meeting footage. By attending the meeting, consent is taken to be given by those individuals (or their legal guardians if applicable), to such an incidental image capture.

Identified Risks and Mitigation Action

Public Council meetings are an open forum of statements, questions and answers. Occasionally, comments could be made which may be regarded as offensive, defamatory, or contrary to law. Local Government decision making, unlike State and Federal Government, does not afford Councillors the benefit of parliamentary privilege and hence, all associated laws apply. Councillors and Officers Liability Insurance will be maintained by Council to provide protection for Councillors and Officers against litigation arising from unintentional defamation, liable and slander.

It should be noted that no protection is afforded to the public for comments made during meetings, which are subsequently challenged in a court of law and determined to be defamatory or slanderous. Whilst Council may not be liable for any defamatory comments made by an individual at a meeting, it may, however, be liable if it publishes that material; albeit inadvertently. Accordingly, following any public council meeting the CEO has discretion to direct the removal of all or part of any video and/or audio recording which is considered inappropriate to be published. Material considered as inappropriate may include, but is not limited to:

- Defamation
- Infringement of Copyright
- Breach of Privacy / Disclosure of Personal Information
- Offensive Behaviour including Discrimination
- Vilification or Inciting Hatred
- Confidential or Privileged Council Information

In making this determination, the CEO may seek independent legal advice.

Privacy and Defamation

The audio-visual recording equipment will be configured in a way which avoids coverage of the public gallery area and Council will endeavour to ensure images in this area are not streamed. However, Council expressly provides no assurances to this effect and by entering or exiting the Council Chamber or by remaining in the public gallery area, it is assumed that consent has been given to the Council to broadcast images and audio recordings.

The opinions or statements made during the course of the meeting are those of the particular individuals, and not necessarily the opinions or statements of Council. Council does not necessarily endorse or support the views, opinions, standards, or information contained in the live streaming and videorecording of the Council meetings.

Council does not accept any responsibility for the comments made or information provided during Council meetings and does not warrant nor represent that the material or statements made during the streamed meetings are complete, reliable, accurate or free from error.

PRINCIPLES

Council's Organisational Values apply to all activities.



**Our people
matter**



**We care about
our community**



**We bring an
open mind**



**We go home
safe and well**

RELATED POLICIES & PROCEDURES

14-Fmx-009 Request for Council Meeting Audio Recording

RELATED LEGISLATION

Local Government Act 1993 (Tas)

Local Government (Meeting Procedures) Regulations 2015

REFERENCES

Not applicable

DEFINITIONS

Streaming - the transmission of data (e.g. video or audio) over the internet in a steady, continuous flow

REVIEW

This policy will be reviewed every four (4) years, after each Council election or more frequently, if dictated by operational demands and with Council's approval.